

**KING COUNTY FIRE PROTECTION DISTRICT NO. 10
RESOLUTION NO. 21-01**

**INTENT TO CONTINUE VOTER AUTHORIZED BENEFIT CHARGE
(PRIMARY ELECTION)**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY FIRE PROTECTION DISTRICT NO. 10 PROVIDING FOR THE RE-AUTHORIZATION AND CONTINUATION OF A BENEFIT CHARGE; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE DISTRICT AT A SPECIAL ELECTION TO BE HELD WITHIN THE DISTRICT ON AUGUST 3, 2021 IN CONJUNCTION WITH THE STATE PRIMARY ELECTION TO BE HELD ON THE SAME DATE, OF A PROPOSITION AUTHORIZING A BENEFIT CHARGE ON PERSONAL PROPERTY AND IMPROVEMENTS TO REAL PROPERTY WITHIN THE DISTRICT FOR UP TO TEN YEARS; AND, CALLING A PUBLIC HEARING.

Background: WHEREAS, in 2003 the District's voters authorized the District, pursuant to chapter 52.18 RCW, to establish, impose and collect a benefit charge on personal property and improvements to real property located within the District for a six-year period; and

WHEREAS, in 2009 and 2015 the District's voters authorized the District, pursuant to chapter 52.18 RCW, to continue to impose and collect a benefit charge on personal property and improvements to real property located within the District for additional six-year periods;

WHEREAS, the Board of Commissioners 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 emergency operations of the District needed to maintain a satisfactory level of District services; and

WHEREAS, the Board of Commissioners has determined that a ten-year extension of the benefit charge, as authorized by chapter 52.18 RCW will reduce future election costs and provide longer term stable funding for the District; and

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

WHEREAS, it is reasonable and necessary that the District continue the benefit charge to maintain and improve emergency services provided by the District;

Resolution: NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of King County Fire Protection District No. 10 as follows:

Section 1. Benefit Charge. It is the declared intent of the Board of Commissioners to continue to fix and impose a benefit charge on personal property and improvements to real property located within the District, which have or will receive benefits provided by the District to be paid by owners of such properties.

1.1. Method of Apportionment. The benefit charge shall be reasonably proportioned to the measurable benefits to property resulting from the services provided by the District using

a method of apportionment established on an annual basis in accordance with RCW 52.18.010, 52.18.030 and 52.18.060(2).

1.2. 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 52.18.060 and shall not exceed 60% of the operating budget of the District.

1.3. Notice of the Benefit Charge. Subsequent to the annual public hearing required by RCW 52.18.060(2), property owners will be notified in writing each year of the benefit charge and the amounts thereof to be charged in the subsequent year.

1.4. Review Board. Subsequent to the establishing the annual benefit charge and notifying the property owners, the District shall form a review board pursuant to RCW 52.18.070. 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.

Section 2. Effective Date. If approved by the voters, the benefit charge shall be imposed on the affected properties beginning January 1, 2022.

Section 3. Public Hearing. The Board of Commissioners will schedule a public hearing before the Board at a subsequent date at least ten days prior to the election to consider the proposal to impose benefit charges for the support of the legally authorized activities of the District to maintain and improve the services afforded in the District. The secretary shall cause public notice of the hearing to be published in a legal newspaper circulated within the District not less than ten days prior to the date of the hearing.

Section 4. Election. There shall be submitted to the qualified electors of the district for their ratification or rejection, at a special election on August 3, 2021, in conjunction with the state primary election to be held on the same date, the question of whether or not such benefit charge for fire protection purposes shall be authorized. The Board of Commissioners hereby requests that the Auditor of King County, as ex-officio Supervisor of Elections, call such special election, and to submit the following proposition at such election, in the form of a ballot titled substantially as follows:

PROPOSITION
King County Fire Protection District No. 10

Shall King County Fire Protection District No. 10 be authorized to continue a voter-authorized benefit charge each year for up to a ten-year period, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.16.160?

Yes
No

Section 5. Pursuant to RCW 52.18.050(3)(a) the measure requires a simple majority vote to be approved.

Section 6. The Board of Commissioners finds and declares that it is in the best interest of the District to have information regarding the ballot measure included in the local voters' pamphlet. Furthermore, that the appropriate costs thereof shall be paid for by the District. The Board of Commissioners further authorizes and directs the Fire Chief to provide such information to the County Elections Department for inclusion and to take other actions as necessary to that end.

Section 7. The Board hereby assigns to the Chief or designee 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.

Section 8. For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the Board hereby designates the Chief, or designee, as the individual to whom the County Auditor shall provide such notice.

Section 9. The Chief, or designee, is authorized to implement such administrative procedures as may be necessary to carry out the directives of this resolution, including modifying the text of the ballot title and any other text, language and/or descriptions relative thereto necessary to conform such ballot title, text, language and/or descriptions to the intent of the parties, consistent with the objectives of this resolution.

Section 10. The Chief, or designee, is hereby authorized and directed, no later than May 14, 2021, to provide to the County Auditors a certified copy of this resolution and the proper District officials are authorized to perform such other duties or take such other actions as are necessary or required by law to the end that the proposition described in this resolution appear on the ballot before the voters at the August 3, 2021 election.

Section 11. If any section, subsection, paragraph, sentence, clause or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

Section 12. Any act consistent with the authority and prior to the effective date of this resolution is hereby ratified and affirmed.

Section 13. This resolution shall take effect and be in force immediately upon its passage.

Adoption: ADOPTED by the Board of Commissioners of King County Fire Protection District No. 10, Washington, at an open public meeting of such Board on the 5 day of April, 2021, the following Commissioners being present and voting:

VIRTUALLY APPROVED BY THE DISTRICT 10 BOARD OF COMMISSIONERS ON:
Vote: 4 – 0 by the Commissioners present: Chair Hatcher-Mays, Vice Chair Sandall, Commissioner Martin, Commissioner Dowling.

VERIFIED BY THE BOARD SECRETARY: Jamie Formisano