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EAST PIERCE FIRE and RESCUE

RESOLUTION NO. 795

A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF EAST PIERCE FIRE AND RESCUE , PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE DISTRICT AT A SPECIAL ELECTION TO BE HELD ON APRIL 26, 2016, A PROPOSITION WHICH WOULD RE-AUTHORIZE AN INCREASE IN PROPERTY TAX REVENUES IN EXCESS OF THE LIMITATIONS IMPOSED BY CHAPTER 84.55 OF THE REVISED CODE OF WASHINGTON, BUT MAINTAIN THE EMERGENCY MEDICAL SERVICES (EMS) LEVY RATE OF \$0.50 PER \$1,000 OF ASSESSED VALUATION LIMIT PREVIOUSLY AUTHORIZED FOR THE TAXING DISTRICT, APPLICABLE TO ALL TAXABLE PROPERTY LOCATED IN THE DISTRICT.

BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF EAST PIERCE FIRE AND RESCUE , PIERCE COUNTY, WASHINGTON, AS FOLLOWS:

WHEREAS, in the judgment of the Board of Fire Commissioners (the "Board") of East Pierce Fire and Rescue (the "District"), it is essential for the protection of the public health, safety, life, and property of the citizens and residents of the District that current service levels of fire protection and emergency medical services be maintained; and

WHEREAS, a regular property tax rate of \$0.50 per \$1,000 of assessed valuation, applicable to all taxable property located in the district, has been **previously authorized** and may be lawfully levied within the limits prescribed by RCW 84.55.010, as amended, which limits annual property tax increases to 1% over and above the previous year's tax revenues; and

WHEREAS, RCW 84.55 authorizes the 1% limit on annual increases to be exceeded with voter approval, commonly referred to as a "lid lift" election, pursuant to RCW 84.55.050; and

WHEREAS, a 1% limitation would restrict the District from levying its full authorized levy rate of \$0.50 per \$1,000 of assessed valuation, necessitating a cutback in the level of services in the District, including but not limited to the inability to increase the number of Paramedics to address a rapidly increasing call volume, and the ability to accommodate the rising costs of medical supplies.

WHEREAS, the electorate should be given the opportunity to decide whether the cutbacks should occur or instead, whether the full re-authorized rate of \$0.50 per \$1,000 should be levied, waiving the 1% limit of the initiative, commonly referred to as "lifting the lid".

NOW THEREFORE BE IT HEREBY RESOLVED, FOUND, DETERMINED AND ORDERED, AS FOLLOWS:

Section 1. A regular property tax rate of \$0.50 per \$1,000 of assessed valuation, applicable to all taxable property located in the district, has been **previously duly authorized**, and is necessary and appropriate to levy, notwithstanding the 1% annual increase limitation of RCW 84.55.010 et

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seq.. RCW 84.55 places a 1% limitation on the increase of tax revenue collected by the District . Such 1% limitation on the increase would cause a loss of revenue to the District of up to \$600,000. Such a loss would necessitate cutbacks in services as enumerated above. This resolution and the resultant election would give the voters the opportunity to choose to continue service pursuant to the previously authorized levy rate , waiving the 1% limit of the statute (commonly referred to as a “lid lift”.)

Section 2. The proposal set forth below, if authorized by the qualified electors of the District, will allow a continued levy rate of \$0.50 per \$1,000 of assessed valuation. There shall be submitted to the qualified electors of the District, for their ratification or rejection, at a special election held in conjunction with the special election on April 26, 2016, a proposition to exceed the 1% limitation (and “lift the lid”) of RCW 84.55.010 et seq. and levy the full authorized rate of \$0.50 per \$1,000 of assessed valuation, subject to statutory and constitutional limits, which are otherwise applicable.

Section 3. The Board hereby requests the Auditor of Pierce County, Washington, as ex officio County Supervisor of Elections, to call and conduct such special election to be held within the District on Tuesday, April 26, 2016, and to submit to the qualified electors of the District the proposition in substantially the following form:

PROPOSITION NO. 1

EAST PIERCE FIRE AND RESCUE

AUTHORIZING INCREASE IN PROPERTY TAXES
OVER 1% LIMITATION

To ensure the continued delivery of fire protection and emergency medical services for the citizens and residents of the District, shall East Pierce Fire and Rescue be re-authorized to exceed the 1% limitation on annual increases in property tax revenues, and be allowed to reinstate and levy taxes within its previously authorized limit of \$0.50 per \$1,000 of assessed value, as authorized by Resolution No. 681.

INSTRUCTIONS TO VOTERS:

To vote IN FAVOR OF the foregoing proposition, mark a cross (X) in the “Levy, Yes” square.

To vote AGAINST the foregoing proposition, mark a cross (X) in the “Levy, No” square.

LEVY, YES

LEVY, NO

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Section 4. A notice of special election shall be published at least once, which publication shall take place not more than ten (10) days nor less than three (3) days prior to the date of said election. Said publication shall be in a newspaper of general circulation within the District.

Section 5. Approval of the proposition described in Section 3 shall be construed and interpreted as qualified elector approval of a tax increase in compliance with RCW 84.55 as amended.

Section 6. The Secretary to the Board is hereby directed to deliver a certified copy of this resolution to the Auditor of Pierce County, Washington, as ex officio County Supervisor of Elections for the District, at least 45 days before the date for the special election.

Section 7. With respect to this election, the District shall participate in the publication of information in the Local Voters' Pamphlet, including but not limited to an explanatory statement reviewed and approved by the District's attorney, a Statement For, and a Statement Against, pursuant to Chapter 29.81A of the Revised Code of Washington.

Section 8. This resolution shall take effect immediately upon adoption.

ADOPTED AND APPROVED by the Board of Fire Commissioners of East Pierce Fire and Rescue on February 16, 2016.

EAST PIERCE FIRE AND RESCUE

Ala. J. Pittell
Chairman

[Signature]
Commissioner

K. J. Marshall
Commissioner

Edward M. Egan
Commissioner

[Signature]
Commissioner

Commissioner

Commissioner

Attest:

Michelle Helton
District Secretary

Approved as to form:

Joseph F. Quinn, WSB #6810
Attorney for District