

Resolution No. 1995-14

[\(Council Minutes 95/11/06\)](#)

RESOLUTION NO. 1995-14

A RESOLUTION of the City Council of the City of Lakewood, Washington, relating to special service districts, including fire protection districts and library district

WHEREAS, Section 35.02.180 RCW provides that upon incorporation of a new city, the territory within the city shall be removed from the fire and library districts unless that territory is annexed into the fire and library districts; and

WHEREAS, somewhat inconsistent with the above referenced statute, Section 52.04.161 RCW provides that the territory of a new city shall be deemed to be annexed into the fire district(s) upon the date of official incorporation of the city for the remainder of the first year of incorporation, unless the city council passes a resolution during the interim period precluding annexation; and,

WHEREAS, in light of the potential conflict between the two statutes, in order to clearly define the intentions of the City Council of Lakewood, it would be appropriate for the City Council to pass a resolution stating its position relative to the fire and library districts; and,

WHEREAS, because the City would need to provide for fire protection within the City, whether by (1) establishment of a City Fire Department, (2) annexation into the fire district(s), or (3) contract with a fire district or fire department, and the only one of these options that is most readily available is the statutory (automatic) annexation into the fire district(s) for the remainder of the first year of incorporation, it would be appropriate to select that method of assuring that the City has fire protection, particularly since that selection would also afford the City opportunity to evaluate its options to following years; and,

WHEREAS, the statutory provisions applicable to library districts do not provide for the City territory deemed annexed@ option that is applicable to fire districts, and the only reasonable options that exist in this case are for the city to (1) establishment of a City Library, (2) annexation into the library district, and (3) contract with a library district or other municipality with a library department, and among these options the one that is most readily available is contracting for the remainder of the first year of incorporation with the library district, it would be appropriate to authorize the City Manager to negotiate a contract with the Pierce County Library District for continued library services within the City at a rate consistent with the tax revenue otherwise available for that purpose.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, HEREBY RESOLVES as follows:

Section 1. FIRE DISTRICT ANNEXATION.

Pursuant to the provisions of Section 52.04.161 RCW, the City Council expresses its support for the City to be annexed into the fire districts operating within the corporate limits of the City of Lakewood for the remainder of the first year of incorporation.

Section 2. LIBRARY DISTRICT CONTRACT.

The City Manager is authorized to negotiate a contract with the Pierce County Library District for continued library services within the City at a rate consistent with the tax revenue otherwise available for that purpose, for a period of time including at least the remainder of the first year of incorporation.

Section 3. FURTHER REVIEW OF FIRE & LIBRARY SERVICES

The City Manager and designees are directed to review future options for fire and library service, and to report back to the City Council with findings and recommendations for the same.

Section 4. EFFECTIVE DATE.

This Resolution shall be in full force and effect on February 28, 1996, provided that the terms of this Resolution shall be in effect during the interim period prior to February 28, 1996, to the extent provided by law.

PASSED by the City Council this 6th day of November, 1995

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

