

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 2/11/2019

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| AGENDA ITEM: | |
| Joint Resolution with Snohomish County Fire Protection District No. 12 to submit for voter approval, a plan to form a Regional Fire Protection Authority. | |
| PREPARED BY: | DIRECTOR APPROVAL: |
| Gloria Hirashima, Chief Administrative Officer | |
| DEPARTMENT: | |
| Executive | |
| ATTACHMENTS: | |
| Joint Resolution of the City of Marysville and Snohomish County Fire Protection District No. 12 regarding formation of a Regional Fire Authority | |
| BUDGET CODE: | AMOUNT: |
| | |
| SUMMARY: | |

Since 1991 the City of Marysville (“the City”) and the Snohomish County Fire Protection District No. 12, (“the District”) have worked cooperatively through formation of the Marysville Fire District to provide fire and emergency medical services to the city of Marysville and unincorporated territory contained within District boundaries and contracted areas. 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).

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 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 ten month period, the Planning Committee met and created a Regional Fire Authority Service Plan (“Plan”) providing for the governance, financing, and structure of the fire and emergency services operation. On 11/27/18 the Planning Committee unanimously recommended approval of the Plan to the City Council and District Commissioners.

The proposed RFA Service Plan would be submitted to the voters on April 23, 2019. The RFA is proposed to be funded by a \$1.45 per \$1,000 assessed value property tax levy. The City and District would continue to collect the EMS levy and transfer these funds to the District, until such time as the RFA passes its own levy. The governance structure for the RFA will be composed of four appointed representatives of the Marysville City Council, one appointed representative as well as one non-voting alternate from the District.

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| RECOMMENDED ACTION: Staff recommends the council approve the Joint Resolution with Snohomish County Fire Protection District No. 12 to submit for voter approval, a plan to form a Regional Fire Protection Authority. |
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JOINT RESOLUTION
CITY OF MARYSVILLE RESOLUTION NO. _____
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. – *Authorize Continued Acts of Regional Fire Authority Planning Committee.* The City Council of the City of Marysville Washington and the Board of Commissioners of the Snohomish County Fire Protection District No. 12 hereby authorize the Regional Fire Authority Planning Committee to continue operating on an as needed basis until the effective date of the creation of the RFA.

SECTION 6. – *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 Regional Fire Authority Planning Committee 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.

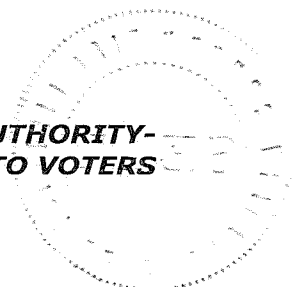
SECTION 7. – *Severability.* If any section, subsection, paragraph, sentence, clause or phrase of this Resolution is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

SECTION 8. – *Ratification.* Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

SECTION 9. – *Effective Date.* This Resolution shall take effect and be in force immediately upon its passage.

SECTION 10. – *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 _____ day of _____, 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 16 day of 1, 2019, the below commissioners being present and voting.

JOHN NEHRING, MAYOR

Tony Christensen
COMMISSIONER

Rich E. Ross
COMMISSIONER

J. Hook
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 16 day of 1, 2019.

Martin McFalls
Martin McFalls, SECRETARY

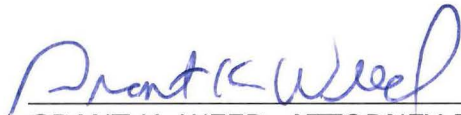


ATTEST:

TINA BROCK, DEPUTY CITY CLERK

APPROVED AS TO FORM:

JOHN 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. _____
passed by the City Council of the City of Marysville, Washington, the _____ day
of _____, 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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ACKNOWLEDGEMENT

Recognizing the challenges and opportunities that all fire jurisdictions are facing, the City of Marysville and Snohomish County Fire District No. 12, through a partnership of many years, agreed to explore the different governance and funding options available to provide regional fire protection and emergency medical services to the communities we serve.

Planning Committee

- Jon Nehring, Marysville Mayor, Chairperson
- Jeff Vaughan, Marysville City Council Pat Cook, Fire District 12 Commissioner
- Steve Muller Marysville City Council Tonya Christoffersen, Fire District 12 Commissioner
- Kamille Norton, Marysville City Council Rick Ross, Fire District 12 Commissioner
- Mark James (alternate), Marysville City Council

Leadership Staff

- Martin McFalls, Fire Chief, Fire District 12
- Gloria Hirashima, Chief Administrative Officer, City of Marysville

Staff Workgroup

- | | |
|---------------------------|-------------------------|
| City of Marysville | Fire District 12 |
| Sandy Langdon | Chelsie McInnis |
| Jon Walker | Jeff Cole |
| | Darryl Neuhoff |
| | Tom Maloney |
| | Grant Weed |

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 2 – DEFINITIONS

A. DEFINITIONS

1. The definitions in this section apply throughout this Plan, unless the context clearly requires otherwise.
 - 1.1. **“Governing Board”** means the governing body of the regional fire protection service authority.
 - 1.2. **“City”** means the City of Marysville.
 - 1.3. **“District”** means Snohomish County Fire Protection District No. 12.
 - 1.4. **“Effective Date”** means October 1, 2019.
 - 1.5. **“Regional Fire Authority Plan, ” “RFA Plan” or “Plan”** means this Regional Fire Protection Service Authority Plan, drafted and approved in accordance with Chapter 52.26 RCW for the development, financing and operation of the Marysville Fire District Regional Fire Authority.
 - 1.6. **“Participating Jurisdictions”** means the City of Marysville and Snohomish County Fire Protection District No. 12.

The **DEFINITIONS** section of the **RFA Plan** is subject to amendment or revision only by a majority vote of the RFA Governing Board.

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 4 – JURISDICTIONAL BOUNDARIES

A. JURISDICTIONAL BOUNDARIES ON DATE OF FORMATION

1. On the Effective Date, the jurisdictional boundaries of the RFA shall be the legal boundaries of the Participating Jurisdictions. The boundaries are generally depicted on the map attached hereto and in **Appendix A** of this RFA Plan.
2. On the Effective Date, the RFA shall also be responsible for providing fire and/or emergency medical services to the following jurisdictions via the referenced interlocal agreements:

2.1. Current Interlocal Agreements:

- a. Consolidated Borough of Quil Ceda Village pursuant to an Interlocal Agreement for Fire and Emergency Medical Services dated January 01, 2016, Second Amendment dated January 01, 2018 and any subsequent amendment thereto.;
- b. Snohomish County Fire District No.15 pursuant to an Interlocal Agreement for Emergency Medical and/or Advanced Life Support Services dated January 01, 2018 and any subsequent amendment thereto;

- 2.2 The City and the District shall assign the foregoing interlocal agreements to the RFA on the Effective Date unless the agreement contains a “no-assignment” clause or requires the other party’s consent. The City and the District may also assign any other interlocal agreement or contract RFA that is proper to assign to the RFA.

B. CHANGES IN JURISDICTIONAL BOUNDARIES AFTER FORMATION OF THE RFA

1. Any changes in the boundaries of the RFA will be in accordance with state statutes. The District will not annex any territory. The City will only annex territory within its Urban Growth Area and such annexations by the City will become part of the RFA.

The **JURISDICTIONAL BOUNDARIES** section of the RFA Plan is subject to amendment or revision only by a majority vote of the RFA Governing Board except when voter approval is required by statute.

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:

- 6.1 If the annexed jurisdiction has a population of less than 10,000, the annexed jurisdiction will not appoint any elected official to the Governing Board.
- 6.2 If the annexed jurisdiction has a population between 10,000 and 20,000, the annexed jurisdiction will appoint one (1) elected official to the Governing Board to serve as a non-voting member.
- 6.3 If the annexed jurisdiction has a population of more than 20,000, the annexed jurisdiction will appoint one (1) elected official to the Governing Board to serve as a voting member.

7. **Compensation of Governing Board.** Members and commissioners (if any) of the Governing Board will receive compensation in the manner provided for commissioners in RCW 52.26.080.

The **GOVERNANCE** section of the **RFA Plan** may be amended by a simple majority vote of the voters within the RFA.

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.

6. **Fire Fees.** The City will develop a fee schedule in cooperation with RFA staff for inspection and other fire marshal services performed within the city, subject to adoption by the Marysville City Council. The City will collect these fees and remit them to the RFA.
7. **Transport Fees.** The RFA Board will charge and collect EMS transport fees in accordance with policies adopted by the RFA Governing Board.
8. **Additional Revenue Options.** The RFA Governing Board shall have the authority to pursue, subject to any applicable statutory voter approval requirements and the RFA Plan Amendment, if required, all additional revenue sources authorized by law including, but not limited to, revenue sources specifically identified in Title 52 RCW and Title 84 RCW that are not otherwise addressed in chapter 52.26 RCW.

C. TRANSFER OF ASSETS

1. **District Assets.** On the Effective Date, the District shall immediately transfer any remaining and future assets to the RFA, except for the Administration Building located at 1094 Cedar Street in Marysville (Tax Parcel Id: 00585600301000), which shall be transferred to the City as an offset to the value of the Public Safety Building. Transfer of ownership will be at the same time as the Public Safety Building is transferred to the RFA at midnight on December 31, 2021. 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 District.
 - 1.1 **Reserve Funds.** On the Effective Date, the District shall transfer the following reserve funds to the RFA:
 - a) Snohomish County Fire District No. 12 Expense Fund 780-70
 - b) Snohomish County Fire District No. 12 Reserve Fund 780-73
2. **City Assets.** Except as provided in Section C(1) above, on the Effective Date, the City shall immediately transfer to the RFA the following assets:
 - 2.1. Unless otherwise specified herein, no City funds shall be transferred to the RFA.
 - 2.2. All reports, documents, surveys, books, records, files, papers, or written material used by the City to carry out the fire protection and emergency services powers, functions, and duties of the City that are owned by or in the possession of the City.
 - 2.3. City water systems including fire hydrants and related appurtenances shall not be transferred and shall remain City property.
 - 2.4. The Public Safety Building, including Station 61, located at 1635 Grove Street in Marysville (Parcel Id: 30052800200500), will be transferred to the RFA with the following terms:
 - a. The value of the Public Safety Building is \$4,500,000.00 (Four million five hundred thousand dollars) offset by the value of the Administration

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.

6. **Determination.** Except as otherwise provided in this RFA Plan, whenever any question arises as to the transfer of any funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the governing body of the Participating Jurisdiction owning such assets shall make a determination as to the proper allocation.

D. LIABILITIES

1. On the Effective date, the RFA shall assume all outstanding liabilities of the District.
2. On the Effective Date, the RFA shall assume the following liabilities of the City:
 - 2.1 All liabilities pertaining to fire protection and emergency medical services, if any.
3. **LEOFF 1 Retired Medical.** The City has no obligations under LEOFF 1 retiree medical care for current or prior fire employees. District rights and obligations under LEOFF 1 retiree medical shall be transferred to the RFA upon the Effective Date, including the Long-Term Care policies maintained by the District.
4. **Future District Expenses.** All future costs incurred by the District on and after the Effective Date shall be the responsibility of the RFA.

RFA SECTION 6 PLAN REVISION DISPOSITION:

The **FUNDING AND FINANCE** section of the **RFA Plan** is subject to amendment or revision by majority vote of the Governing Board except when voter approval is required by statute.

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.

SECTION 8 – OPERATIONS AND SERVICES

A. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

1. All current operational and service delivery aspects of the Marysville Fire that entity previously established pursuant to interlocal agreement (to be distinguished from the name of the RFA once it is established), and the District, including ambulance transports, shall be transferred to the RFA on the Effective Date.
2. Current staffing models, deployment standards, field operations, command staffing, and operational policies and procedures of the Marysville Fire District shall be transferred to the RFA and continued at the current level of service on the Effective Date. As such, services, levels of service, standards of coverage, development standards and customer expectations of each Participating Jurisdiction on the Effective Date shall remain unaffected.
3. All current automatic aid and mutual aid agreements, all interlocal agreements and contractual services agreements, documents, or memorandums currently in place with the City, the Marysville Fire District, and the District shall be assigned and transferred to the RFA on the Effective Date to provide continuous, seamless readiness and emergency services coverage.
 - 3.1 Notwithstanding the foregoing, the District's and the City's interlocal agreements with SERS and Snohomish County 911 shall be modified to provide that the RFA will assume the fire related rights and obligations under these agreements and that the RFA shall be entitled to the District's and the City's fire-related equity interests under both these agreements.

D. FIRE MARSHAL/INSPECTION SERVICES.

1. Fire Marshal Service Providers on Effective Date:
 - 1.1. On the Effective Date, Fire Marshal Services within the boundaries of the RFA shall be provided as follows:
 - a. Within the City Marysville: The RFA will provide Fire Marshal Services to the City of Marysville pursuant to an interlocal agreement. The City in its sole discretion may choose to provide its own Fire Marshal Services.
 - b. Within unincorporated Snohomish County: Snohomish County shall provide Fire Marshal Services.
 - c. The RFA may provide Fire Marshal and inspection services to other local municipal jurisdictions through an interlocal agreement.

E. EMERGENCY MANAGEMENT SERVICES

1. Existing Service Providers:
 - 1.1. The City of Marysville provides Emergency Management Services within the boundaries of the City of Marysville.

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.

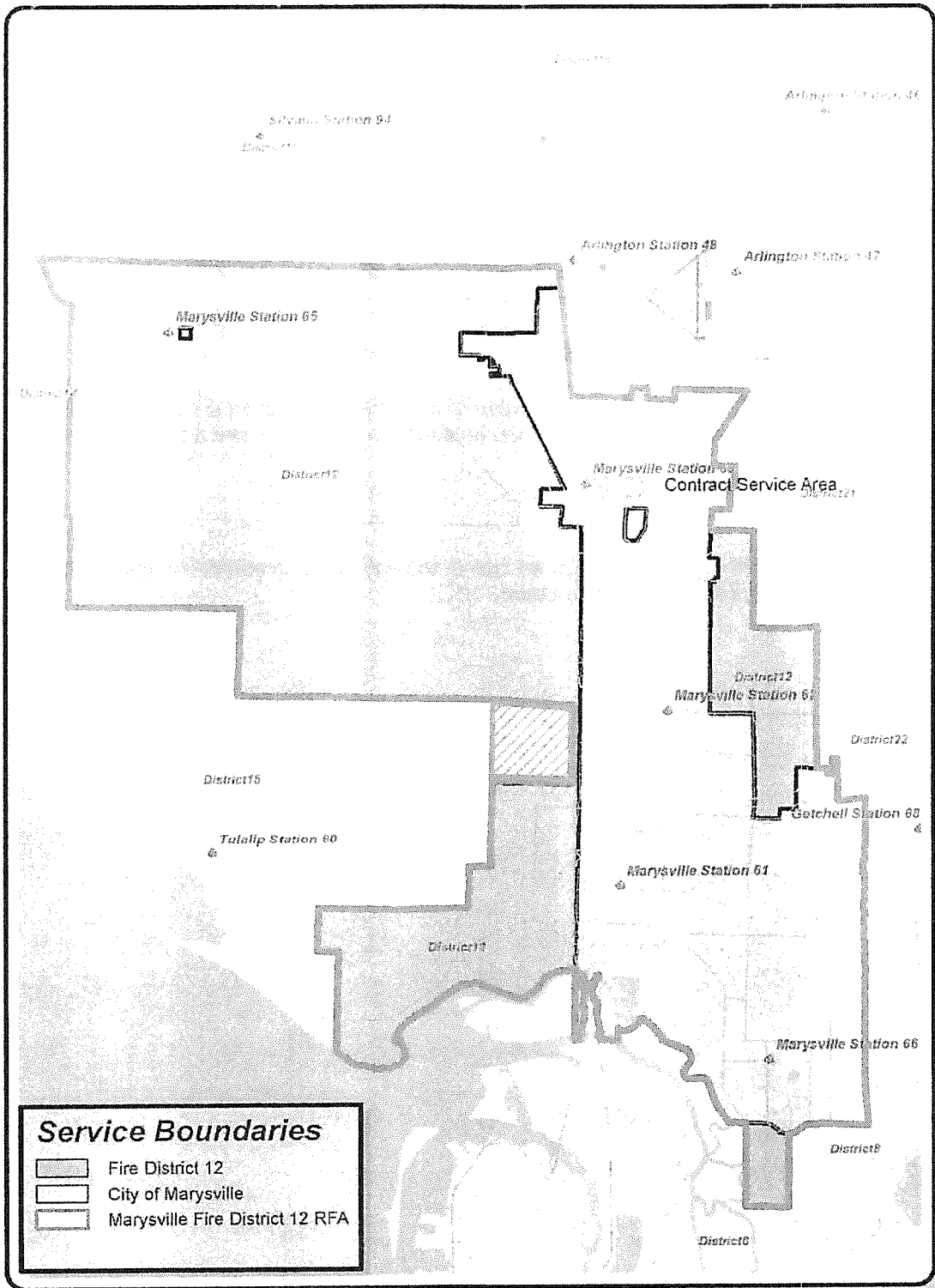
b. Within unincorporated Snohomish County: Snohomish County Department of Emergency Management shall remain the provider of Emergency Management Services.

F. PUBLIC EDUCATION SERVICES

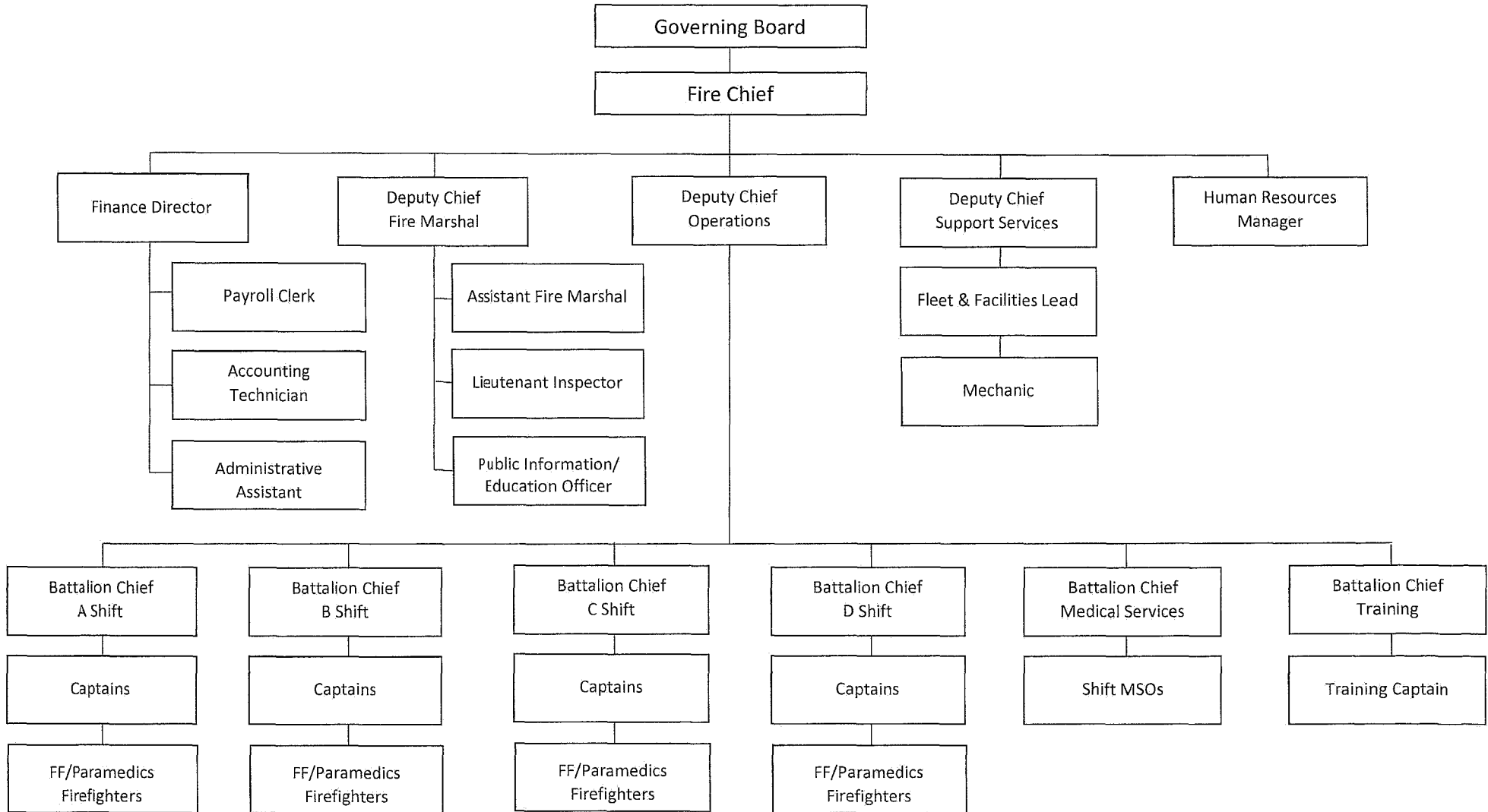
1. On the Effective Date of the creation of the RFA, the RFA shall provide Public Education Services throughout the jurisdiction of the RFA and its service area.

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

Appendix A Jurisdictional Boundaries



**APPENDIX B
ORGANIZATION CHART**



**Appendix C
Real Property**

| JOINTLY OWNED PROPERTY – ACQUIRED UNDER MFD ILA | | | | |
|--|-------------------|---|-------------------|--------------------|
| FACILITY | YEAR BUILT | ADDRESS | LAND Acres | BUILDING SF |
| Station 62 | 2002 | 10701 Shoultes Rd, Marysville 98271 | 1.42 | 11,926 |
| Station 66 | 2009 | 7217 40 th St NE, Marysville 98270 | 3.49 | 10,965 |
| Admin Bldg | 1983 | 1094 Cedar Ave, Marysville 98270 | 0.56 | 4,310 |
| St. 65 Rental House | 1981 | 4216 175th Pl NW, Stanwood 98292 | 0.17 | 930 |

| CITY OF MARYSVILLE | | | | |
|---------------------------|-------------------|-------------------------------------|-------------------|---------------------|
| FACILITY | YEAR BUILT | ADDRESS | LAND Acres | BUILDING SF |
| Station 61 | 1989 | 1635 Grove Street, Marysville 98270 | 2.58 | 32,000 ¹ |

| FIRE DISTRICT 12 | | | | |
|-------------------------|-------------------|---|-------------------|--------------------|
| FACILITY | YEAR BUILT | ADDRESS | LAND Acres | BUILDING SF |
| Station 63 | 1964 | 14716 Smokey Pt Blvd, Marysville 98271 | 1.16 | 4,981 |
| Station 65 | 1963 | 17500 E Lk Goodwin Rd, Stanwood 98292 | 0.33 | 7,332 |
| Maintenance Shop | 1974 | 5100 108 th St. NE, Marysville 98271 | 0.94 | 4,306 |
| Storage – St. 64 | 1978 | 15105 10 th Dr. NW, Marysville 98271 | 1.30 | 1,600 |
| Vacant Property | N/A | 45 Degree Rd, Arlington 98223 | 0.89 | N/A |

¹ Public Safety Center including Police, Jail, Fire. Square footage obtained from 1992 Use Agreement between City of Marysville and Fire District 12; Fire utilizes approximately 13,288 sq. ft.

**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 | 3GNFK16Z23G239623 |
| 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 | | |