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Title: AN ORDINANCE determining the King County Fire Protection District No. 24 is inactive under state law and it is in the public interest to dissolve King County Fire Protection District No. 24.

Sponsors: Dave Upthegrove

Indexes: Fire Dept, Fire Protection

Code sections:

Attachments: 1. 2022-0297_0298_0299_0301_0303_Staff Report with Attachments, 2. 2022-0297, -0298, -0299, -0301 & -0303 INVOICE & AFFIDAVIT, 3. Inactive Districts Letter to KCC_2023

Date	Ver.	Action By	Action	Result
1/9/2024	1	Metropolitan King County Council	Introduced and Referred	
8/22/2023	1	Metropolitan King County Council		
1/10/2023	1	Metropolitan King County Council	Reintroduced	
8/23/2022	1	Metropolitan King County Council	Referred	
7/26/2022	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE determining the King County Fire Protection District No. 24

is inactive under state law and it is in the public interest to dissolve King County

Fire Protection District No. 24.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Under RCW 36.96.020, once a county legislative authority has been informed that a special purpose district appears to be inactive, that legislative authority is required to hold public hearings and determine whether or not that special purpose district is "inactive." After a finding of inactivity, the legislative authority may then also determine whether it is in the public interest to dissolve such an inactive special purpose district.

B. In accordance with RCW 36.96.020, the director of the department of elections, provided written notice to the King County council on May 31, 2022, of apparent inactive special purpose districts located in the

county. According to the department of elections, it has no records that the King County Fire Protection District No. 24 ("the district") has held any election for commissioners since 2013 or carried out any of the special purposes or functions for which it was formed for nearly seven years. The department of elections concluded the district appears to be "inactive" under RCW 36.96.010(3).

C. Subsequent to the May 31, 2022, notice from the department of elections, on further information, two of the three commissioners conducted business, which consisted of adopting a resolution authorizing the execution of deeds to transfer assets that the city of SeaTac acquired when the city annexed part of the district's area in the early 1990s.

D. In a report published on October 28, 2021, the Office of the Washington State Auditor declared the district as "unauditable" on the basis that the district did not submit annual financial reports to the office between January 2014 and December 2020 and did not respond to the office's inquiries and requests for financial documentation. A determination by the state Auditor that a special district is unauditable satisfies a criterion in RCW 36.96.010(3) that a special purpose district is "inactive."

E. In accordance with state law, the King County treasurer acts as the treasurer for the district. The treasurer has confirmed that it holds approximately \$68,000 in the name of the district.

F. In 2009, the city of Tukwila and the district entered into memorandum of understanding. For consideration that has been fulfilled, Tukwila agreed to provide fire protection services to the area within the district that are within the city's potential annexation area ("PAA") until that area is annexed. Under a legacy agreement between the district and the city of SeaTac, the Puget Sound Regional Fire Authority ("the PSRFA"), provides fire protection services to the remainder of the district, which is in Kent's PAA.

G. Interlocal agreement negotiations between the county and Tukwila for the city to continue to provide fire protection services if the district were to be dissolved are ongoing.

H. Informal discussions with members of the PSRFA have also been undertaken to ensure continued provision of services if the district were to be dissolved.

I. In accordance with RCW 36.96.030, a public hearing on whether the district is "inactive" under chapter 36.96 RCW and whether it is in the public interest to dissolve the district was held on _____, 2022. Notice of the hearing was provided in accordance with RCW 36.96.030. In addition, notice was mailed to each property owner or voter in the district on March 30, 2022, or April 15, 2022, notifying recipients that if the council was unable to find candidates within forty-five days of the date of the letter, the district would be dissolved in accordance with chapter 36.96 RCW.

J. The council finds that the district has not carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period, and no process has been initiated for the purpose of electing a member of the governing body within the preceding consecutive seven-year period. Therefore, it meets the criteria for being "inactive" under RCW 36.96.010(3).

K. In accordance with RCW 36.96.040, the council finds that the dissolution of the district is in the public interest since the district is defunct and does not provide the public function for which it was formed. The district's dissolution would reduce administrative burdens imposed on King County in providing monitoring and financial oversight services and reduce costs to taxpayers resulting from those administrative burdens.

SECTION 2. The King County Fire District No. 24 is dissolved in accordance with RCW 36.96.040.

SECTION 3. In accordance with RCW 36.96.040, the King County Fire District No. 24 shall cease to exist thirty-one days after the effective date of this ordinance.