



INFORMATIONAL MEMORANDUM

TO: [Finance & Governance Committee](#)
Committee of the Whole

FROM: **David Cline, City Administrator**
[Rachel Bianchi, Deputy City Administrator](#)

CC: **Mayor Ekberg**

DATE: [Updated April 4, 2023](#)

SUBJECT: **PSRFA Annexation Plan – Final proposed by Oversight Committee**

ISSUE

Per the 2022 Contract for Services with Puget Sound Regional Fire Authority (PSRFA) adopted by the City Council on October 6, 2022, an Annexation Plan to the PSRFA is to be created and presented for approval by the Puget Sound Regional Fire Authority and the Tukwila City Council and then sent to the Tukwila voters for approval. The Council selected Oversight Committee members, Councilmembers Kruller and Sharp, have met three times and are providing an update to the full Council and seeking input on the final plan, which is scheduled for final adoption on April 5 by the PSRFA Board and then April 17 by the Tukwila City Council.

BACKGROUND

[April 4, 2023 Update](#)

[As of this writing, the PSRFA Board is expected to adopt the plan on April 5, 2023. The Tukwila City Council has two resolutions attached which are to 1\) adopt the Annexation Plan and 2\) to place the Annexation Plan before the voters on August 1, 2023. These resolutions will be discussed at the April 10, 2023 Committee of the Whole Meeting and up for Council deliberation and potential action on April 17, 2023.](#)

[Staff is seeking direction from the Council on the following:](#)

- [1. Does the Council agree with the Annexation Plan, adopted by the PSRFA Board on April 5, 2023?](#)
- [2. If yes to Question 1, does the Council wish to place the annexation before the voters on August 1, 2023?](#)
- [3. If yes to Question 2, does the resolution placing the annexation on the August ballot meet the objectives of the Council?](#)

[If the Council provides direction to move forward, the Council will be tasked with providing King County Elections with the names to form a “pro” and “con” committee for the Voter’s Pamphlet. Previously the City has put out a call to residents to seek volunteers for these committees, and staff anticipates doing a similar process. The City will also provide factual information to the community regarding the measure, but will not and cannot engage in advocacy or electioneering.](#)

March 13, 2023 Update

The Oversight Committee met on March 13, 2023 and reviewed the attached updated plan and recommended approval to both the PSRFA Board and the Tukwila City Council. The last major

issue was facility transfers and it was agreed that Station 54 would be a 15-year lease. See the actual language below as well as in the Annexation Plan on page 19 in section 7.c.1.iv.

As mentioned on February 27, 2023 there was also a discussion about moving to an annual rotation of three specific position which will be in the updated bylaws once Tukwila becomes a member. Specific draft language is as follows:

Chair, Vice Chair and Chair of Citizen's Advisory Group. - Bylaws

Upon annexation, the bylaws will be amended to create a 3-year rotation (or more specifically three separate positions, each having a one-year rotation) of the positions above. As a result, in 2024, a Board Member from KCFD#37 would assume the role of Chair, a Board Member from the city of Tukwila would assume the role of Vice-Chair, and a Board Member from the city of Kent would lead the Citizen's advisory group.

The City Council approved a contract for services with PSRFA on October 6, 2022 as a step towards full annexation. The Citizen's Advisory Committee on the Future of Fire/EMS Services had recommended these actions in their final report provided to the Council in May 2022.

Per the Contract, a four-person Annexation Oversight Committee was created to draft this Annexation Plan. These members include Tukwila City Councilmembers Kruller and Sharp, and PSRFA Governing Board Members Barrie and Troutner. This Oversight Committee has met twice (see attached memos) and another meeting is planned for February 27, 2023, prior to the Committee of the Whole meeting. The Oversight Committee has been successful in crafting an Annexation Plan that meets all parties needs and is seeking final input from the Tukwila City Council before final approval of both governing boards.

Most of the issues for annexation have already been agreed to in the current Contract for Services that went in place on January 1, 2023. The final issue still remaining is the transfer of fire stations. This is discussed below and is expected to be finalized for by the February 27, 2023 Oversight Committee, and will be presented to the City Council that evening.

Key Issues of the Annexation Plan:

Governance (Section 5,B,1, p. 15): The directive to seek fair and equitable representation for all participants guided the key language in the amended plan. The three "member" jurisdictions will each have three voting seats.

As provided by RCW 52.26.080, the RFA Governing Board shall include nine voting members consisting of three (3) current seated members from the City of Kent to be appointed by the Kent City Council and three (3) current, seated King County Fire District 37 Board of Commissioners members (3) current, seated members from the City of Tukwila to be appointed by the Tukwila City Council and nonvoting advisory positions consisting of one for each Contractual Jurisdiction as appointed by the governing body of such Jurisdiction.

Voting Members – Tukwila (3) Kent (3) KCFD37 (3)

Non-voting Advisory Members – SeaTac (1) KCFD43 (1) Covington (1)

Each "contract" jurisdiction will have one non-voting advisory seat each. The City of Covington is annexed into King County Fire District #37 (KCFD37) and is represented by the three voting

[https://tukwilawa-my.sharepoint.com/personal/cheryl_thompson_tukwilawa_gov/Documents/Council Memos/2023/InfoMemo re Adopting Annexation Plan and Special Ballot Election 4-4-2023 DRAFT.docx](https://tukwilawa-my.sharepoint.com/personal/cheryl_thompson_tukwilawa_gov/Documents/Council%20Memos/2023/InfoMemo%20re%20Adopting%20Annexation%20Plan%20and%20Special%20Ballot%20Election%204-4-2023%20DRAFT.docx)

seats of KCFD37. Maple Valley is King County Fire District #43 and is represented by a non-voting advisory seat of KCFD43. SeaTac is a contract city and is represented by a non-voting advisory seat.

Facilities (Section 7.C.1.a, p. 19) :

Facilities Updated on March 13, 2023: As discussed on February 27, 2023, there was an agreement for a 50-year lease for Fire Station 51 and transfer of ownership for Fire Stations 52 and 53. Due to this discussion, the PSRFA has agreed to a 15-year lease for Fire Station 54. The following is the agreed upon language for all four stations in section 7.c :

1. Transfers of Real Property.

- a. The following real property owned by the City of Tukwila shall be transferred in fee simple determinable subject to an automatic reversionary interest, meaning Tukwila is conveying property "so long as" certain conditions are met, to the RFA, or leased to the RFA, as specified below:
 - i. Station 51: The City of Tukwila shall retain ownership of the real property on which Station 51 is located and shall lease Station 51 to the RFA for 50-year terms at the rate of \$1 per year. As conditions of the lease, the RFA shall assume 100% of the maintenance costs and shall use Station 51 to deploy RFA response units, subject to any other interests in the property.
 - ii. Station 52: City of Tukwila shall sell to the RFA for \$1 and shall retain an automatic reversionary interest in the event this station is no longer used to deploy RFA response units. Further, Tukwila shall retain the right to access and use the following areas of Station 52: (a) the "212 EOC Storage" closet; (b) the "210 Training Room" as the City's backup Emergency Operations Center on a 24/7 basis and at any time without notice in the event of an emergency and until termination of the emergency event, and as a public meeting space up to twenty (20) hours per calendar week, provided RFA staff is on-site to facilitate such use; and (c) the "213 HAM" closet for storage of ham radios and related equipment.
 - iii. Station 53: City of Tukwila shall sell to the RFA for \$1 and shall retain an automatic reversionary interest in the event this station is no longer used to deploy RFA response units.
 - iv. Station 54: City of Tukwila shall retain ownership of the real property on which Station 54 is located and shall lease Station 54 to the RFA for a 15-year term at the rate of \$1

per year. As conditions of the lease, the RFA shall assume 100% of the maintenance costs and shall use Station 54 to deploy RFA response units. Before the end of year 10 (December 31, 2034), either Tukwila or the RFA shall provide notice to the other party, indicating whether the lease will expire December 31, 2039, or be renewed for an additional term subject to conditions to be mutually negotiated by the parties

Election Date (Section 3.B.1, p. 10): The current goal is to submit our proposition by May 12, 2023, for the Primary Election to be held on August 1, 2023. A voter approval of this proposition will make this plan effective date on January 1, 2024. This would allow a year of transition to ensure that the newly expanded PSF Board would be able to effectively allocate the fire benefit charge and property tax for services beginning in January 2025. The City of Tukwila would still be financially obligated under the contract for services in 2024. If the proposition fails, the governing document for the RFA will be the current 2017 RFA Plan.

Proposed Schedule for Action by PSF Governing Board and Tukwila City Council: To meet the May 12, 2023 deadline for submission for the August 1, 2023 Primary Election, the following are suggested options. This proposes a 4-step process:

- 1a. Tukwila City Council Review of Proposed Annexation Plan – Feb 27 and March 20
- 1b. PSRFA Board review of Proposed Annexation Plan – March 15
2. PSF Board Approval of Annexation Plan – April 5
3. Tukwila City Council Approval of Annexation Plan – April 17
4. Tukwila City Council Resolution Calling for Special Election – April 17

Table 1: Recommended Review and Approval of Annexation Plan with April date.

Tukwila COW Review of Proposed Annexation Plan	PSRFA Board Review Plan	PSRFA Board Approval of Resolution to Amend Plan	Tukwila City Council Approval of Resolution to Annex to PSRFA	Tukwila City Council Resolution Calling for Special Election
Feb 27	March 15			
March 20		April 5	April 17	April 17

DISCUSSION

Staff is seeking direction from the Council on the following:

1. Does the Council agree with the Annexation Plan, adopted by the PSRFA Board on April 5, 2023?

2. If yes to Question 1, does the Council wish to place the annexation before the voters on August 1, 2023?
3. If yes to Question 2, does the resolution placing the annexation on the August ballot meet the objectives of the Council?

Discussion/Action Requested of the City Council:

1. ~~Is Governance Acceptable? (Section 5)~~
2. ~~Is Facilities Transfer acceptable? (Section 7) — still to be finalized~~
3. ~~Is Election Date and Effective Date Acceptable (Section 3)~~
4. ~~What is the preferred timeline for review and approval of all parties? (see Table 1)~~
5. ~~Are there any outstanding items for future action?~~

FINANCIAL IMPACT

If annexation is successful, the operating and capital costs for fire services will become the responsibility of the Puget Sound Regional Fire Authority, which the City would be on the governing board. The City would retain costs associated with other services, especially the contract for Fire Marshal services.

RECOMMENDATION

~~Discussion only — provide input to the Oversight Committee members for final annexation plan. The Committee is being asked to move this item forward to the Committee of the Whole meeting later this evening for consideration of adoption at the April 17, 2023 Council meeting.~~

ATTACHMENTS

- 1 – Resolution adopting the Amended PSRFA Plan
- 2 – Resolution calling for a ballot measure re Annexation

DRAFT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, APPROVING THE ANNEXATION OF THE CITY INTO THE PUGET SOUND REGIONAL FIRE AUTHORITY AND APPROVING THE AMENDMENTS TO THE 2023 PUGET SOUND REGIONAL FIRE AUTHORITY PLAN.

WHEREAS, the City of Tukwila (“the City”) in October 2021, appointed the “Future of Fire/EMS Community Advisory Committee” and tasked it with recommending how fire and emergency medical services (“EMS”) should be provided in Tukwila in the future; and

WHEREAS, in May 2022, the Future of Fire/EMS Community Advisory Committee submitted its final report and recommended annexation into the Puget Sound Regional Fire Authority (“PSRFA”), or a short-term contract that would lead to annexation, due to the sustainability of funding, quality of services, and total costs to residents and businesses; and

WHEREAS, in October 2022, the City and the PSRFA entered into an Interlocal Agreement for consolidation of fire and emergency medical services to be effective January 1, 2023; and

WHEREAS, the City and the PSRFA share a contiguous border with the City of Kent, which is part of the PSRFA, along the City’s southeast boundary and with the City of SeaTac, which is also part of the PSRFA, along the City’s southwest boundary; and

WHEREAS, the City is a fire protection jurisdiction as defined in RCW 52.26.020(3); and

WHEREAS, RCW 52.26 authorizes two or more fire protection jurisdictions to participate in a regional fire services authority commonly known as a regional fire authority or “RFA”; and

WHEREAS, both the City and the PSRFA are interested in pursuing the potential operational efficiencies and cost savings as a result of the City annexing into the PSRFA; and

WHEREAS, both the City and the PSRFA believe that the public health and safety of the people they serve will benefit from the City’s annexation into the PSRFA; and

WHEREAS, on December 5, 2022, the City Council adopted Resolution No. 2060 expressing intent to annex into the PSRFA subject to voter approval consistent with the provisions of RCW 52.26.300(3); and

WHEREAS, in February 2023, the Annexation Oversight Group, comprised of two PSRFA Governing Board members and two Tukwila City Councilmembers, began meeting to draft an amendment to the 2016 RFA Plan to provide for annexation of the City of Tukwila into the PSRFA; and

WHEREAS, on April 5, 2023, the Governing Board of the PSRFA adopted amendments to its 2016 RFA Plan (said amendments to be referred to hereinafter as the “2023 Puget Sound Regional Fire Authority Plan”) to contain provisions authorizing annexation of the City of Tukwila for the provision of fire and emergency medical services, subject to voter approval;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to RCW 52.26.300(3), the City Council approves the 2023 Puget Sound Regional Fire Authority Plan, containing provisions for annexation of the City of Tukwila into the PSRFA and attached hereto this resolution as Exhibit A, subject to approval by Tukwila voters.

Section 2. Pursuant to RCW 52.26.300(3), the City Council approves annexation into the PSRFA, subject to approval by Tukwila voters.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this _____ day of _____, 2023.

ATTEST/AUTHENTICATED:

Christy O’Flaherty, MMC
City Clerk

Cynthia Delostrinos Johnson
Council President

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____
Passed by the City Council: _____
Resolution Number: _____

Office of the City Attorney

Attachment: Exhibit A, “2023 Puget Sound Regional Fire Authority Plan”

Exhibit A



2023 PUGET SOUND REGIONAL FIRE AUTHORITY PLAN

Serving the cities of Covington, Kent,
Maple Valley, SeaTac and Tukwila,
and King County Fire Districts Nos. 37 and 43

Effective Date: January 1, 2024



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HISTORY

In 2010, the voters of the City of Kent and King County Fire Protection District No. 37 approved the formation of the Kent Fire Department Regional Fire Authority, effective July 1, 2010.

On January 1, 2014, the Kent Fire Department RFA contractually consolidated with the City of SeaTac Fire Department pursuant to an interlocal agreement, and the City of SeaTac filled a non-voting advisory position on the Governing Board pursuant to a 2014 Plan Amendment.

In 2016, the Governing Board approved the renaming of the Kent Fire Department Regional Fire Authority to Puget Sound Regional Fire Authority pursuant to a 2016 Plan Amendment.

On July 1, 2018, Puget Sound Regional Fire Authority contractually consolidated with Maple Valley Fire and Rescue (King County Fire Protection District No. 43) pursuant to an interlocal agreement and Maple Valley Fire and Rescue filled a non-voting advisory position on the Governing Board.

On January 1, 2023, Puget Sound Fire contractually consolidated with the City of Tukwila Fire Department pursuant to an interlocal agreement, and the City of Tukwila filled a non-voting advisory position on the Governing Board.

Copies of the original RFA Plan and the 2014 and 2016 amendments are retained in the Puget Sound Fire Administrative Offices.

On April 5, 2023, Puget Sound Regional Fire Authority Governing Board approved an amendment of the 2016 RFA Plan ("2023 Puget Sound Regional Fire Authority Plan") to submit to the voters of the City of Tukwila as part of the process of annexing the City of Tukwila as a participating jurisdiction into the Puget Sound Regional Fire Authority. On August 1, 2023, the City of Tukwila voters approved the amended RFA Plan, and the City of Tukwila was formally annexed into the RFA on January 1, 2024.



PURPOSE

Professionally and Compassionately Helping People

VISION

To be a trusted resource for building safe and healthy communities.

MISSION

To provide effective and sustainable services that meet the needs of a changing community with the resources entrusted to us.

VALUES

Integrity. We believe in holding ourselves accountable for our actions and living our shared values.

Innovation. We believe in continuous improvement through collaboration.

Inclusion. We believe in the strength diversity brings to our organization and communities.

Service. We believe in exceeding the needs of our communities through exceptional customer service and leadership.



OVERSIGHT

Puget Sound Fire is governed by the Puget Sound Fire Governance Board. The Governance Board is comprised of nine voting members and three non-voting members. Of the voting members, three are appointed from the Kent City Council, three from the Tukwila City Council, and three from the Board of Commissioners for Fire District No. 37. Of the non-voting members, one is from the Covington City Council, one is from the SeaTac City Council, and one is from the King County Fire District No. 43 Board of Commissioners.

The Puget Sound Fire Governance Board has the responsibility to oversee budget and policy decisions and to ensure that Puget Sound Fire is successful in its mission of protecting our communities.

FUNDING

Puget Sound Fire uses a voter-approved, two-part funding method comprised of property taxes and a fire benefit charge (FBC) to fund its operations. The FBC is a fee that is based on the benefit of having emergency services. It is not a per call charge and is not based on property value.

The property tax/FBC model provides a stable funding method that results in predictable revenues. Adding a FBC alongside property taxes as part of the funding system allows Puget Sound Fire to equitably distribute the cost, meaning that higher risk properties pay more for the benefit of fire-related and emergency services and lower risk properties pay less.

SERVICES AND STAFFING

As an internationally accredited regional fire authority, Puget Sound Fire employs over 400 people, and 17 fire stations are staffed 24 hours a day, 365 days a year by full-time, career firefighters. Advanced Life Support (Paramedic) services are provided through the King County Medic One program.

The broad range of emergency response services that we provide to our residents from our 17 fire stations throughout our response areas include:

- Emergency Medical Services
- Fire Suppression
- Hazardous Materials
- Water Rescue
- Technical Rescue, and
- Wildland Urban Interface



Additionally, Puget Sound Fire also provides non-emergency services to our residents including:

- Emergency Management
- Fire Prevention
- Public Education and FDCARES

Our support divisions include:

- Community Relations
- Finance
- Human Resources
- Strategic Resource Management
- Business and Information Technology Services
- Logistics
- Fire Garage, and
- Facilities Maintenance



**PUGET SOUND
REGIONAL FIRE AUTHORITY (RFA)
PLAN**

Section 1: Needs Statement

Adopted: 06-03-09

Revised: 01-01-24

1. The ability to respond to emergency situations by fire protection and emergency medical services jurisdictions has not kept up or progressed with the community's needs and special service demands;
2. Providing a fire protection and emergency medical service system requires a collaborative partnership and responsibility among local and regional governments and the private sector;
3. There are efficiencies to be gained by regional fire protection and emergency medical service delivery, while maintaining local control; and
4. Timely development of significant projects can best be achieved through enhanced funding options for regional fire protection, emergency services, specialized rescue, hazardous material mitigation, using existing taxing authority to address fire protection and emergency service needs, with new authority to address critical fire protection projects and emergency services.
5. Puget Sound Regional Fire Authority is capable of providing regional services to its contractual partners and participating jurisdictions.

RFA Plan Revision:

The **NEEDS STATEMENT** section of the **Puget Sound RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board after the Effective Date.



**PUGET SOUND
REGIONAL FIRE AUTHORITY (RFA)
PLAN**

Section 2: Definitions

Adopted: 06-03-09

Revised: 01-01-24

The definitions in this section apply throughout the Regional Fire Protection Service Plan, unless the context clearly requires otherwise.

1. **“Board” or “Governing Board”**: Means the governing body of a regional fire protection services authority.
2. **“Participating Jurisdictions”**: Means the City of Kent, King County Fire Protection District No. 37 and the City of Tukwila.
3. **“Contractual Jurisdictions”**: Means the City of SeaTac, Maple Valley Fire and Rescue and any future municipal corporations that enter into Interlocal Full Consolidation Agreements with Puget Sound Regional Fire Authority.
4. **“Regional Fire Authority,” “Puget Sound Regional Fire Authority” “Puget Sound RFA” “RFA”**: Means a municipal corporation, an independent taxing authority within the meaning of Article VII, Section 1, of the Washington State Constitution, and a taxing district within the meaning of Article VII, Section 2, of the Washington State Constitution, whose boundaries are coextensive with the City of Kent, King County Fire Protection District No. 37 and the City of Tukwila that has been created by a vote of the people under Revised Code of Washington chapter 52.26 to implement a Regional Fire Authority Plan and by a vote of the City of Tukwila voters to approve annexation of the City of Tukwila into the RFA pursuant to RCW 52.26.300.
5. **“Regional Fire Authority Plan,” “RFA Plan,” “Puget Sound RFA Plan” or “Plan”**: Means a plan to develop, govern and finance a Regional Fire Authority, including, but not limited to, specific capital projects, fire prevention services, fire suppression services, emergency medical services, and services for the protection of life and property pursuant to RCW 52.26.040, and the preservation and maintenance of existing or future facilities and services.
6. **“2023 Puget Sound Regional Fire Authority Plan” or “2023 RFA Plan”**: Means the 2017 RFA Plan as amended by the RFA Governing Board and approved by the City of Tukwila voters.
7. **“Effective Date”**: Means the effective date of the 2023 RFA Plan on January 1, 2024.



RFA Plan Revision:

The **DEFINITIONS** section of the **Puget Sound RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board after the Effective Date.



**PUGET SOUND
REGIONAL FIRE AUTHORITY (RFA)
PLAN**

Section 3: Formation Authority

Adopted: 06-03-09

Revised: 01-01-24

A. Reference:

1. Puget Sound Regional Fire Authority was created pursuant to law when the voters of the City of Kent and King County Fire Protection District No. 37 approved the original RFA Plan at a special election on April 27, 2010 as authorized by Chapter 52.26 RCW.
2. The authority to annex additional Participating Jurisdictions into the RFA requires approval of an RFA Plan amendment by both the RFA Governing Board and the voters of the annexing Participating Jurisdiction pursuant to RCW 52.26.300.

B. Activity and Operation:

1. If approved by the voters of the City of Tukwila at an election on August 1, 2023, this 2023 RFA Plan shall become effective on the Effective Date of January 1, 2024. If the 2023 RFA Plan is not approved by Tukwila voters, then this 2023 RFA Plan Amendment shall not be adopted, and the existing 2017 Puget Sound Regional Fire Department Plan shall remain as the RFA Plan.
2. Upon voter approval of the 2023 RFA Plan, the City of Kent, the City of Tukwila and King County Fire District No. 37 shall continue to exist as separate and independent Washington State municipal corporations. The exclusive purpose of the continued existence of King County Fire District No. 37 shall be to provide representation to the RFA Governance Board.
3. At such time as King County Fire District 37 no longer provides revenues or representatives to the governance board, it may be dissolved in accordance with RCW 52.26.120.

RFA Plan Revision:

The **FORMATION AUTHORITY** section of the **Puget Sound RFA Plan** is subject to amendment only by a revised Puget Sound Regional Fire Authority Plan being re-submitted to the electorate for approval.



**PUGET SOUND
REGIONAL FIRE AUTHORITY (RFA)
PLAN**

Section 4: Jurisdictional Boundaries

Adopted: 07-15-09

Revised: 01-01-24

A. Reference:

1. The authority to define the **jurisdictional boundaries** of the Puget Sound Fire Authority is provided by RCW 52.26.020(2).

B. Jurisdictional Boundaries on Effective Date of the 2023 RFA Plan:

1. If the 2023 RFA Plan is approved by Tukwila voters, the jurisdictional boundaries of Puget Sound Regional Fire Authority shall be the current legal boundaries of the Participating Jurisdictions, which boundaries are currently contiguous and are depicted on the map attached hereto and marked as Appendix "A" of this 2023 RFA Plan.

C. Changes in Jurisdictional Boundaries:

1. Boundary Changes that do not require a RFA Plan amendment.
 - a. **City of Kent or City of Tukwila annexations of areas included within the boundaries of King County Fire Protection District No. 37.** Such annexations will not affect the RFA since the areas will already be within the RFA boundaries. Pursuant to RCW 52.26.290, there will be no required asset or employee transfers between the fire district and the affected city.
 - b. **City of Kent or City of Tukwila annexations of areas not included within King County Fire Protection District No. 37.** On the effective date of such annexation, the territory annexed shall automatically be included within the boundaries of the RFA pursuant to RCW 52.26.090. The territory added to the RFA by such annexation shall be subject to the taxation, charges, and bonded indebtedness (if approved as part of the annexation process) of the RFA. Any transfer of assets or employees that occurs as a result of annexation shall be between the transferring entity and the RFA.
 - c. **King County Fire Protection District No. 37 annexations of areas outside the boundaries of the RFA.** On the effective date of such annexation, the territory annexed shall automatically be included within the boundaries of the RFA pursuant



to RCW 52.26.090. The territory added to the RFA by such annexation shall be subject to the taxation, charges, and bonded indebtedness (if approved as part of the annexation process) of the RFA.

- d. **Partial merger of an area located in an adjacent fire protection district into King County Fire Protection District No. 37.** On the effective date of such partial merger, the territory merged into King County Fire Protection District No. 37 shall automatically be included within the boundaries of the RFA. The territory added to the RFA by such partial merger shall be subject to the taxation, charges, and bonded indebtedness of the RFA in the manner specified in chapter 52.06 RCW. Any transfer of assets or employees as a result of a partial merger shall be between the merging district and the RFA.
- e. **Merger of an adjacent fire protection district into King County Fire Protection District No. 37.** On the effective date of such merger, the territory merged into King County Fire Protection District No. 37 shall automatically be included within the boundaries of the RFA. The territory added to the RFA by such merger shall be subject to the taxation, charges, and bonded indebtedness of the RFA in the manner specified in chapter 52.06 RCW. Pursuant to RCW 52.06.085, the merger will result in an increase in the size of the governing board of King County Fire Protection District No. 37. Such increase shall not, however, alter the Governance Plan and the RFA governing board shall still have 3 representatives from the Fire District. Any transfer of assets or employees as a result of a merger shall be between the merging district and the RFA.
- f. **Full or partial merger of King County Fire Protection District 37 into an adjacent fire protection district.** On the effective date of such merger, the areas within King County Fire Protection District No. 37 that are merged into the adjacent fire protection district shall be removed from the jurisdictional boundaries of the RFA. In this situation, the RFA shall not be obligated to transfer employees or assets of the RFA, and the adjacent fire protection district shall be restricted to assets and employees of the fire district, if any.
- g. **Annexation of a portion of King County Fire Protection District 37 by a City that is not a participating jurisdiction in the RFA.** On the effective date of such annexation, the territory annexed shall automatically be removed from the boundaries of the RFA. In this situation, the RFA shall not be obligated to transfer employees or assets of the RFA, and the annexing city shall be restricted solely to assets and employees of the fire district, if any.
- h. **Annexation of areas by the City of Covington.** Provided that the City of Covington remains annexed into King County Fire Protection District No. 37, on the effective date of any such annexation, the territory annexed shall automatically be included within the boundaries of the RFA pursuant to RCW 52.26.090 and RCW 52.04.091. The territory added to the RFA by such annexation shall be subject to



the taxation, charges, and bonded indebtedness (if approved as part of the annexation process) of the RFA. Any transfer of assets or employees that occurs as a result of such annexation shall be between the transferring entity and the RFA.

2. Boundary Changes that require a RFA Plan amendment.

The addition of another entity as a participating jurisdiction in the RFA shall require a voter approved amendment to the RFA Plan.

RFA Plan Revision:

Except as provided in paragraph C.2 of this section, the **JURISDICTIONAL BOUNDARIES** section of the **Puget Sound RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board after the Effective Date.



**PUGET SOUND
REGIONAL FIRE AUTHORITY (RFA)
PLAN**

Section 5: Governance

Adopted: 07-15-09

Revised: 01-01-24

Governance and Representation

A. Reference:

1. The authority to provide governance for the Regional Fire Authority is provided by RCW 52.26.080 and RCW 52.26.090.

B. Governing Board Structure and Operation:

1. As provided by RCW 52.26.080, the RFA Governing Board shall include nine voting members consisting of three (3) current seated members from the City of Kent to be appointed by the Kent City Council and three (3) current, seated King County Fire District 37 Board of Commissioners members (3) current, seated members from the City of Tukwila to be appointed by the Tukwila City Council and nonvoting advisory positions consisting of one for each Contractual Jurisdiction as appointed by the governing body of such Jurisdiction.
2. The RFA Governing Board shall adopt governance policies and rules for conducting business for the RFA in accordance with RCW 52.26.080.
3. The RFA Governing Board shall adopt by-laws to govern RFA affairs in accordance with RCW 52.26.080.
4. The RFA Governing Board shall have all the power and authority granted governing boards under Washington State law and shall include the power and authority to make any decisions appropriate for the RFA and for matters related to Title 52 RCW.
5. Members of the Governing Board will receive compensation in the same manner and under the same conditions as provided by law for commissioners of a fire protection district organized under Title 52 RCW.



RFA Plan Revision:

The **GOVERNANCE** section of the **Puget Sound RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board after the Effective Date.



**PUGET SOUND
REGIONAL FIRE AUTHORITY (RFA)
PLAN**

Section 6: Organizational Structure/Operations

Adopted: 11-04-09

Revised: 01-01-24

A. Reference:

1. The authority for the RFA to establish an Organizational Structure is provided in RCW 52.26.040.

B. Activity/Operation:

1. The RFA shall be organized and managed, with leadership provided as show in Appendix "B" of the RFA Plan.
2. The RFA Administrative, Operations and Prevention Division shall be organized, and a chain of command be established in accordance with the organizational structure provided in Appendix "B" of the RFA Plan.
3. The Governing Board for the RFA shall be referred to as the Regional Fire Authority Governing Board, as identified in Appendix "B" of the RFA Plan.
4. Current staffing models, standards of coverage, deployment standards, field operations, command staffing, and operational policies and procedures shall continue at the current level of service on the Effective Date.
5. Puget Sound Fire will operate pursuant to its adopted Standards of Coverage, which defines services, levels of service, standards of coverage, development standards and customer expectations of the RFA.

RFA Plan Revision:

The **ORGANIZATIONAL STRUCTURE/OPERATIONS** section of the **Puget Sound RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board after the Effective Date.



**PUGET SOUND
REGIONAL FIRE AUTHORITY (RFA)
PLAN**

Section 7: Financial

Adopted: 11-04-09

Revised: 01-01-24

A. Reference:

1. The authority to provide funding and levy taxes for the RFA is provided by RCW 52.26.050, RCW 52.26.120, RCW 52.26.140 - .180, RCW 52.30.020, chapter 84.52 RCW and chapter 84.55 RCW.
2. The authority and mechanism for the collection of taxes and the benefit service charge shall be in accordance with RCW 52.26.170, RCW 52.26.200 - .270

B. Revenues/Funding:

1. Pursuant to the original approved RFA Plan, funding for the RFA is based on a property tax not to exceed \$1.00 per thousand of taxable assessed value and a benefit service charge on all improved properties within the RFA service area based upon the general formula and methodology set annually by the RFA Governing Board.
2. In the event a Participating Jurisdiction annexes into the RFA pursuant to RCW 52.26.300, the initial property tax levy rate shall be calculated pursuant to the rule established under WAC 458-19-035.
3. In the event a Participating Jurisdiction annexes into the RFA pursuant to RCW 52.26.300, the benefit charge shall be applied within the boundaries of the Participating Jurisdiction based on the currently adopted Puget Sound Regional Fire Authority benefit charge formula on file with the Puget Sound Regional Fire Authority.
4. The initial tax levy and benefit charge in the Participating Jurisdiction shall occur in the year of formation provided the effective date of the annexation occurs prior to August 1, pursuant to RCW 84.09.030. If the effective date occurs after such date, the initial property tax levy and benefit charge shall not be made within the boundaries of the Participating Jurisdiction until the year following the Effective Date and the Participating Jurisdiction shall continue to pay for services for the first year of annexation in the



manner established by agreement between Puget Sound Regional Fire Authority and the Participating Jurisdiction.

5. To the extent permitted by law, the RFA shall contract with agencies and entities exempt from property taxes in accordance with RCW 52.30.020 and related statutes.
6. The Governing Board shall have the authority to pursue all additional revenue sources authorized by law including but not limited to revenue sources specifically identified in Title 52 RCW that are not otherwise addressed in chapter 52.26 RCW.
7. The RFA shall pay all costs of continued operation of King County Fire Protection District No. 37 subsequent to the formation of the RFA

C. Financial Assets Transferred:

1. Transfers of Real Property.
 - a. The following real property owned by the City of Tukwila shall be transferred in fee simple determinable subject to an automatic reversionary interest, meaning Tukwila is conveying property "so long as" certain conditions are met, to the RFA, or leased to the RFA, as specified below:
 - i. Station 51: The City of Tukwila shall retain ownership of the real property on which Station 51 is located and shall lease Station 51 to the RFA for 50-year terms at the rate of \$1 per year. As conditions of the lease, the RFA shall assume 100% of the maintenance costs and shall use Station 51 to deploy RFA response units, subject to any other interests in the property.
 - ii. Station 52: City of Tukwila shall sell to the RFA for \$1 and shall retain an automatic reversionary interest in the event this station is no longer used to deploy RFA response units. Further, Tukwila shall retain the right to access and use the following areas of Station 52: (a) the "212 EOC Storage" closet; (b) the "210 Training Room" as the City's backup Emergency Operations Center on a 24/7 basis and at any time without notice in the event of an emergency and until termination of the emergency event, and as a public meeting space up to twenty (20) hours per calendar week, provided RFA staff is on-site to facilitate such use; and (c) the "213 HAM" closet for storage of ham radios and related equipment.
 - iii. Station 53: City of Tukwila shall sell to the RFA for \$1 and shall retain an automatic reversionary interest in the event this station is no longer used to deploy RFA response units.



- iv. Station 54: City of Tukwila shall retain ownership of the real property on which Station 54 is located and shall lease Station 54 to the RFA for a 15-year term at the rate of \$1 per year. As conditions of the lease, the RFA shall assume 100% of the maintenance costs and shall use Station 54 to deploy RFA response units. Before the end of year 10 (December 31, 2034), either Tukwila or the RFA shall provide notice to the other party, indicating whether the lease will expire December 31, 2039, or be renewed for an additional term subject to conditions to be mutually negotiated by the parties.

2. Transfers of Personal Property.

- a. The City of Tukwila transferred its fire department related personal property to the RFA by separate interlocal agreement and no additional transfers of City personal property are required.

D. Liabilities:

1. On the date of formation, the RFA shall assume the following liabilities of the City of Tukwila.
 - a. Routine, regular maintenance, major repairs, capital improvements, and utilities costs consistent with Section 5 of the separate interlocal agreement.
2. The City of Tukwila shall retain the following liabilities:
 - a. The City of Tukwila will keep the liability for retired and active LEOFF 1 Tukwila Fire Department FTE's to include medical and long term care insurance payments and any other expenses incurred by the Tukwila Fire Department LEOFF 1 personnel in accordance with the City of Tukwila LEOFF 1 Policies and Procedures consistent with Section 6.4 of the separate interlocal agreement.
 - b. The City of Tukwila shall remain responsible for all outstanding debt related to the construction and improvement of Fire Stations 51 and 52 transferred under Section 7.C.1.a.i and ii of this Plan.
 - c. The City retains the obligations established in the City of Tukwila and IAFF Local 2088 Collective Bargaining Agreement (CBA) Memorandum of Understanding (MOU) concerning the Retirement Management Plan (RMP) for participants that retired prior to January 1, 2023, consistent with Section 6.5 and Exhibit K of the separate interlocal agreement.
 - d. The City shall indemnify, defend, and hold the RFA harmless from any and all demands, claims, or actions by former City Personnel, which arise out of, or



relate to, the City Personnel's employment prior to January 1, 2023, consistent with Section 6.6 of the separate interlocal agreement.

RFA Plan Revision:

Subject to any statutory requirements for voter approval, the **FUNDING** section of the **Puget Sound RFA Plan**, including the benefit charge funding formula and methodology, is subject to amendment by a majority vote of the RFA Governance Board after the Effective Date.



**PUGET SOUND
REGIONAL FIRE AUTHORITY (RFA)
PLAN**

**Section 8: Fire Prevention, Public Education Services,
Emergency Management and Fire Investigation Unit**

Adopted: 11-04-09

Revised: 01-01-24

A. Reference:

1. The authority for the RFA to establish and provide Fire Prevention, Public Education, Emergency Management and Fire Investigation components is provided in RCW 52.26.040, RCW 52.26.090(2), RCW 52.12.031 (3), (6) and (7) and chapter 39.34 RCW.

B. Activity/Operation:

1. SERVICE PROVIDERS FOLLOWING 2023 RFA PLAN EFFECTIVE DATE:

1.1. FIRE PREVENTION SERVICES

- a. On the effective date of the 2023 RFA Plan, Fire Prevention Services within the boundaries of the RFA shall be provided as follows:
 - (i). Within the City Kent. The RFA will provide Fire Prevention Services to the City of Kent pursuant to an interlocal agreement.
 - (ii). Within the City of Covington. The RFA will provide Fire Prevention Services to the City of Covington pursuant to an interlocal agreement.
 - (iii). Within the City Tukwila. The RFA will provide Fire Prevention Services to the City of Tukwila pursuant to an interlocal agreement.
 - (iv). Within unincorporated King County. King County shall provide Fire Prevention Services, unless the RFA enters into an interlocal with King County to provide such services.
 - (v). The RFA may contract to provide such services to Contractual Jurisdictions and other entities as determined by the Governing Board.



1.2. FIRE INVESTIGATION SERVICES:

- a. On the effective date of the 2023 RFA Plan, Fire Investigation Services within the boundaries of the RFA shall be provided as follows:
 - (i). Within the City Kent. The RFA will provide Fire Investigation Services to the City of Kent pursuant to an interlocal agreement.
 - (ii). Within the City of Covington. The RFA will provide Fire Investigation Services to the City of Covington pursuant to an interlocal agreement.
 - (iii). Within the City Tukwila. The RFA will provide Fire Investigation Services to the City of Tukwila pursuant to an interlocal agreement.
 - (iv). Within unincorporated King County. King County shall provide Fire Investigation Services unless the RFA enters into an interlocal with King County to provide such services.
 - (v). The RFA may contract to provide such services to Contractual Jurisdictions and other entities as determined by the Governing Board.

1.3. EMERGENCY MANAGEMENT SERVICES.

- a. On the effective date of the 2023 RFA Plan, Emergency Management Services within the boundaries of the RFA shall be provided as follows:
 - (i). Within the City Kent. The RFA will provide Emergency Management Services to the City of Kent pursuant to an inter-local agreement.
 - (ii). Within the City of Covington. Covington shall remain the provider of Emergency Management Services.
 - (iii). Within the City Tukwila. Tukwila shall remain the provider of Emergency Management Services.
 - (iv). Within unincorporated King County. King County shall remain the provider of Emergency Management Services.
 - (v). The RFA may contract to provide such services to Contractual Jurisdictions and other entities as determined by the Governing Board.

1.4. PUBLIC EDUCATION SERVICES.

- a. On the effective date of the creation of the RFA, the RFA shall provide Public Education Services throughout the jurisdiction of the RFA.



- b. The RFA may contract to provide such services to Contractual Jurisdictions and other entities as determined by the Governing Board.

2. PROVISION OF SERVICES.

- a. The RFA Fire Prevention and Emergency Management Divisions shall be organized as provided in Appendix B of this RFA Plan.
- b. The City of Kent shall designate the Chief and Fire Marshal of the RFA as the Chief and Fire Marshal of the City of Kent.
- c. The City of Covington shall designate the Chief and Fire Marshal of the RFA as the Chief and Fire Marshal of the City of Covington.
- d. The City of Tukwila shall designate the Chief and Fire Marshal of the RFA as the Chief and Fire Marshal of the City of Tukwila.
- e. The City of Kent, the City of Covington and the City of Tukwila shall retain code enforcement authority in accordance with Washington State Law within their respective jurisdictions and, except as provided in the interlocal agreements, shall provide the necessary legal and police support for enforcement of code enforcement issues.
- f. The City of Kent, the City of Covington and the City of Tukwila shall retain fire investigation authority in accordance with Washington State Law within their respective jurisdictions and, except as provided in the interlocal agreements, shall provide the necessary legal and police support for enforcement of fire investigation issues.
- g. The City of Kent, the City of Covington and the City of Tukwila shall retain emergency management authority in accordance with Washington State Law and, except as provided in the interlocal agreements, shall provide legal and police support as needed to provide emergency management services.

RFA Plan Revision:

The **FIRE PREVENTION, EMERGENCY MANAGEMENT, PUBLIC EDUCATION AND FIRE INVESTIGATION UNIT** section of the **Puget Sound RFA Plan** is subject to amendment by a majority vote of the RFA Governance Board after the Effective Date.



APPENDIX A Jurisdictional Boundaries

Integrity.
Innovation.
Inclusion.
Service.

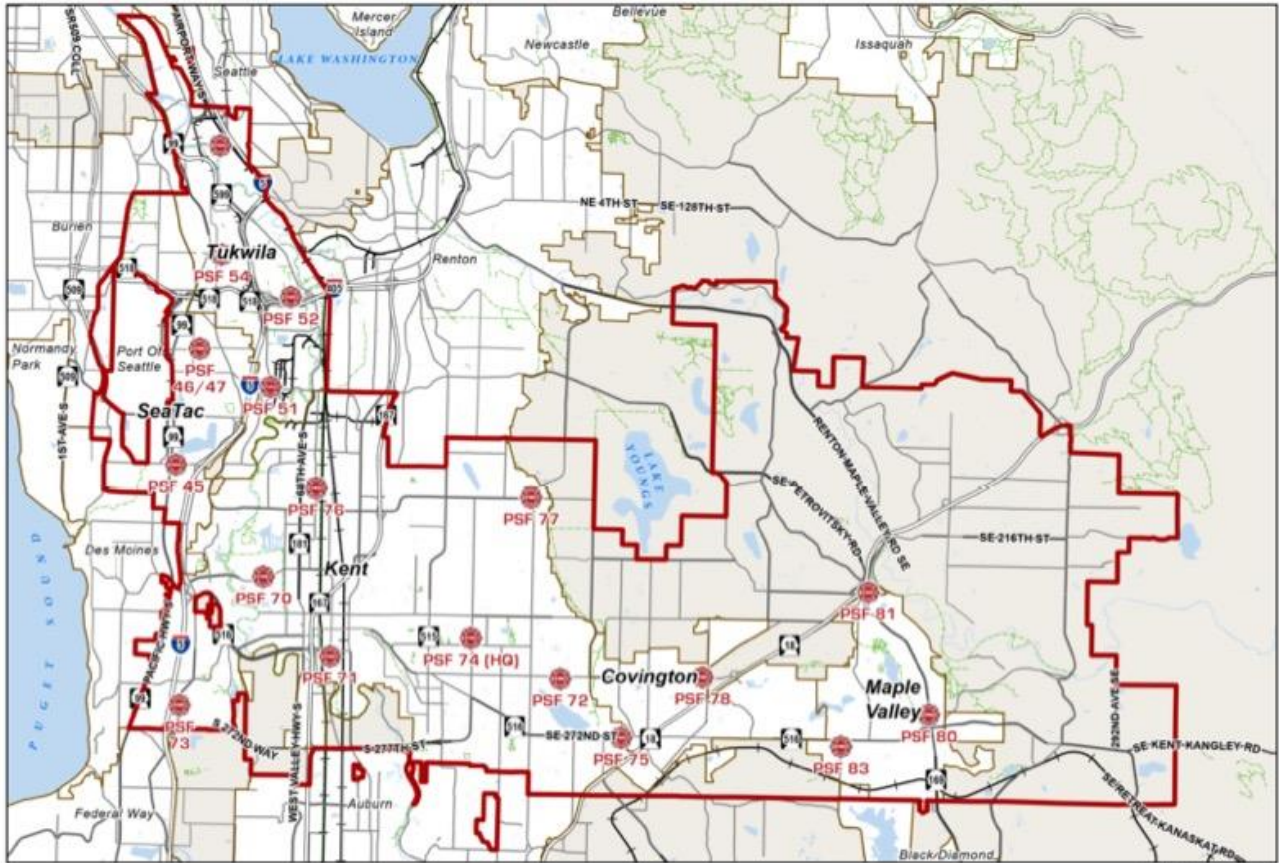
- PSF Station
- PSF Service Area



PUGET SOUND REGIONAL FIRE AUTHORITY Service Area



- Cities
- Unincorporated County



Credits: PSF, Valley Com GIS,
King Co GIS
Date Created: 12/15/2022



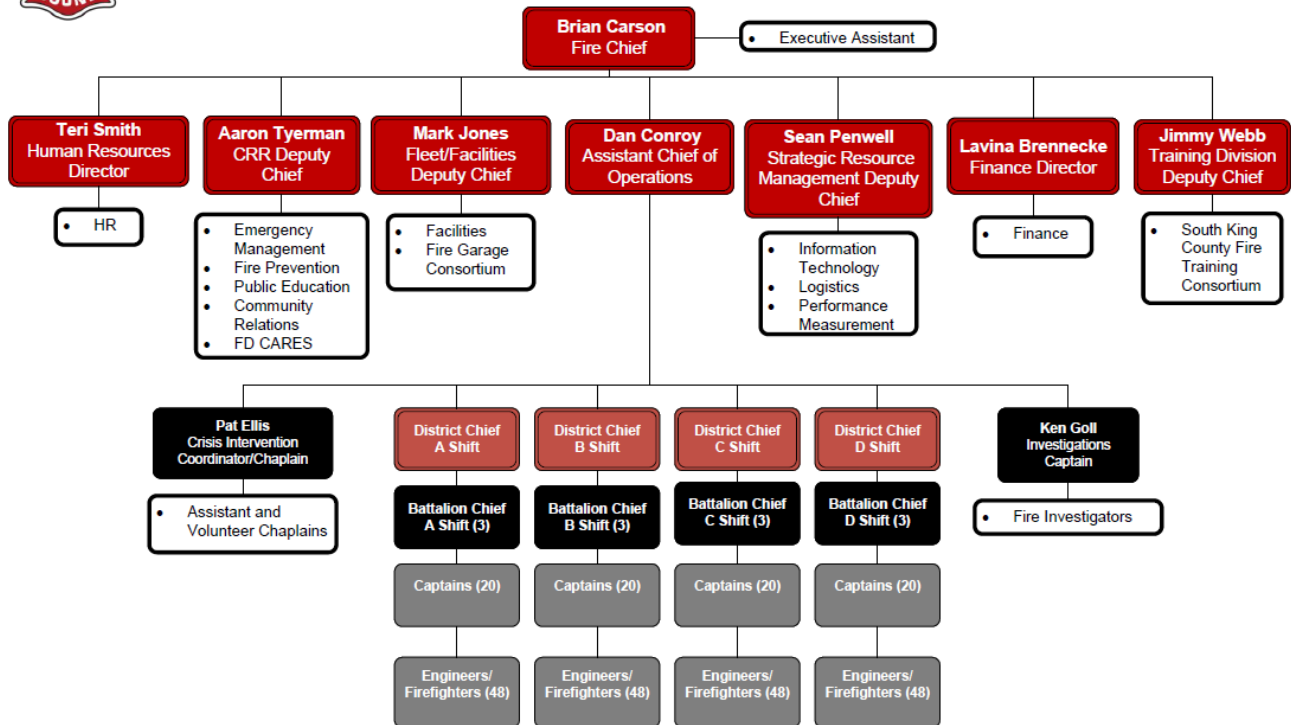
APPENDIX B

Organizational Structure



RFA Organizational Chart Overview

Updated: 03/08/2023



DRAFT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, CALLING FOR KING COUNTY ELECTIONS TO PLACE A PROPOSITION ON THE PRIMARY ELECTION BALLOT ON AUGUST 1, 2023, CONCERNING ANNEXATION OF THE CITY OF TUKWILA INTO THE PUGET SOUND REGIONAL FIRE AUTHORITY TO MAINTAIN CURRENT FIRE AND EMS SERVICE LEVELS.

WHEREAS, the City has a long history of providing professional and responsive fire and emergency medical services (“EMS”) since the Tukwila Fire Department was formed in 1969; and

WHEREAS, the City desires to continue providing sustainable fire and EMS services and has explored available options for fire and EMS services since 2010; and

WHEREAS, the City Council in October 2021, appointed the “Future of Fire/EMS Community Advisory Committee” and tasked it with recommending how fire/EMS services should be provided in Tukwila in the future; and

WHEREAS, in May 2022, the Future of Fire/EMS Community Advisory Committee submitted its final report and recommended annexation into the Puget Sound Regional Fire Authority (“PSRFA”), or a short-term contract that would lead to annexation, due to the sustainability of funding, quality of services, and total costs to residents and businesses; and

WHEREAS, the City Council in June 2022, reviewed the final report from the Advisory Committee, agreed on the recommendations, and directed staff to enter into contract negotiations for a short-term contract that would lead to annexation with the PSRFA; and

WHEREAS, the City Council in October 2022, approved an Interlocal Agreement with PSRFA beginning in January 2023 that would lead to annexation and included enhanced services for the Tukwila Community; and

WHEREAS, the City Council in November 2022, adopted the 2023-2024 biennial budget that included direction to initiate a long-term fiscal sustainability planning effort, including an advisory committee of residents and stakeholders to be completed by the Second Quarter of 2024 to provide long-term fiscal solutions to inform the 2025-2026 biennial budget; and

WHEREAS, RCW 52.26.300 sets forth the procedure for elections concerning the annexation of a city into a regional fire protection service authority; and

WHEREAS, on December 5, 2022, the Tukwila City Council adopted Resolution No. 2060, expressing intent to annex into PSRFA subject to voter approval consistent with the provisions of RCW 52.26.300(3); and

WHEREAS, the City Council appointed two of its members to serve on the Annexation Plan Oversight Committee which worked from January to March 2023 to create an Annexation Plan that met the needs of both the City and the PSRFA; and

WHEREAS, on April 5, 2023, the Governing Board of PSRFA adopted Resolution No. 196, amending its Regional Fire Authority ("RFA") Plan to provide for the annexation of the City of Tukwila into the RFA subject to the approval by the voters of the City of Tukwila pursuant to RCW 52.26.300(3); and

WHEREAS, the Tukwila City Council finds that it benefits the public health and safety and it is in the City's best interest to approve annexation of the City of Tukwila to be part of the PSRFA, effective January 1, 2024, and approve the RFA Plan amendments as required by RCW 52.26.300(3); and

WHEREAS, notification of intent to annex is being transmitted to King County Elections;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to RCW 52.26.300, the City of Tukwila requests that King County Elections place a proposition on the primary election ballot to be held on August 1, 2023, for the voters of the City of Tukwila to approve or reject the annexation of the City of Tukwila to be part of the Puget Sound Regional Fire Authority, effective January 1, 2024, as follows:

Name of Jurisdiction:	City of Tukwila
Proposition Number:	Proposition No. 1
Short Title:	City of Tukwila Seeks Voter Approval to Annex into the Puget Sound Regional Fire Authority to Maintain and Enhance Current Fire and EMS Services
Ballot Title:	Should the City of Tukwila be annexed into and be a part of the Puget Sound Regional Fire Authority to maintain current fire and emergency medical service levels, effective January 1, 2024, per City of Tukwila Council Resolution No. [REDACTED]?
	YES <input type="checkbox"/>
	NO <input type="checkbox"/>

Section 2. The explanatory statement approved by the City Attorney's Office is attached hereto as Exhibit A.

Section 3. The City Attorney is authorized to make such minor adjustments to the wording of the ballot measure and/or the explanatory statement as may be recommended by King County Elections, as long as the intent of the ballot proposition remains clear and consistent with the intent of this Resolution as approved by the City Council.

Section 4. The City Clerk or designee is authorized and directed to file a copy of this resolution with the King County Department of Elections no later than 4:30 p.m. on May 12, 2023.

Section 5. Pursuant to RCW 29A.32.280, the names of committee members appointed by the City Council to prepare arguments advocating both approval and rejection of the annexation shall be provided to the Director no later than 4:30 p.m. on May 12, 2023.

Section 6. This resolution shall take effect and be in force immediately upon its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this _____ day of _____, 2023.

ATTEST/AUTHENTICATED:

Christy O'Flaherty, MMC
City Clerk

Cynthia Delostrinos Johnson
Council President

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____
Passed by the City Council: _____
Resolution Number: _____

Office of the City Attorney

Attachment: Exhibit A, "Explanatory Statement"

EXHIBIT A – EXPLANATORY STATEMENT

Should the City of Tukwila be annexed into and be a part of the Puget Sound Regional Fire Authority, effective January 1, 2024, to maintain current fire and emergency medical service levels per Tukwila City Council Resolution No. XXX?

YES

NO

Tukwila Resolution No. XXX seeks voter approval to annex the City of Tukwila into the Puget Sound Regional Fire Authority ("PSRFA"). Previously, the City's Fire Department provided fire protection and emergency medical services ("EMS") to the City of Tukwila. On January 1, 2023, PSRFA began providing fire protection and EMS to the City, pursuant to an interlocal agreement. The Tukwila City Council has determined that annexing into, and being a part of, the PSRFA will ensure the long-term sustainability of funding to maintain the current fire protection and EMS service levels.

PSRFA currently serves the cities of Kent, Covington, SeaTac, and Maple Valley, as well as unincorporated areas of King County Fire District No. 37 and King County Fire District No. 43.

If this annexation is approved, City representatives will be on the Governing Board of the PSRFA, and the PSRFA will continue to provide fire and EMS services to the City.

If this annexation is rejected, the City must seek a second annexation vote. If a second annexation vote fails, the City would need to negotiate a new agreement with PSRFA or another agency, or reconstitute the City Fire Department.

More information is available at www.pugetsoundfire.org.