

RESOLUTION NO. 21-2004

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, CALLING FOR AN ELECTION ON SEPTEMBER 21, 2004, TO AUTHORIZE CLACKAMAS COUNTY FIRE DISTRICT NO. 1 TO ANNEX ALL OF THE TERRITORY WITHIN THE CITY FOR THE PURPOSES OF PROVIDING FIRE AND EMERGENCY MEDICAL SERVICES.**

**WHEREAS**, the City Council adopted Resolution No. 7-2004 proposing annexation by the Clackamas County Fire District No. 1 of all of the territory within the City of Milwaukie; and

**WHEREAS**, the Board of Directors of the Clackamas County Fire District No. 1, by Resolution 04-03, has approved the City's proposal that the District annex all of the territory within the City; and

**WHEREAS**, the Board of Directors of the Clackamas County Fire District No. 1 has called an election within the City of Milwaukie, to be held on September 21, 2004, upon a measure which, if approved by the electors of the City, would authorize the District to annex all of the territory within the City of Milwaukie;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Milwaukie:

Section 1: An election conducted by the Clackamas County Elections Division shall be held September 21, 2004, on the question: "Shall Clackamas County Fire District No. 1 annex all of the territory of the City of Milwaukie? "

Section 2: The Ballot Caption, Question and Summary of the Measure for the election measure shall be as shown in the attached Exhibit A.

Section 3: The Council approves the Explanatory Statement in the form of the attached Exhibit B.

Section 4: The City Recorder is directed to take the steps required by applicable law to provide notice of the election and to place the measure on the ballot.

Section 5: This resolution takes effect upon adoption.

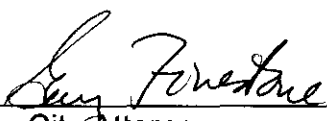
Introduced and adopted by the City Council of the City of Milwaukie, Oregon on  
July 20, 2004.



James Bernard, Mayor

APPROVED AS TO FORM:  
Ramis Crew Corrigan & Bachrach, LLP

ATTEST:

By:   
City Attorney

  
Pat DuVal, City Recorder

## EXHIBIT A

**Caption:** Measure Approving Annexation of City of Milwaukie Property to District

**Question:** Shall Clackamas County Fire District No.1 annex all of the territory of the City of Milwaukie?

**Summary of Measure:** Since 1998 the City has contracted with the District to provide fire suppression and emergency medical services. Former City firefighters became District emergency service employees. The Milwaukie City Council proposed that the District annex the City and provide emergency services directly rather than by contract. If annexation is approved, territory within the City becomes part of the District, which would levy taxes upon property within the City to pay for fire suppression, emergency medical services, and duly authorized District bonds or other liabilities. The City would no longer be responsible for fire suppression and emergency medical services, and City residents would become eligible to vote in District elections and to hold District office. Annexation requires approval of both the District and City. The District Board approved the annexation subject to approval by the electors of the City.

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## EXPLANATORY STATEMENT

**Question:** Shall Clackamas County Fire District No.1 annex all of the territory within the City of Milwaukie?

If the annexation is approved, CCFD No. 1 would continue to provide fire protection and emergency medical services to Milwaukie residents, but would do so by providing service within its district rather than under contract to the City.

In May 2004, the Milwaukie City Council approved a resolution asking the District to annex all of the land within the city limits. In June 2004, the District board accepted the council's proposal, subject to ratification by the electors living in the City of Milwaukie. The election is scheduled for September 21, 2004. The annexation would be effective July 1, 2005.

The annexation would remove costs from the City budget and payment process, and allow the District to receive revenue directly from the residents served. The District could include the land inside the city limits in planning for long-term provision of fire suppression and emergency medical services throughout the District. The City would no longer provide fire protection or emergency medical services. If the measure is approved, the residents of Milwaukie would have a direct say in the fire district Board elections and future tax measures.

Territory within the City would be subject to District property taxes at the District tax rate (2.4012 per \$1000 of valuation) to pay for fire and emergency medical services. Property within the City would be subject to tax to pay any District bonds and other liabilities on the same basis as other property in the District. The City now pays the District to provide fire suppression and emergency medical services through the General Fund budget. The amount budgeted for these services in the current fiscal year is \$3,111,130. Thus the annexation will relieve the City's General Fund of more than three million dollars in expenditures. Total property taxes may go up because the City's tax rate is sized to include payment to the District. The City Council may limit the city tax rate, but it is not required to do so.