

JOINT RESOLUTION
CITY OF MARYSVILLE RESOLUTION NO. 2460
SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12
RESOLUTION NO. 2019A-1

A JOINT RESOLUTION of the City Council of the City of Marysville, Washington, and the Board of Commissioners of the Snohomish County Fire Protection District No. 12, providing for the submission to qualified electors of the City and the District, at a special election to be held on April 23, 2019, of a proposition that, pursuant to Chapter 52.26 of the Revised Code of Washington, approves a plan to form a Regional Fire Protection Authority to be known as the Marysville Fire District within the boundaries of the City and the District, effective October 1, 2019.

RECITALS

- A. The ability and demands to respond to emergency situations by fire protection and emergency medical service agencies has increased and progressed with community needs and special service demands. Providing an effective fire protection and emergency medical service system requires a collaborative partnership and responsibility among local and regional governments and the private sector.
- B. There are efficiencies that can be gained by regional fire protection and emergency medical service delivery, while maintaining local control.
- C. The City of Marysville ("the City") and the Snohomish County Fire Protection District No. 12, ("the District") have had a long-standing cooperative partnership,

striving to provide the highest level of fire and emergency medical services to their citizens within the confines of available resources. This cooperative partnership began with an interlocal agreement in 1991, which provided that the City and the District would work together cooperatively as the Marysville Fire District. While this cooperative relationship served the public well for many years, as a result of the needs of a growing community and demands for enhanced fire and EMS services the City and the District have determined that it is in the public interest to place a measure before the voters that if approved would result in formation of a regional fire authority (RFA).

D. Pursuant to RCW 52.26.030 and 52.26.040 the City and the District formed an RFA Planning Committee to evaluate the feasibility of creating a new and separate regional fire authority to provide the fire protection and emergency services within the boundaries of the City and the District. The members of the Planning Committee included the Mayor, three City Council members and the three Fire District Commissioners. Over a period of several months, the Planning Committee met and created a Regional Fire Authority (RFA) Plan ("Plan") providing for the governance, design, financing, and development of fire protection and emergency services.

E. The Planning Committee held its final meeting on November 27, 2018 and unanimously recommended approval of the Plan to the City Council and District Commissioners. By adoption of this Joint Resolution the Plan is formally adopted and certified to the ballot pursuant to RCW 52.26.060 by both the City and the District. Copies of the Plan are available from the administrative offices of the City and the District.

F. Authority to form a RFA is authorized by Chapter 52.26 RCW. Chapter 52.26 RCW requires that in order to form a RFA, the Plan must be approved by the voters of the area affected by the Plan. Therefore, in accordance with the Plan and state law, it is appropriate to place before voters within the proposed

service boundaries of the RFA at a special election to be held on April 23, 2019, calling for the creation of a RFA which shall be known as the "Marysville Fire District", to be funded by a \$1.45 per \$1,000 assessed value property tax levy and the approval of the Plan, all in accordance with state law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, AND THE BOARD OF COMMISSIONERS OF THE SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12, AS FOLLOWS:

RESOLUTION

SECTION 1. - Adoption of Plan for Marysville Fire District Regional Fire Authority. The City Council of the City of Marysville and the Board of Commissioners of the Snohomish County Fire Protection District No. 12 hereby formally adopt the Marysville Fire District Regional Fire Authority (RFA) Plan a true and correct copy of which is attached as Exhibit A and incorporated by this reference.

SECTION 2. - Findings of Marysville City Council and Snohomish County Fire Protection District No. 12. The City Council of the City of Marysville Washington and the Board of Commissioners of the Snohomish County Fire Protection District No. 12 hereby adopt each of the recitals above as findings and further find that it is in the best interest of the City and the District to submit to the qualified electors of the City and the District at a special election to be held on April 23, 2019, a proposition to adopt the Plan that creates a RFA which shall be known as the "Marysville Fire District", which if approved will be funded by a property tax not to exceed \$1.45 per thousand of assessed value. If approved by a majority of the total persons voting on the ballot measure within the boundaries of the authority in accordance with RCW 52.26.060, effective October 1, 2019, this proposition would create a RFA as provided in chapter 52.26 RCW with boundaries coextensive with the boundaries of the City of Marysville and the Snohomish County Fire Protection District No. 12.

SECTION 3. – Proposition for Voter Submittal. There shall be submitted to the qualified electors of the District and the City for their approval or rejection, at a special election on April 23, 2019, the question of whether or not the RFA known as the Marysville Fire District should be created in accordance with the Plan and funded with the real property tax levies referenced above. The Board of Commissioners of the Snohomish County Fire Protection District No. 12 and the City Council of the City of Marysville hereby request that the auditor of Snohomish County, as ex-officio Supervisor of Elections call such election and to submit the following proposition at such election, in the form of a ballot title substantially as follows:

PROPOSITION NO. 1

The City Council of the City of Marysville and the Board of Commissioners of Snohomish County Fire Protection District No. 12 have adopted a Joint Resolution approving the Regional Fire Authority Service Plan (“Plan”) concerning the creation of a Regional Fire Protection Authority (RFA”).

This proposition would approve the Plan and create a Regional Fire Authority to be known as “The Marysville Fire District” effective Oct. 1, 2019, to provide fire protection and emergency medical services in the City and District. The RFA would be funded by property tax (\$1.45 per \$1,000 of assessed value).

Should the Plan to create a Regional Fire Authority be approved?

YES []

NO []

SECTION 4. Without further action of the Marysville City Council and the Fire District #12 Board of Commissioners the ballot proposition language set forth in Section 3 above may be revised to correct scrivener’s errors and to conform with statutory requirements.

SECTION 5. - Pro and Con Committee Appointments. The Marysville City Council and the Snohomish County Fire Protection District No. 12 Board of Commissioners hereby assign to the Board of the Marysville Fire District 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 6. - Severability. 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 7. - Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

SECTION 8. - Effective Date. This Resolution shall take effect and be in force immediately upon its passage.

SECTION 9. - Triplicate Originals. Three originals of this Resolution are signed by the City of Marysville and the Snohomish County Fire Protection District No. 12.

PASSED at a regular or special open public meeting by the City Council of the City of Marysville, Washington, this 11 day of February, 2019.

PASSED by the Board of Commissioners of Snohomish County Fire Protection District No. 12, Snohomish County, Washington, at a regular or special open public meeting of such Board on the 20 day of February, 2019, the below commissioners being present and voting.



JOHN NEHRING, MAYOR



COMMISSIONER



COMMISSIONER

COMMISSIONER

I hereby certify that this is a true and correct copy of Resolution No. 2019A-1
passed by the Board of Commissioners of the Snohomish County Fire Protection
District No. 12, the 20 day of February 2019.



Martin McFalls, SECRETARY

ATTEST:

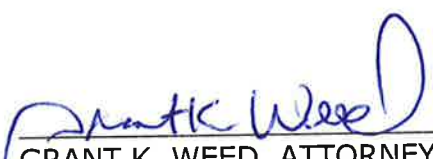


TINA BROCK, DEPUTY CITY CLERK

APPROVED AS TO FORM:



JON WALKER, CITY ATTORNEY



GRANT K. WEED, ATTORNEY FOR
SCFPD NO. 12

I hereby certify that this is a true and correct copy of Resolution No. 2460
passed by the City Council of the City of Marysville, Washington, the 11 day
of February 2019.



TINA BROCK, DEPUTY CITY CLERK

EXHIBIT A

Marysville Fire District Regional Fire Authority Plan

Exhibit A

Marysville Fire District Regional Fire Authority (RFA) Plan

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SECTION 1 – BACKGROUND AND NEEDS

A. Background and Needs:

1. The ability to respond to emergency situations by fire protection and emergency services jurisdictions has not kept up or progressed with the region's needs and special service demands. Anticipated increases in population, residential density and building heights will likely exacerbate this problem.
2. Providing a fire protection and emergency services system requires a collaborative partnership and responsibility among local and regional governments, the private sector, and the community.
3. Delivery of core emergency services and timely development of significant projects can best be achieved through stable funding options for regional fire protection and emergency services.
4. The City of Marysville and Snohomish County Fire Protection District No. 12 have had a cooperative partnership, striving to provide the highest level of fire and emergency services to our community within the confines of available resources through a long-standing interlocal agreement by which they jointly provide services as the Marysville Fire District.
5. The City of Marysville and Fire Protection District No. 12 will be asking its citizens to consider combining all functions and services provided by the City of Marysville and Snohomish County Fire Protection District No. 12 into a single regional fire authority (RFA) entity, called the Marysville Fire District.
6. The Planning Committee established this Plan as authorized under state law using an approach to equitably share costs and contribute assets to form a Regional Fire Authority (RFA).
7. Upon joint approval by the Marysville city attorney and the District's attorney, staff of the City and District are authorized to jointly make necessary corrections to this RFA Plan prior to its submission to voters, including scrivener's errors or clerical mistakes; references to local, state, or federal laws, rules, or regulations; references to interlocal agreements; or numbering or referencing of sections and subsections of this RFA Plan.

RFA SECTION 1 PLAN REVISION:

Except where this RFA Plan specifically authorizes the Governing Board to amend this plan, it shall not be amended without voter approval.

SECTION 3 – FORMATION AUTHORITY

A. REGIONAL FIRE PROTECTION SERVICE AUTHORITY

1. Chapter 52.26 RCW provides statutory authority for the formation of a Regional Fire Authority by the City of Marysville and Snohomish County Fire District No. 12.

B. PLANNING COMMITTEE AUTHORITY

1. RCW 52.26.030 and RCW 52.26.040 provides statutory authority to form and operate a Planning Committee.
2. The Participating Jurisdictions formed a Planning Committee consisting of three (3) elected officials of the City and three (3) Commissioners of the District.
3. The Planning Committee developed and presented the RFA Plan to the elected officials of each Participating Jurisdiction.

C. RFA PLAN APPROVAL AUTHORITY

1. The legislative body of each Participating Jurisdiction reviewed and approved this RFA plan and requested an election to submit the plan to voters.
2. The RFA Plan is being submitted to the voters of the City and the District as a ballot measure that must be approved by a simple majority.
3. Each Participating Jurisdiction will take all necessary steps to submit the RFA Plan to voters in accordance with RCW 52.26.060.
4. Should the RFA Plan be approved by a simple majority of the voters of the Participating Jurisdictions, the RFA to be known as the Marysville Fire District shall be formed on the Effective Date in accordance with RCW 52.26.070.
5. Upon the Effective Date of the RFA Plan, the City and the District shall continue to exist as municipal corporations.
6. The RFA will provide administrative support for the District as needed and will finance elections required by the District for the election of its commissioners and levies.
7. If the RFA Plan is not approved by a simple majority of the voters, then the City and the District will remain responsible for providing those services within their respective jurisdictions.

The **FORMATION AUTHORITY** section of the RFA Plan is subject to amendment or revision only by submission of a revised RFA Plan to the electorate for approval.

SECTION 5 – GOVERNANCE

A. GOVERNING BOARD STRUCTURE AND OPERATION

1. **Governing Board.** As provided by RCW 52.26.080, the RFA Governing Board shall be established consistent with the terms of this Section and shall have authority as of the Effective Date.
2. **Composition of Governing Board.** Upon the Effective Date, the Governing Board shall include five (5) voting members consisting of four (4) elected officials from the City to be appointed by the City Council and one (1) elected official from the District to be appointed by the Commissioners. In addition, there will be one (1) non-voting member who shall be an elected official from the District to be appointed by the District.

Two of the elected officials appointed to the City positions will serve an initial term of one year and two will serve an initial term of two years. Subsequent appointments will be for four-year terms. The City Council may fill a City position at any time it is vacated due to the end of an elected official's term of office, the elected official's resignation or removal from office, the elected official's resignation from the Governing Board, or when a majority of the full City Council votes to remove an elected official from the Governing Board.

The District voting appointee will serve an initial term of four-years. The District non-voting appointee will serve an initial term of two years. Subsequent appointments will be for four-year terms. The Board of Commissioners may fill a District position at any time it is vacated due to the end of an elected official's term of office, the elected official's resignation or removal from office, the elected official's resignation from the Governing Board, or when a majority of the full Board of Commissioners votes to remove an elected official from the Governing Board.

3. **Governing Rules.** The RFA Governing Board shall develop and adopt by-laws, governance policies and rules for the RFA Governing Board to conduct business in accordance with RCW 52.26.080.
4. **Authority.** Except where otherwise limited in this RFA Plan, the RFA Governing Board shall have all the power and authority granted by chapter 52.26 RCW.
5. **Dissolution.** The process for dissolving the District is set forth in RCW 52.10.010 and must be initiated by the commissioners of the District and approved by the electors of the District as provided in that statute. If the District dissolves, a commissioner district encompassing the boundaries of the District at the time of dissolution will be formed and elections will be conducted in accordance with RCW 52.26.080. The commissioner elected from the district will serve a six year term and receive compensation as provided in RCW 52.26.080. The non-voting District appointee position will be eliminated upon the dissolution of the District.
6. **Addition of other fire protection jurisdictions.** A fire protection jurisdiction that is located within reasonable proximity of the RFA that is annexed through the procedures in RCW 52.26.300 will receive representation on the Governing Board as follows:

SECTION 6 – FUNDING AND FINANCE

A. INTERIM RFA FINANCES

1. Commencing on the Effective Date, the operation and administration of the RFA shall be funded by the following:
 - 1.1 Tax levies of the RFA; provided, however, that the RFA must levy taxes by November 30, 2019, to be entitled to collect taxes in 2020;
 - 1.2 Tax levies of the District (including fire levy pursuant to RCW 52.16.130, .140 and .160);
 - 1.3 District EMS levy revenues collected pursuant to RCW 84.52.069, until such time as the RFA begins collecting revenues on its own EMS levy;
 - 1.4 Service contract revenues from the District (described in Section 4.A.2);
 - 1.5 All other revenue received by the District;
 - 1.6 The City will contribute to the RFA (i) the funds budgeted for 2019 for fire protection services and (ii) all EMS levy revenues until such time as the RFA begins collecting revenues on its own EMS levy.

B. RFA REVENUES

1. **Tax Levies.** The RFA shall be authorized to levy and collect taxes in accordance with RCW 52.26.050(1)(b) at the initial tax levy rate of \$1.45 per thousand of assessed valuation.
2. **Fire Benefit Charge.** The Plan does not authorize the implementation of a fire benefit charge under RCW 52.26.050(a), but the Governing Board may, in the future, seek voter approval of a fire benefit charge consistent with the requirements of RCW 52.26.180 through RCW 52.26.270. If a fire benefit charge is imposed, the RFA's tax maximum fire levy will be reduced to \$1.00 per thousand of assessed valuation in accordance with RCW 52.26.240.
3. **EMS Levy.** The Plan does not include an EMS levy under RCW 84.52.069, but the Governing Board may, in the future, seek voter approval of an EMS levy consistent with the requirements of RCW 84.52.069. If the RFA levies an EMS levy, such levy will replace the District's and City's EMS levies.
 - 3.1 **Equivalence of City and District EMS Levies.** For so long as the City and District continue to levy their permanent EMS levies, they each commit to impose such levy at the same rate/maximum rate allowed by law.
4. **Service Contracts.** To the extent permitted by law, the RFA Governing Board shall have the authority to pursue and contract with all agencies, including but not limited to entities exempt from property taxes in accordance with RCW 52.30.020 and related statutes.
5. **Fire Impact and Mitigation Fees.** The RFA may enter into interlocal agreements with any other entity authorized to enter into interlocal agreements pursuant to chapter 39.34 RCW to collect such fees.

Building which is \$975,000.00 (Nine hundred seventy-five thousand dollars) for net value of \$3,525,000.00 (Three million five hundred twenty-five thousand dollars).

- b. The RFA will pay the City three installments of \$1,175,000.00 (One million one hundred seventy-five thousand dollars) in 2021, 2022, and 2023, with each installment due on December 31st of the year in which it is due.
 - c. A portion of the Public Safety Building contains critical I-Net infrastructure subject to terms of a City franchise agreement that is used to facilitate communications for fire protection and EMS services, for city police purposes, and for general public safety purposes and the City will retain any necessary control and access to a portion of the Public Safety Building, to be identified in the letter of understanding, to maintain and enhance these communications and information services until such time that the I-Net infrastructure is replaced in another location or no longer needed at which time the City will convey any interest it has in this portion of the building/premises to the RFA.
 - d. The City will retain control over the fenced storage area to be identified in the letter of understanding for police evidence and storage purposes until December 31, 2023. The City will be responsible for maintaining all fencing and security until it relinquishes control of the storage area to the RFA.
 - e. Ownership of the Public Safety Building will transfer to the RFA at midnight December 31, 2021. The RFA will continue to utilize the portion of the building currently being used for fire and EMS operations from the Effective Date until transfer or ownership to the RFA.
 - f. Appropriate staff from the City and District will draft a letter of understanding to incorporate any necessary additional terms and conditions relating to this section and to facilitate conveyance of the property.
3. **Jointly Held Property.** On the Effective Date, the District and City shall immediately transfer any jointly held remaining and future assets to the RFA. Such assets shall include all real property (**Appendix C**), apparatus and vehicles (**Appendix D**) and personal property, including but not limited to fund balances, furniture, office equipment, reports, documents, surveys, books, records, files, papers, or written material owned by or in the possession of the joint operation.
 4. **Reserve Funds.** On the Effective Date, the District shall transfer the following reserve funds to the RFA:
 - a) Marysville Fire District Expense Fund 781-70
 - b) Marysville Fire District – Apparatus Replacement Fund 781-72
 - c) Marysville Fire District – Reserve/Capital Fund 781-73
 5. **Condition of Assets.** All assets transferred by either Participating Jurisdiction based on the Plan and any subsequent agreements shall be transferred on an “as is/where is” condition. Conveyances of real property interests shall be by Quit Claim Deed.

SECTION 7 – ORGANIZATIONAL STRUCTURE: PERSONNEL AND ADMINISTRATION

A. ORGANIZATIONAL STRUCTURE

1. **Organizational Chart.** The RFA shall be initially organized as provided in **Appendix B** of the RFA Plan; provided, however, that after the Effective Date, the Fire Chief shall have authority to adjust the Organizational Chart as necessary to improve service delivery without amending the RFA Plan.

B. PERSONNEL

1. **Fire Chief.** On the Effective Date, the Fire Chief of the District shall serve as the Fire Chief of the RFA. The Fire Chief shall at all times be appointed and serve at the pleasure of the Governing Board.
2. **Personnel.** The existing personnel of the District will transfer to the RFA to fulfill assigned duties as outlined in the organizational structure in Appendix B. All District personnel shall be transferred on the Effective Date at their current rank, grade and seniority.
 - 2.1 Until such time as the RFA collects its own fire levy under RCW 52.26.140 (1) (a)-(c), the RFA will contract with the District for the services of one full-time, paid employee as required by RCW 52.26.140(1)(c).
3. **Agreements.** All current employee agreements, collective bargaining unit agreements, outstanding labor issues, personal service contracts, and any other contracts or agreements pertaining to work, duties, services or employment with the District shall be transferred over with all personnel on the Effective Date.

C. ADMINISTRATION

1. **Administration.** All current administrative and business functions, agreements, documents, operations, and policies and procedures of the Marysville Fire District, that entity previously established pursuant to interlocal agreement (to be distinguished from the name of the RFA once it is established), shall transfer over to the RFA on the Effective Date unless otherwise noted in this Plan.
2. **Provision of Information Technology Services.** The City will provide information technology and geographic information services for up to three years from the Effective Date of the RFA. The City and the RFA will negotiate the level of services and costs necessary for the provision of such services.
3. **Seamless Transition.** Unless otherwise noted in the RFA Plan, the transfer of authority and the administration and management of the RFA shall be seamless and shall initially model the current administrative and management components of the Marysville Fire District.

The **ORGANIZATIONAL STRUCTURE: PERSONNEL AND ADMINISTRATION** section of the RFA Plan is subject to amendment by a majority vote of the RFA Governing Board.

1.2. Snohomish County DEM currently provides Emergency Management Services within the District.

2. Emergency Management Services on Effective Date:

2.1. On the Effective Date, Emergency Management Services within the boundaries of the RFA shall be provided as follows:

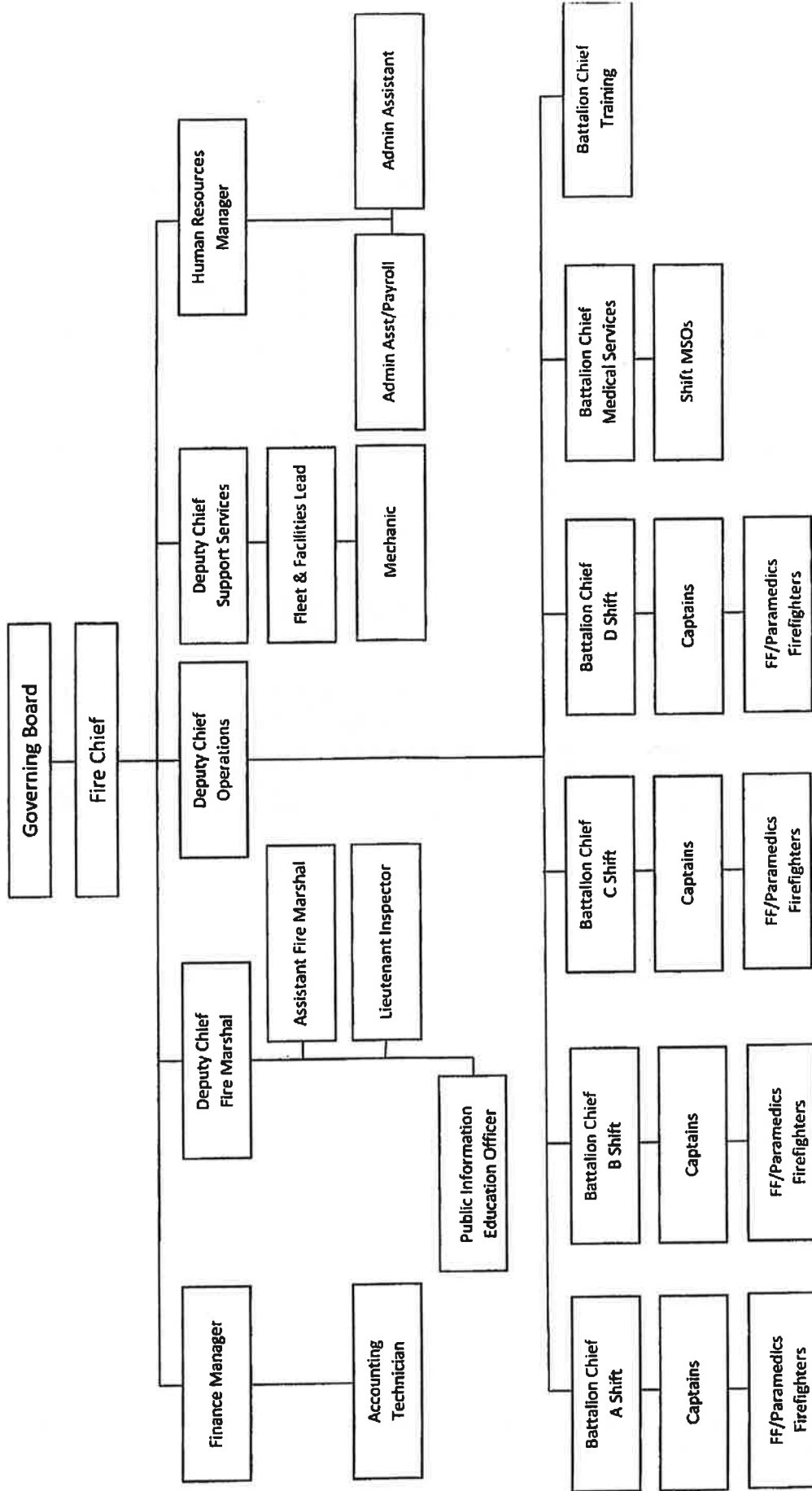
- a. Within the City of Marysville: City of Marysville staff will provide emergency management services within the city.
- b. Within unincorporated Snohomish County: Snohomish County Department of Emergency Management shall remain the provider of Emergency Management Services.

F. PUBLIC EDUCATION SERVICES

1. On the Effective Date of the creation of the RFA, the RFA shall provide Public Education Services throughout the jurisdiction of the RFA and its service area.

The **OPERATIONS AND SERVICES** section of the RFA Plan is subject to amendment by a majority vote of the RFA Governing Board.

Appendix B Organization Chart



**Appendix D
Personal Property – Vehicles and Apparatus**

JOINTLY OWNED PROPERTY – ACQUIRED UNDER MFD ILA			
UNIT #	YEAR/MAKE/MODEL	LICENSE #	VIN #
01	1997 Ford Expedition	24902D	1FMFU187VLB37621
02	2015 Chevrolet Suburban	50179D	1GNSK5KC9FR615391
03	2016 Chevrolet K2500	50182D	1GB2KUEG7GZ262558
04	2009 Chevrolet Impala	50181D	2G1WS57M191278555
05	2001 Dodge Ram	25026D	3B7KF23Z91G200966
06	2009 Chevrolet Impala	50161D	2G1WS57M591279370
09	2002 Ford Excursion	35433D	1FMNU41S22EC84539
10	2001 Chevrolet Impala	25029D	2G1WF55K519358632
11	2003 Chevrolet Suburban	47201D	3GNFK16223G239623
12	2007 Dodge Caravan	40138D	1D4GP24E17B251252
13	2009 Ford Escape	47202D	1FMCU93G09KB62447
14	2014 Ford Escape	50174D	1FMCU0F71FUA93811
15	2014 Ford Escape	50175D	1FMCU0F73FUA93812
21	2007 International	46483D	1HTMRAAL87H532956
22	2015 International	59468D	1HTJSSKK4FH686047
23	1998 Chevrolet K3500	48151C	1GBJK34JXWF006210
24	2001 International	25027D	1HTSLAAM11H364067
25	2001 International	25028D	1HTSLAAM71H370519
26	2003 International	37505D	1HTMRAAM93H592201
27	2006 International	75994C	1HTMRAAM76H293438
28	2006 International	75993C	1HTMRAAM56H293437
29	2010 International	52553D	1HTMRAAMOAH228049
30	2015 International	59469D	1HTJSSKK2FH686046
40	1995 Darley	31625C	4S7AT9D08SC014769
42	2006 E-One Platform	40139D	4ENGAAA8761001123
43	1995 Darley	31624C	4S7AT9D04SC014770
44	2002 H&W International	35435D	1HTMKADR82H520285
45	2017 Rosenbauer		54F2CB619HWM11906
46	2017 Rosenbauer		54F2CB610HWM11907
47	2002 H&W	25030D	4S7AT33922C040443
48	2010 E-One	93229C	4EN6AAA89A1005811
49	2010 E-One	93228C	4EN6AAA80A1005812
50	2005 Cargo Mate Trailer	39607D	5NHUTBT236T405985
60	2005 Kenworth W-900	39606D	1NKDL00X35R091577
63	1998 International	22850D	1HTSLAAMOWH598546
64	2001 Ford Ranger	39604D	1FTYR14U41TA64179
66	2003 F-550	50176D	1FDAW57P53EC35693
67	Zodiac Boat & Trailer	25098D	XF020610C898; 1CXBT1410XS903372

FIRE DISTRICT 12			
UNIT #	YEAR/MAKE/MODEL	LICENSE #	VIN #
61	1961 Crown		