

APR 25 2017

EAST PIERCE FIRE AND RESCUE  
PIERCE COUNTY, WASHINGTON

RESOLUTION NO. 820

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 AN ELECTION TO BE HELD THEREIN ON AUGUST 1, 2017, A PROPOSITION WHICH WOULD RE-AUTHORIZE THE CURRENT FIRE DISTRICT LEVY RATE OF \$1.50 PER \$1,000 OF ASSESSED VALUATION FOR A ONE YEAR PERIOD, AND THEN WOULD ALLOW SPECIFIC INCREASES FOR EACH OF THREE CONSECUTIVE SUCCESSIVE YEARS, IN PROPERTY TAXES COLLECTED BY THE FIRE DISTRICT APPLICABLE TO ALL TAXABLE PROPERTY LOCATED IN THE DISTRICT, IN EXCESS OF THE LIMITATIONS IMPOSED BY CHAPTER 84.55 OF THE REVISED CODE OF WASHINGTON AND PROVIDING THAT THE LEVY DOLLAR AMOUNT IN THE FOURTH YEAR SHALL SERVE AS THE BASE FOR COMPUTING THE LIMITATIONS ON FUTURE YEARS' LEVIES.

**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 minimum service levels of fire and emergency medical services be maintained; and

**WHEREAS**, a regular property tax rate of \$1.50 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 as amended, which limits annual property tax increases to 1% over and above the previous year's tax revenues; and

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

**WHEREAS**, a 1% limitation would restrict the District from levying up to its full authorized levy rate of \$1.50 per \$1,000 of assessed valuation, necessitating a reduction in the level of services in the District, through longer response times, inadequate resources dispatched to alarms, and increased reliance on mutual aid, and reducing special services such as hazardous materials and rescue teams, and similar cutbacks; and

**WHEREAS**, the electorate should be given the opportunity to decide whether the service levels should be reduced or instead, whether the authorized rate of up to \$1.50 per \$1,000 should be levied and maintained, waiving the 1% limit of RCW 84.55, commonly referred to as "lifting the lid"; and

**WHEREAS**, current statutes authorize multi-year lid lifts for up to six years, with the dollar amount in the sixth year being used as a base for computing the limitations on future years' levies (sometimes referred to as a "permanent" lid lift);

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

**Section 1.** A regular property tax rate of \$1.50 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 seq., as amended. RCW 84.55 places a 1% limitation on the increase of tax revenue collected by the District annually. Such 1% limitation on the increase would cause a loss of revenue to the District of approximately \$1,768,000 in 2018 and compounding in subsequent years. Such a loss would necessitate reduction in services as enumerated in the fourth recital above, and restrict the ability of the District to provide for the growing demand for service. This resolution and the resultant election would give the voters the opportunity to choose to continue service pursuant to the previously authorized levy rate adopted pursuant to RCW 52.16.160 (the "third fifty cents"), waiving the 1% limit of RCW 84.55 (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 \$1.50 per \$1,000 of assessed valuation for a one (1) year period, coupled with specified increases in property taxes collected in each of the three consecutive successive years thereafter. There shall be submitted to the qualified electors of the District, for their ratification or rejection, at an election on August 1, 2017, 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 \$1.50 per \$1,000 of assessed valuation for a one (1) year period, coupled with specified increases in property taxes collected in each of the three consecutive successive years thereafter, subject to statutory and constitutional limits, which are otherwise applicable; **provided further** that the dollar amount of the levy in the fourth year shall be used as the base for computing the limitations on future years' levies.

**Section 3.** The Board hereby requests the Manager of Records and Elections 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 August 1, 2017, 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 FIRE PROTECTION PROPERTY TAX LEVY RATE  
OF UP TO \$1.50 PER \$1,000 OF ASSESSED VALUATION  
FOR A FOUR YEAR PERIOD (2018-2021)

The Board of Fire Commissioners of East Pierce Fire and Rescue adopted Resolution No. 820, concerning a proposition to exceed the limitation on increasing property taxes. This proposition would authorize the District to restore the previously voter-authorized rate of \$1.50 per \$1,000 of assessed valuation in 2018, and allow annual increases of up to 6% for the succeeding three years. The

2021 levy dollar amount would be used for computing limitations for subsequent levies, as authorized in Resolution No. 820.

(This shall not be construed to authorize an excess levy and shall be subject to otherwise applicable statutory limits, except the 1% limitation required by RCW 84.55.010 et seq..)

INSTRUCTIONS TO VOTERS:

Should this proposition be:

APPROVED

REJECTED

**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 above 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 Manager of Records and Elections of Pierce County, Washington, as ex officio County Supervisor of Elections for the District, by May 12, 2017.

**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 29A.32 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 April 18, 2017.

EAST PIERCE FIRE AND RESCUE

Steve J. Mitchell  
Chairman

Edward M. Egan 9/18/17  
Commissioner

Mike Cattell  
Commissioner

[Signature]  
Commissioner

Ken [Signature]  
Commissioner

[Signature]  
Commissioner

[Signature]  
Commissioner

Attest:

Michelle Hellen  
District Secretary

Approved as to form:

Joseph E. Quinn  
Joseph E. Quinn, WSB #6810  
Attorney for District