

**KENT FIRE DEPARTMENT REGIONAL FIRE AUTHORITY**

**RESOLUTION NO. 97**

**INTENT TO CONTINUE BENEFIT CHARGE**

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A RESOLUTION OF THE GOVERNING BOARD OF THE KENT FIRE DEPARTMENT REGIONAL FIRE AUTHORITY PROVIDING FOR THE CONTINUATION OF A BENEFIT CHARGE; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE RFA AT A SPECIAL ELECTION TO BE HELD WITHIN THE RFA ON APRIL 26, 2016, A PROPOSITION AUTHORIZING THE CONTINUATION OF A BENEFIT CHARGE ON PERSONAL PROPERTY AND IMPROVEMENTS TO REAL PROPERTY WITHIN THE RFA FOR UP TO SIX YEARS; AND, CALLING A PUBLIC HEARING.

**Background:** WHEREAS, the RFA is authorized by the Kent RFA Plan and chapter 52.26 RCW to establish, impose and collect a benefit charge on personal property and improvements to real property located within the RFA; and

WHEREAS, , the voters of the RFA previously authorized the RFA to impose and collect a benefit charge for six years in 2010; and

WHEREAS, the Governing Board has determined that the benefit charge, established in conjunction with a lower level of property taxes, provides the most stable, reliable and cost effective method for financing the services the RFA provides to its citizens; and

WHEREAS, the benefit charge will be reasonably proportioned to the measurable benefits to property resulting from the services provided by the RFA and shall not exceed 60% of the operating budget of the RFA; and

WHEREAS, it is reasonable and necessary that the RFA obtain voter approval to continue its benefit charge for an additional six year period to maintain and improve the services provided by the RFA;

**RESOLVED**, by the Governing Board of Kent Fire Department Regional Fire Authority:

1. **Continuation of Benefit Charge.** It is the declared intent of the Governing Board to continue imposing a benefit charge on personal property and improvements to real property located within the RFA, which have or will receive benefits provided by the RFA to be paid by owners of such properties.
2. **Method of Apportionment.** The total benefit charge authorized by this resolution shall be reasonably apportioned among the affected parcels of property initially by the general method described in **Exhibit A**.

3. **Amount of Benefit Charge.** The benefit charge for each year shall be set in the year preceding imposition of the charge after a public hearing to review and establish the amount of the benefit charge pursuant RCW 52.26.230.
4. **Notice of the Benefit Charge.** Subsequent to the public hearing referred to in Section 3, property owners will be notified in writing each year of the benefit charge and the amounts thereof to be charged in the subsequent year.
5. **Review Board.** Subsequent to establishing the annual benefit charge and notifying the property owners, the RFA shall form a review board pursuant to RCW 52.26.250. The review board shall be convened and available for at least a two-week period to hear and decide written appeals from property owners regarding their particular benefit charge assessment.
6. **Effective Date.** If approved by the voters, the continued benefit charge shall be imposed on the affected properties beginning January 1, 2017.
7. **Contract For Administration.** The Chief of the RFA is authorized and directed to negotiate a contract with the King County treasurer to provide for the administration and collection of the benefit charge. The contract shall establish the fee to be paid by the RFA to the County Treasurer and County Assessor for services to be performed under the contract.
8. **Public Hearing.** The Governing Board will hold a public hearing before the Board on February 17, 2016, as part of the Governing Board's regular meeting to consider the proposal to continue the benefit charge to support the legally authorized activities of the RFA to maintain and improve the services afforded in the RFA. The RFA shall cause public notice of the hearing to be published in a legal newspaper circulated within the RFA not less than ten days prior to the date of the hearing. The RFA shall also post a public notice of the hearing at all fire RFA stations within the RFA.
9. **Election.** Pursuant to RCW 52.26.220, there shall be submitted to the qualified electors of the RFA for their ratification or rejection, at a special election on April 26, 2016, the question of whether or not such benefit charge for services provided by the RFA shall be continued. The Board of Commissioners hereby requests that the Elections Division of King County call such special election, and to submit the following proposition at such election, in the form of a ballot titled substantially as follows:

PROPOSITION

Kent Fire Department Regional Fire Authority  
Continuation of Benefit Charge

Shall the Kent Fire Department Regional Fire Authority be authorized to continue voter-authorized benefit charges each year for six years, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.26.140(1)(c)?

YES

NO

**10. Requesting Publication of Local Voters' Pamphlet.** The Governing Board hereby requests that King County Elections prepare and distribute a Local Voters Pamphlet for the April 26, 2016 special election in the Kent Fire Department Regional Fire Authority.

**11. Pro and Con Committee Appointments.** The Governing Board hereby assigns to the Fire Chief or designees the task of appointing members to a committee to advocate voters' approval of the proposition and to a committee to prepare arguments advocating voters' rejection of the proposition.


**ADOPTED** by the Governing Board of Kent Fire Department Regional Fire Authority in a regular open public meeting on the 20th day of January, 2016.

**GOVERNING BOARD**


  
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**Dennis Higgins, Member**

  
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**Allan Barrie, Member**

  
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**Bill Boyce, Member**

  
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**Mike Denbo, Member**

  
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**Harry George, Member**

  
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**Les Thomas, Member**

  
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**Jane Ogren, Board Secretary**

ADOPTED at a regular meeting of the Governing Board of Kent Fire Department Regional Fire Authority, held on January 20, 2016.

## **APPENDIX A Fire Benefit Charge**

### **Fire Benefit Charge**

Fire benefit charges were authorized by the State legislature in 1987 in exchange for a reduction in levy capacity. This two part funding system consists of a maximum tax levy of \$1.00 per thousand of taxable value (\$0.91 in 2016) and; a fire benefit charge that is limited to 60% (46% in 2016) of the annual operating budget. The fire benefit charge is variable based upon square footage and the amount of resources needed to provide emergency services to each house or business. Exemptions from the fire benefit charge are limited to property used for religious worship or education.

### **Fire Benefit Charge (FBC) - Formula**

When approved by voters the FBC formula must reasonably apportion cost to the services afforded to the property. Therefore, assessed value is not used in determining the FBC, instead the KRFA uses property type, property use, and associated risk increasers (see definition of hazard factors) or risk reducers (see sprinkler and alarm discount) in determining the FBC amount for each structure.

The primary factors of the formula are based upon the amount of "required fire flow" or water needed to extinguish a fire, and the number of firefighters and equipment needed to effectively deliver the required fire flow and their associated cost for fighting a fire in the type and size of structure being assessed. As structure size or fire loading within a structure increases, the need for required fire flow, firefighters, and equipment also increases. The benefit charge formula is in part, based upon the Insurance Services Office (ISO) fire flow formula (square root of area \* 18) and considers these factors. The Kent Fire Authority Governance Board has adopted the following formulas for the benefit charge and reserves the right to change the formula on a periodic basis to meet statutory requirements:

#### **One and two family buildings**

$$\sqrt{\text{Area}} * 18 * \text{CF} * \text{ERF} * \text{CPG} * \text{Sprinkler Discount} = \text{FBC}$$

#### **Manufactured home**

$$\sqrt{\text{Area}} * 18 * \text{CF} * \text{ERF} * \text{CPG} * \text{Sprinkler Discount} = \text{FBC}$$

#### **Multi Family buildings**

$$\sqrt{\text{Area}} * 18 * \text{CF} * \text{ERF} * \text{CPG} * \text{Sprinkler and Alarm Discount} = \text{FBC}$$

#### **Commercial buildings**

$$\sqrt{\text{Area}} * 18 * \text{CF} * \text{ERF} * \text{HF} * \text{CPG} * \text{Sprinkler and Alarm Discount} = \text{FBC}$$

#### **Definitions:**

- **√Area** = The square root of the total square feet of the buildings over 400 square feet located upon the property.

## **APPENDIX A**

### **Fire Benefit Charge**

- **CF = Category Factor:** The category factor is based upon building type and size. This information is obtained from the King County Assessor database for each building subject to the FBC. The major categories are:
  - *One and two family buildings*
  - *Multi-family buildings*
  - *Commercial buildings*
  - *Manufactured homes*
  
- **ERF = Effective Response Force.** The effective response force factor is relational to the size of force in firefighters and equipment needed to sustain delivery of the required fire flow.
  
- **HF = Hazard Factor:** The hazard factor represents the degree of risk caused by the use, processing, or storage of hazardous materials within a building. The hazard factor reflects the need for larger and/or more specialized effective response forces. Hazard factors are determined from use and risk classifications found in the National Fire Protection Association's (NFPA) Standard 13 (Standards for the Installation of Sprinkler Systems).
  
- **CPG = Cost Per Gallon:** Is the relative cost of providing the required fire flow per gallon during a fire incident. CPG is a balancing factor used as an adjustable multiplier to finely tune the FBC calculation across all properties to reach precisely the desired target FBC amount.
  
- **Senior Citizen Discount:** By State law, the FBC provides senior and disabled persons exemptions to the FBC for property they own based upon age, income and disability. King County processes and approves these discounts in three categories:
  - **Full exemption**                      75% discounted rate
  - **Partial exemption**                    50% discounted rate
  - **Standard exemption**                25% discounted rate
  
- **Sprinkler and Alarm System Discount:**  
Fire sprinkler systems in combination with alarm systems will receive a reduction depending upon system capability. Partial coverage systems may not qualify for a discount.
  
- **Manufactured Homes:** King County does not adequately maintain square feet data for mobile homes. Where complete data is missing, the manufactured home size has been determined to be 1075 square feet.
  
- **Minimum Square Footage:** The FBC will not be applied to parcels with a total improvement square footage of less than 400 sq. ft.

## APPENDIX A Fire Benefit Charge

### Formula Factors:

To reasonably apportion total cost of maintaining fire service capacity to the services that may be afforded to the property, factors used in the formula may be adjusted each year as approved by the Governance Board. The following factors were used for the 2016 assessment year.

2016 Kent Regional Fire Authority - Benefit Charge Formula:																																																																																																															
Square root of total square footage X 18 X Category Factor X Fire Flow Factor X Response Factor X Risk Factor X Applicable Discount = FBC																																																																																																															
Total square footage of structure(s)																																																																																																															
<b>Category Factors:</b>	<table border="1"> <tr> <td>Residential</td> <td>400 - 1,799</td> <td>1,800 - 2,699</td> <td>2,700 - 3,599</td> <td>3,600 - 3,999</td> <td>4,000 - 4,999</td> <td>5,000 - 7,999</td> <td>8,000 - 9,999</td> <td>10,000 - 14,999</td> <td>15,000 - 19,999</td> <td>20,000 - 29,999</td> <td>30,000 - 49,999</td> <td>50,000 - 99,999</td> <td>100,000 - 139,999</td> <td>140,000 - 199,999</td> <td>200,000 - 299,999</td> <td>300,000 - 399,999</td> <td>400,000 - 499,000</td> <td>500,000 - 599,999</td> <td>600,000 - 699,000</td> <td>700,000 - 999,999</td> <td>1,000,000 - and &gt;</td> </tr> <tr> <td>Mobile Homes</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> <td>0.80</td> </tr> <tr> <td>Apartments</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> <td>0.75</td> </tr> <tr> <td>Commercial</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> <td>1.60</td> </tr> <tr> <td>Commercial</td> <td>1.10</td> <td>1.10</td> <td>1.10</td> <td>1.10</td> <td>1.10</td> <td>1.30</td> <td>1.30</td> <td>1.30</td> <td>1.40</td> <td>1.40</td> <td>1.40</td> <td>1.50</td> <td>1.50</td> <td>6.70</td> <td>6.70</td> <td>2.05</td> <td>8.60</td> <td>11.10</td> <td>14.25</td> <td>14.25</td> <td>14.25</td> </tr> </table>	Residential	400 - 1,799	1,800 - 2,699	2,700 - 3,599	3,600 - 3,999	4,000 - 4,999	5,000 - 7,999	8,000 - 9,999	10,000 - 14,999	15,000 - 19,999	20,000 - 29,999	30,000 - 49,999	50,000 - 99,999	100,000 - 139,999	140,000 - 199,999	200,000 - 299,999	300,000 - 399,999	400,000 - 499,000	500,000 - 599,999	600,000 - 699,000	700,000 - 999,999	1,000,000 - and >	Mobile Homes	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	Apartments	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	Commercial	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	Commercial	1.10	1.10	1.10	1.10	1.10	1.30	1.30	1.30	1.40	1.40	1.40	1.50	1.50	6.70	6.70	2.05	8.60	11.10	14.25	14.25	14.25
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<b>Fire Flow Factor:**</b>	0.29756155104																																																																																																														
<b>Response Factor:**</b>	1.00 1.10 1.35 1.65 1.65 2.25 2.25 2.25 2.25 2.25 2.65 4.20 4.20 4.20 4.20 4.20 4.20 4.20 4.20 4.20 4.20 4.20																																																																																																														
<b>Risk Factor:***</b>	1.00 1.00																																																																																																														
<b>Discounts:</b>	0.900 0.900																																																																																																														
<b>Automatic Fire Sprinklers</b>	0.980 0.980																																																																																																														
<b>Manual Local Alarm</b>	0.950 0.950																																																																																																														
<b>Manual Central Alarm</b>	0.970 0.970																																																																																																														
<b>Automatic Local Alarm</b>	0.925 0.925																																																																																																														
<b>Automatic Central Alarm</b>	0.250 0.250																																																																																																														

\*\* Response factor is based upon the number of firefighters needed to deliver the required fireflow  
 \*\*\* Risk factors apply to commercial property and are defined by the National Fire Protection Association and deal with fire hazards and hazardous materials.