

SOUTH SNOHOMISH COUNTY FIRE & RESCUE REGIONAL FIRE AUTHORITY

RESOLUTION NO. 06162020-11

ESTABLISHMENT OF BENEFIT CHARGE AND CALL FOR AN ELECTION FOR A BALLOT PROPOSITION TO IMPOSE THE BENEFIT CHARGE

WHEREAS, South Snohomish County Fire & Rescue Regional Fire Authority (South County Fire) is authorized by RCW 52.26.180 *et seq.* to establish, impose, and collect a benefit charge on personal property and improvements to real property located within South County Fire;

WHEREAS, the Governing Board of South County Fire has determined that the benefit charge, established in conjunction with a reduced levy of property taxes, provides the most stable, reliable, and cost effective method for financing the operations of South County Fire needed to provide a satisfactory level of services to its citizens and residents; and

WHEREAS, the benefit charge will be reasonably proportioned to the measurable benefits that each property receives from the services by South County Fire.

NOW, THEREFORE, BE IT HEREBY RESOLVED, as follows:

1. **Benefit Charge.** It is the declared intent of South County Fire to impose a voter-approved benefit charge on personal property and improvements to real property located within South County Fire, to be paid by the owners of such property in compliance with the following statutory procedures.

1.1 **Method of Apportionment.** The benefit charge shall be reasonably proportioned to the measurable benefits to property resulting from the services provided by South County Fire using a method of apportionment established on an annual basis in accordance with RCW 52.26.180.

1.2 **Amount of Benefit Charge.** The amount of the benefit charge for each year shall be set in the year preceding imposition of the charge, after a public hearing to review the amount of the benefit charge for the subsequent year, pursuant to RCW 52.26.230 and shall not exceed sixty percent (60%) of the operating budget of South County Fire.

1.3 **Notice of the Benefit Charge.** Pursuant to RCW 52.26.230, property owners will be notified in writing of the benefit charge and the amounts thereof, subsequent to the public hearing referred to in Section 2 above, and prior to the formation or convening of a benefit charge review board by South County Fire. Such review board shall be convened and available for a two-week period, to hear and decide written complaints from aggrieved property owners who, in their opinion, have been charged improperly.

1.4 **Review Board.** Subsequent to establishing the annual benefit charge and notifying the property owners, South County Fire shall form a review board pursuant to RCW 52.26.250. The review board shall be convenient and available for at least a two (2)-week period to hear and decide written appeals from property owners regarding their particular benefit charge assessment.

2. **Effective Date.** The benefit charge would be fixed and imposed on the affected

property, effective January 1, 2021, if authorized by the voters.

3. **Contract for Administration.** If approved by the voters, the Fire Chief is authorized and directed to negotiate a revised Interlocal Agreement with the Snohomish County Treasurer, if necessary, to provide for the administration and collection of the benefit charge.

4. **Public Hearing.** The Board of Commissioners will schedule a public hearing before the Board at a subsequent date at least ten (10) days prior to the election to specifically set forth and consider the proposal to impose benefit charges for the support of the legally authorized activities of South County Fire to maintain and improve the services provided in South County Fire. A report of the public hearing shall be filed with the county treasurer of each county in which the property is located and be available for public inspection.

5. **Election.** Pursuant to RCW 52.26.220, there shall be submitted to the qualified electors of South County Fire for their approval or rejection, at the general election of November 3, 2020, the question of whether the benefit charge shall be authorized. The ballot title for the measure is to be substantially as prescribed by RCW 52.26.220:

PROPOSITION NO. _

Shall South Snohomish County Fire & Rescue Regional Fire Authority be authorized to impose benefit charges each year for six (6) years, not to exceed an amount equal to sixty percent (60%) of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.26.140(1)(c)?

_____ **YES** _____ **NO**

ADOPTED at a regular meeting of the Governing Board of South Snohomish County Fire & Rescue Regional Fire Authority on June 16, 2020, the following commissioners being present and voting.

P.P. Jim Kenny MBe P.P. Greg Urban MBe
Jim Kenny, Chair EA, BOC Greg Urban, Commissioner EA, BOC

P.P. Bob Meador MBe P.P. David Chan MBe
Bob Meador, Vice Chair EA, BOC David Chan, Commissioner EA, BOC

P.P. Mark Laurence MBe P.P. Chris Teofilak MBe
Mark Laurence, Commissioner EA, BOC Chris Teofilak, Commissioner EA, BOC

P.P. Drew Burnett MBe
Drew Burnett, Commissioner EA, BOC

ATTEST:

MBe
Melissa Blankenship, Executive Assistant
to the Board of Commissioners

July 15, 2020

VIA U.S. MAIL

Snohomish County Auditor
Elections Division
3000 Rockefeller Ave.
Admin West Building, 1st floor
Everett, WA 98201

RE: South Snohomish County Fire & Rescue Regional Fire Authority

Our firm is general legal counsel to South Snohomish County Fire & Rescue Regional Fire Authority. We have approved the attached Explanatory Statement for the Fire Benefit Charge Ballot Measure which will be on the November general election ballot.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.


Richard A. Davis III

EXPLANATORY STATEMENT

South Snohomish County Fire and Rescue Regional Fire Authority (South County Fire) provides fire protection and emergency medical services.

A benefit charge is not a property tax. A benefit charge is a user fee based on risk factors and the cost of providing fire protection services. The amount of any benefit charge imposed on a specific property cannot exceed the measurable benefits of the services afforded to the property and is subject to appeal before a review board.

Under state law, regional fire authorities that collect benefit charges have reduced taxing authority. Benefit charges can constitute no more than 60 percent of a regional fire authority's annual operating budget, and the maximum property tax rate is reduced from \$1.50 to \$1.00 per \$1,000 of assessed valuation.

The RFA Board of Commissioners has determined a benefit charge is the fairest, most stable, reliable and cost-effective method for financing operations of the RFA and maintaining a satisfactory level of service.

The proposition requests voters authorize the benefit charge to be collected for six years.

BALLOT TITLE

Shall South Snohomish County Fire and Rescue Regional Fire Authority (South County Fire) be authorized to impose a benefit charge each year for six (6) years, not to exceed an amount equal to sixty percent (60%) of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.26.140(1)(c)?

Yes

No