

AUG 3 - 2009

PIERCE COUNTY FIRE PROTECTION DISTRICT 16

Fire Protection ♦ Rescue/Medical/Ambulance Services ♦ Public Education ♦ Fire Prevention



**PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 16
RESOLUTION NO. 07-09-511
Regular Lid Lift Levy of \$1.09**

A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 16, PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE DISTRICT AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2009, OF A PROPOSITION WHICH WOULD AUTHORIZE THE LEVY RATE OF \$1.09 PER \$1,000 OF ASSESSED VALUATION NOTWITHSTANDING THE 1% ANNUAL INCREASE IN PROPERTY TAX REVENUE LIMITATION IMPOSED BY CHAPTER 84.55 OF THE REVISED CODE OF WASHINGTON.

BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 16, PIERCE COUNTY, WASHINGTON, AS FOLLOWS:

WHEREAS, in the judgment of the Board of Fire Commissioners (the "Board") of Pierce County Fire Protection District No. 16 (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 \$1.09 per \$1,000 of assessed valuation, applicable to all taxable property located in the district, may be authorized and may be lawfully levied within the limits prescribed by Chapter 84.55 of the Revised Code of Washington, which limits annual property tax increases to 1% above the highest levy within the last three years; and

WHEREAS, Chapter 84.55 of the Revised Code of Washington 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 the desired levy rate of \$1.09 per \$1,000 of assessed valuation, necessitating a limitation in the level of services in the District, and

WHEREAS, the electorate should be given the opportunity to decide whether the level of services should remain the same or be reduced, and whether an authorized rate of \$1.09 per \$1,000 should be levied, waiving the 1% limit of the statute, 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 \$1.09 per \$1,000 of assessed valuation, applicable to all taxable property located in the district, should be **duly authorized**, and is necessary and appropriate to levy, notwithstanding the 1% annual increase limitation of Chapter 84.55 of the Revised Code of Washington, which places a 1% limitation on the tax revenue to be collected by the District in 2010. Such 1% limit would cause a loss of substantial revenue to the District. Such a loss could necessitate a reduction in the level of services. This resolution and the resultant election would give the voters the opportunity to choose to continue service pursuant to a newly authorized levy rate of \$1.09 per thousand adopted pursuant to RCW 52.16.160, 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 levy rate of \$1.09 per \$1,000 of assessed valuation. There shall be submitted to the qualified electors of the District, for their ratification or rejection, at the general election held on November 3, 2009, a proposition to exceed the 1% limitation (and “lift the lid”) of RCW 84.55.010 et seq. and levy the voter-authorized rate of \$1.09 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 election to be held within the District on Tuesday, November 3, 2009, and to submit to the qualified electors of the District the proposition in substantially the following form:

PROPOSITION NO. 1

SUBMITTED BY PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 16

AUTHORIZING NEW PROPERTY TAX RATE

OFFICAL BALLOT TITLE: The Board of Commissioners of Pierce County Fire District No.16 approved Resolution No. 07-09-511 proposing to authorize a new regular property tax levy rate. If passed, Proposition No. 1 would permit the District to levy for collection in 2010 the regular property tax at the rate of \$1.09 per \$1,000 of assessed valuation, thereby lifting the revenue limitation in Chapter 84.55 RCW, which otherwise limits any revenue increase to 1% annually.

SHOULD PROPOSITION NO. 1 BE:

APPROVED

REJECTED

Section 4. A notice of election shall be published at least once, if required by law, 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.

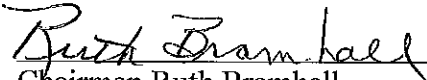
Section 5. Approval of the proposition described in Section 3 shall be construed and interpreted as qualified elector approval of a tax increase and permanent "lid lift" in compliance with RCW 84.55 as amended.

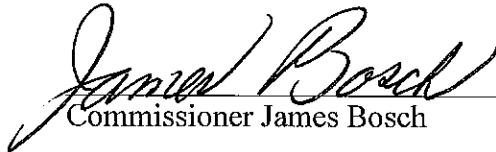
Section 6. The Secretary to the Board is hereby directed to deliver a certified copy of this resolution to the Auditor of Pierce County, Washington, as ex officio County Supervisor of Elections for the District, at least 45 days before the date of the election.

Section 7. With respect to this election, the District shall participate in the publication of information in the Local Voter's 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.

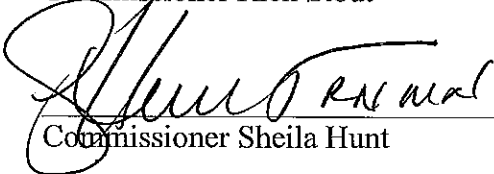
ADOPTED AND APPROVED by the Board of Fire Commissioners of Pierce County Fire Protection District No.16 on July 28, 2009.


Chairman Ruth Bramhall


Commissioner James Bosch

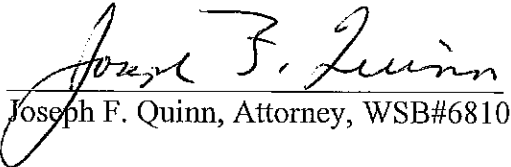

Commissioner Rick Stout

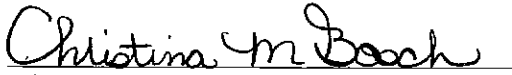

Commissioner Allen Yanity


Commissioner Sheila Hunt

APPROVED AS TO FORM:

ATTEST:


Joseph F. Quinn, Attorney, WSB#6810


District Secretary