

**NOTICE OF INTENTION
THURSTON COUNTY BOUNDARY REVIEW BOARD**

**APPLICATION FOR ANNEXATION/MERGER
(Please submit 25 copies)
(Please submit 8 copies for Waiver Application)**

- 1. Jurisdiction(s) Requesting Annexation/Merger:**
City of Lacey and Thurston County Fire District 3; See **Exhibits D, E and G**
(actions by each jurisdiction to initiate annexation and an interlocal agreement
for annexation)
Responsible Official:
Jim Broman, Thurston County Fire District 3 Chief, and
David R. Burns, AICP, City of Lacey Principal Planner.
Contact Phone:
David R. Burns: (360) 438-2637.
FAX:
City of Lacey (360) 438-2669.
E-mail:
dburns@ci.lacey.wa.us.
- 2. If number of parcels is less than three, please list the owners:**
Not applicable.
- 3. Method used to initiate the proposed action:**
Election method under the authority and process of RCW 52.04.061.
- 4. Location (address, if assigned):**
The entire City of Lacey.
- 5. Legal Description. A copy of the legal description of the boundaries of
the area involved in the proposed action certified by a registered
engineer or land surveyor (attach as a separate exhibit):**
The annexation is for the entire incorporated City limits of Lacey; see legal
description and map attached as Exhibit A.
- 6. Size in Acres:**
Approximately 105,600 acres (16.5 square miles).
- 7. Assessed Valuation (attach Assessor's information):**
As of 12/3/09, the most current AV number from the County is \$4,925,263,242.

8. Please state the nature of this action and the relevant statutory citation (i.e., annexation for municipal purposes pursuant to RCW 35.13.180):
Annexation of the City of Lacey into Thurston County Fire District 3. This will take place under the authority and process of RCW 52.04.061

9. Current Joint Plan Designation:
The City contains the full range of zoning classifications described in the Lacey zoning code chapter 16 Lacey Municipal Code. The full text of the code may be accessed on line at <http://www.ci.lacey.wa.us/>.

10. Is the site currently served by sewer or water?

Sewer **Water** **Neither**

If no, specify services desired:

Some limited older areas within the city are still not covered with sewer. However, this is not important to the purpose of the annexation.

If sewer or water desired, include map showing location of nearest lines.

11. When is extension of water and sewer service planned to the area?
Under GMA Lacey serves all new land divisions with these utilities. There is no particular schedule to service areas that developed without sewer pre GMA. However, service issues with these utilities are not important to the purpose of this proposed fire district annexation.

12. Does this proposal affect any other interjurisdictional agreements?

Yes **No**

If yes, please list these agreements:

The City of Lacey currently contracts with Thurston County Fire District 3 for fire and emergency medical services. If annexation to the District is approved by voters, the Service Agreement will be allowed to expire. There are no other interjurisdictional agreements affected by annexation.

13. Does this proposal conform to adopted county-wide planning policies on annexation?

County wide planning policies do not address the annexation of Lacey into the Thurston County Fire District 3 directly. However, there are a number of provisions in section II that do set expectations for coordinated service of utilities to areas within the UGA and to plan for anticipated capacity. The proposed annexation is consistent with these policies.

- 14. Other specific Reason(s) for Annexation:**
To provide a formalized long term solution to provision of emergency services to the citizens of Lacey.
- 15. Explain how this proposal furthers the objectives of the Boundary Review Board (as applicable) (RCW 36.93.180) [attach additional pages if necessary] (Some of these items may not apply because of Growth Management Agreements.):**
- a. Preservation of natural neighborhoods and communities:**
Lacey has had a long term relationship with Fire District 3 and currently contracts with the District for emergency services. The annexation would institutionalize that relationship.
 - b. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours:**
The boundaries of the City of Lacey would be the boundaries of the annexation.
 - c. Creation and preservation of logical service areas:**
Service of the City by the same emergency service provider is consistent with this intent.
 - d. Prevention of abnormally irregular boundaries:**
While the City of Lacey does have some unusual boundary fluctuations, it is contained within the existing Fire District 3 service area, **see exhibit B**.
The annexation would officially institutionalize the boundary of the Thurston County Fire District 3 to include the City of Lacey area that it currently serves by contract. The annexation would make the existing service boundary of Lacey a more permanent situation for Fire District 3, so it would not be reliant on contract periods and negotiations.
 - e. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas.**
The annexation is consistent with the principal of consolidation and uses the existing Fire District 3 as the service provider for emergency services.
 - f. Dissolution of inactive special purpose districts:**
This issue is not applicable to the proposal.
 - g. Adjustment of impractical boundaries:**
This issue is not applicable to the proposal.

h. Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character:

This issue is not applicable to the proposal.

i. Protection of agricultural lands:

This issue is not applicable to the proposal.

For your information, the Boundary Review Board can consider the following factors (RCW 36.93.170) in deciding whether a particular decision furthers the objectives stated above:

1. Population and territory:

Criteria for population and territory is not relevant to this proposal except in regard to information needed by the Auditors office to run a special election.

2. Population density:

Criteria for density are not relevant to this proposal.

3. Land area and land use:

Criteria for land area and use are not relevant to this proposal.

4. Comprehensive land use plans and zoning:

Criteria for the Comprehensive Land Use Plan and zoning are not relevant to the proposal except for the Fire District's consideration of anticipated future emergency service needs.

5. Per capita assessed valuation.

This will be important to the Fire District and Lacey in determining taxing benefits. However, it is not necessary to the BRBs review and determination of the appropriateness of the annexation request.

6. Topography, natural boundaries and drainage basins, proximity to other populated areas:

The annexation deals with the City's existing boundaries and fire protection coverage. The factors listed in this item 6 are not relevant to the application.

7. The existence of prime agricultural soils and agricultural uses:

The annexation deals with the City's existing boundaries, land uses and fire protection coverage. The factors listed in this item 7 are not relevant to the application.

8. The likelihood of significant growth in the area and in adjacent

incorporation and unincorporated areas during the next ten years:

The annexation deals with the City's existing boundaries, land uses and fire protection coverage. The factors listed in this item 8 are important to the Fire District in determining future emergency response issues and expectations but these issues are not relevant to the annexation application and the BRBs review.

9. Location and most desirable future location of community facilities:

The annexation deals with the City's existing boundaries, land uses and fire protection coverage. The factors listed in this item 9 are important to the Fire District in determining future infrastructure issues and fire station coverage. However, these issues are not relevant to the annexation application and the BRBs review.

10. Municipal services:

Provision of a permanent solution to emergency services is the point of this application. Both the City and the Fire District have taken action, subject to the approval by the Boundary Review Board, to place the issue of Annexation on the ballot.

11. Need for municipal services:

Provision of a permanent solution to emergency services is the point of this application.

12. Effect of ordinances, governmental codes, regulations and resolutions on existing uses:

The effect of ordinances and codes is not relevant to the proposal.

13. Present cost and adequacy of governmental services and controls in area:

Thurston County Fire District 3 currently provides fire and emergency medical services to the City of Lacey under a negotiated service agreement. Services provided will not change upon annexation. However, Lacey residents will be able to vote on future District operating and capital levies, as well as the selection of fire commissioners. The property tax levy rate for District and Lacey residents will be identical.

14. Prospects of governmental services from other sources.

The City Council has considered other fire protection alternatives but has recommended annexation.

15. Probable future needs for such services and controls:

The needs and controls for such services will remain the same.

- 16. Probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area:**
This is the question voters will be asked to decide in the special election required by this annexation process.
- 17. The effect of the finances, debt structure, and contractual obligations and rights of all affected governmental units.**
The voters will determine the affect on Lacey and the District. No other governmental units will be affected.
- 18. The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county:**
This would impact existing residents within Fire District 3 and will require their approval in a special election.
- 19. Decisions of the Boundary Review Board must also be consistent with the Washington State Growth Management Act RCW 36.70A.020, 36.70A.110, and 36.70A.210:**
This application is consistent with GMA.

REQUIRED ATTACHMENTS:

THURSTON COUNTY BOUNDARY REVIEW BOARD:

- I. **NOTICE OF INTENTION:** See Exhibits D, E and G;
- II. **MAPS:** *(NOTE: Must have legends/Colored maps are not acceptable unless full number of required copies are submitted)*

The following maps must be submitted with all notices of intention:

A. Map of Entire City/Area: No larger than 8-1/2 X 11 inches:

1. The general vicinity of the proposal.
2. The area proposed for annexation, highlighted in some manner.
3. The boundaries of other cities near the annexation area (highlighted if not readily discernable).
4. Major streets/roads identified.

A map of Lacey is attached with the legal description as **Exhibit A**.

B. Assessor's Map showing specific parcel(s) and immediate vicinity, (reduced copy is preferable). Valuable, but not required:

1. Map showing parcel numbers for the proposal and immediate vicinity:
2. Map showing owner names for the proposal and immediate vicinity:

Because the whole city is involved the scale makes parcels difficult to see. The map attached with the legal description shows individual parcels, but at the scale printed for the application is difficult to see; **Exhibit A** attached. The zoning map has a better resolution and shows individual parcels; see **Exhibit C**. The reader is also referred to the Assessors parcel layer on Thurston Geo Data Center at <http://www.geodata.org/>. This would be a way to review individual parcels city wide at a more useable scale.

C. Physical Features. One or more maps showing the following (when available):

1. Dominant physical features such as lakes, creeks, and ravines
2. Flood plain boundaries (100-year)
3. Railroad lines
4. All public roads near the annexation/merger
5. Commercial agriculture lands (when this information is

available):

This information is not relevant to the annexation. However, this information has been provided in the form of the Lacey Zoning map. The zoning map is attached as **Exhibit C**. This map will provide a general idea of major streets, sensitive areas including floodplains and agriculturally zoned property within the City.

D. Service Area and Other Boundaries. Map showing the proposed annexation and its relationship to the Urban Growth Boundary:

A map of the Thurston County Fire District 3 and the UGA for the City of Lacey is attached as **Exhibit B**.

E. Other Maps

1. Existing joint plan zoning.

2. Location of water and sewer mains within proposed annexation, if any, and those nearby (any jurisdiction):

Exhibit C shows the joint zoning for both the City of Lacey and its UGA. Water and Sewer mains cover most of the City and maps showing this are not practical to show or relevant to this application.

III. \$50.00 CHECK MADE OUT TO "THURSTON COUNTY"

IV. COMPLETE COPY OF MINUTES OF THE MEETING DURING WHICH THE CITY RESOLUTION CALLING FOR ANNEXATION ELECTION IS ADOPTED OR THE CITY ACCEPTED THE PETITION FOR ELECTION (CERTIFIED IF APPROPRIATE):

See Copy of minutes of Lacey City Council and **ordinance 1341** taking action, attached as **Exhibit D**. See also minutes of Thurston County Fire District 3 and **resolution 801-12-09** taking action attached as **Exhibit E**.

V. COMPLETE COPY OF MINUTES OF THE MEETING DURING WHICH THE CERTIFIED PETITIONS OF PROPERTY OWNERS or PROPERTY OWNERS AND REGISTERED VOTERS WERE ACCEPTED BY THE CITY FOR PETITION-INITIATED ANNEXATIONS.

Not applicable:

VI. COPIES OF THE SIGNED PETITIONS FOR ANNEXATIONS WITH PARCEL NUMBERS OF THE PROPERTIES WHICH ARE REPRESENTED BY THE SIGNATURES:

Not applicable.

VII. COPY OF THE DECLARATION OF PETITION SUFFICIENCY FROM THE OFFICE OF THE THURSTON COUNTY ASSESSOR (see RCW 35.21.005(4) for non-code cities, or 35A.01.040(4) for code cities):

Not applicable, this will be by election method.

VIII. SEPA DETERMINATION (EXCEPT CITIES OR TOWNS PER RCW 43.21C.222):

See SEPA checklist and Determination of non-significance attached as **Exhibit F.**

List of Exhibits

Exhibit A: Legal Description and map for the City of Lacey;

Exhibit B: Boundaries for Thurston County Fire District 3;

Exhibit C: Zoning Map for the City of Lacey;

Exhibit D: Minutes of Lacey City Council meeting and Ordinance 1341 taking action on annexation intent;

Exhibit E: Minutes of Thurston County Fire District 3 meeting and Resolution 801-12-09 taking action on annexation intent;

Exhibit F: DNS and Environmental Checklist for annexation

Exhibit G: Interlocal agreement between Thurston County Fire District 3 and the City of Lacey for annexation

Exhibit A

Legal Description and Map of the City
of Lacey

EXHIBIT A
DESCRIPTION OF THE CITY OF LACEY BOUNDARY

The City of Lacey is situated within Thurston County, State of Washington in Sections 30 and 31, T19N, R01E; Section 6, T18N R01E; Sections 23, 24, 25, 26, 34, 35, and 36 T19N, R01W; Sections 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 20, 21, 22, 26, 27, 28, 29, 32, 33, 34, and 35, T18N R01W; Sections 3, 4, 5, 8, and 9 T17N R01W, W.M. described as follows:

Beginning at the intersection of the easterly right of way line of the Chehalis Western Trail with the line between Section 32, T18N R01W and Section 5, T17N R01W;
Thence southerly along said easterly line to the South line of Short Subdivision No. 2614 recorded under Auditor's File Number 9307220147;
Thence along said South line and it's extension to the East line of Rainier Road SE ;
Thence northerly along the easterly line of said Rainier Road to the south line of Yelm Highway SE;
Thence easterly along the South line of Yelm Highway to the East line of the plat of Capitol City Golf Club Estates recorded in Volume 14 of Plats at Page 50, Records of Thurston County;
Thence South and East along the boundary of said plat to the West line of Ruddell Road SE (also Yelm Highway);
Thence South along said line to the North line of 66th Ave. SE;
Thence West along said North line, extended to the West line of Rainier Rd SE;
Thence southerly along said West line to the South line of the plat of Chambers Estates recorded in Volume 14 of Plats at Page 56, Records of Thurston County;
Thence westerly along said South line to the easterly right of way line of the Chehalis Western Trail;
Thence Southeasterly along said right of way to the northerly line of the Burlington Northern & Santa Fe Railroad right of way;
Thence northeasterly along said right of way to the western shoreline of Pattison Lake;
Thence northerly along said shoreline to the northeast corner of Lot 2 of SS-004 recorded in Volume 1 of Short Subdivisions at Page 41, Records of Thurston County;
Thence West along the North line of Lots 1 and 2 of said SS-004 and the extension thereof to the intersection of the East line of Rumac St. SE with the easterly extension of the southerly line of 54th Ave. SE;
Thence northerly along said East line to the intersection of the easterly extension of the northerly margin of the 54th Ave. SE to a point on the East line of Lot 16 of the plat of Forest Glen Division one recorded in Volume 17 of Plats at Page 100, Records of Thurston County;
Thence southerly and westerly along the boundary of said Lot 16 to the Southwest corner thereof and the East line of the Plat of Forest Glen Division 4;
Thence southerly along said East line to the Southeast corner of said plat;
Thence along the southerly boundaries of the plats of Forest Glen Divisions 4, 3, 5, and 6 to the Southwest corner of the plat of Forest Glen Division 6 an the North line of 54th Ave. SE;

Thence westerly along said North line to the line between Sections 33 and 34 Township 18N R01W, W.M. ;
Thence North along said line to the southwest corner of the SW ¼ NW ¼ of said Section 34;
Thence easterly along the South line of said SW ¼ NW ¼ to the intersection of the West line of the East 640 feet thereof;
Thence northerly along said West line to the southerly line of Mullen Road SE;
Thence easterly along said southerly line to the East line of said SW ¼ NW ¼;
Thence northerly along the East line of the W ½ NW ¼ of said Section 34 to the North line of said Section;
Thence East along said North line to the NW corner of the NE ¼ NE ¼ of Section 34;
Thence South along the West line of said NE ¼ NE ¼ to the intersection of the westerly extension of a line describe as beginning at a point 726 feet North of a point on the North line of Mullen Road SE 20 feet East of the West line of Government Lot 4 of said Section and running East 1140 feet;
Thence east along said line to it's terminus;
Thence South to the North line of Mullen Road SE;
Thence easterly along said North line to the SW corner of the plat of Rosewood recorded under Auditor's File Number 9505260132 records of Thurston County;
Thence along the southerly extension of the West line of said plat to its intersection with the southerly line of Mullen Road SE;
Thence easterly along said southerly line to it's intersection with the southerly extension of the East line of Afflerbaugh Drive SE;
Thence northerly along said East line to the centerline (thalweg) of Woodland Creek;
Thence northwesterly along the centerline (thalweg) of Woodland Creek to the shoreline of Long Lake;
Thence northwesterly along said shoreline to the northeasterly line of Tract 4 of Short Subdivision No. SS-1875 per Short Plat recorded under AF NO. 8404050028, Records of Thurston County;
Thence northwesterly along said line to the northeast corner of said Tract 4 and continuing northwesterly to the northwest corner of said Tract;
Thence northerly to the intersection of the North line of 41st Ave. SE with the westerly line of Long Lake Dr. SE;
Thence westerly along said North line to the Southwest corner of Lot 36 Long Lake Country Club as recorded in Volume 12 of plats at Page 69, Records of Thurston County;
Thence northerly along the westerly boundary of said plat of Long Lake Country Club to the northwest corner of Lot 24 of said plat ;
Thence easterly along the North line of said Lot 24 to the West line of Long Lake Dr. SE;
Thence northerly along said West line to the southeast corner of Lot 7of the plat of Long Lake Terrace recorded in Volume 13 of plats, at Page 80, Records of Thurston County;
Thence westerly along the south line of said Lot 7 to the southwest corner thereof and a point on the East line of the plat of Meadowlake;

Thence northeasterly along said East line to the northeast corner of said plat which is a point on the West line of Lot 31 of the plat of Shorewood Villa Division 3 recorded in Volume 15 of plats, at Page 29 Records of Thurston County;

Thence northerly to the northwest corner of Lot 42 of said plat;

Thence northeasterly along the line between Lots 41 and 42 extended to the North line of 32nd Ave. SE;

Thence westerly along said North line to the corner common to Lots 4 and 5 of Shorewood Villa Division 3;

Thence northeasterly on the line between said Lots 4 and 5 to the shoreline of Long Lake;

Thence northwesterly along the shoreline to the corner between Lots 9 and 10 in the plat of Long Lake Country Club Division 2 recorded in Volume 13 of plats, at Page 37 Records of Thurston County;

Thence southwesterly along the line between said lots 9 and 10 to the southeast corner of Lot 10;

Thence westerly along the South line of Lot 10 to the westerly line of Villa Court;

Thence Southwesterly along said line to the North line of 32nd Ave. SE to the southeast corner of Lot 15 of said plat;

Thence northeasterly along the East line of Lot 15 to the northeast corner thereof;

Thence northwesterly along the northerly line of Lots 15 and 16 to the northwest corner of Lot 16;

Thence southwesterly along the west line of Lot 16 to the North line of 32nd Ave. SE;

Thence westerly along said North line, extended, to the West right of way line of Carpenter Road SE;

Thence northerly and westerly along the west line of Carpenter Road SE to the intersection with the westerly extension of the South line of Government Lot 2, Section 27 T18N R01W;

Thence East along the South line of said Lot 2 to the shoreline of Long Lake;

Thence northerly along said shoreline to the North line of the South 371.8 feet of the North 739.38 feet of said Government Lot 2;

Thence westerly along said North line to a point 589.28 feet East of the easterly line of Carpenter Road SE;

Thence northerly parallel with said easterly line to a point 225.54 feet South of the North line of said Government Lot 2;

Thence westerly parallel with said North line to the westerly line of Carpenter Road;

Thence northerly along said westerly line to the intersection with the North line extended of the plat of Timberlake Division 2 recorded in Volume 15 of plats at Page 79, Records of Thurston County;

Thence easterly along said North line to the northeast corner of said plat which is the northwest corner of Lot 104 of Timberlake Division 3 recorded in Volume 16 of plats at Page 24, Records of Thurston County;

Thence easterly along the North line of said Lot 104 and Lot 105 to the shoreline of Long Lake;

Thence northerly along the shoreline of Long Lake to the center of Woodland Creek;

Thence northeasterly along the centerline of Woodland Creek to the south right of way line of the BNSF Railroad;

Thence westerly along said right of way line to intersection with the West line of Lot 35, extended, of the plat of Fleetwood Acres recorded in Volume 10 of plats at Page 5, Records of Thurston County;

Thence northerly along said West line to the southerly line of Pacific Ave. SE;

Thence northeasterly along said southerly line to the intersection of the easterly line, extended, of that parcel described in deed recorded under Auditor's File Number 3466921;

Thence northwesterly along said easterly line to a point on the North line of Government Lot 9, Section 22, T18N R01W and the northeast corner of said parcel;

Thence West along the North line of said Lot 9 to the westerly line of Carpenter Road;

Thence northerly along said westerly line to the North line of the South 150 feet of Lot 40 of the plat of Fleetwood Acres;

Thence easterly along said North line to the East line of the West 163.50 feet of said Lot 40;

Thence northerly along said East line to the North line of the plat of Fleetwood Acres;

Thence easterly along said North line to the northwest corner of Short Plat #SS0359 recorded under Auditor's File Number 976722, Records of Thurston County;

Thence southerly along the West line of said Short Plat to the southwest corner thereof;

Thence easterly along the South line of said Short Plat to the southeast corner thereof;

Thence northerly along the East line of said Short Plat to the northwest corner thereof and a southeasterly corner of the plat of Aldea Glen recorded under Auditor's File Number 841020066, Records of Thurston County;

Thence along the boundary of the plat of Aldea Glen, in a counter clockwise direction, to the southeast corner of Lot 46 thereof;

Thence easterly to the southeast corner of the West 363 feet of the East 660 feet of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, T18N R01W;

Thence North along the East line of said West 363 feet to the southeast corner of lot 47 of said plat of Aldea Glen;

Thence continuing in a counterclockwise direction along the boundary of Aldea Glen to the northwest corner thereof on the easterly line of Carpenter Road;

Thence westerly along the North line of the SW $\frac{1}{4}$ of said Section 15 to the westerly line of Carpenter Road SE;

Thence northerly along said westerly line to the South line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10, T18N R01W;

Thence easterly along said South line to the westerly boundary of the plat of Merkel Addition recorded in Volume 13 of plats at Page 31, records of Thurston County;

Thence northerly along the westerly boundary of said Merkel Addition and the westerly line of the plat of Georgetowne Estates to the northwest corner thereof;

Thence easterly along the North line of Georgetowne Estates to the West line of the plat of Merkel Addition Division 2;

Thence northerly along said West line extended to the South line of Interstate 5;

Thence easterly along the South line of Interstate 5 to the most westerly corner of Tract A of BLA020005LA recorded under Auditor's File Number 3422461 Records of Thurston County which is a point on the North line of the plat of Beverly Place Addition recorded in Volume 16 of plats at Page 67, Records of Thurston County;

Thence easterly and southerly along the boundary of Beverly Place addition to the southeast corner thereof and the northwest corner of the plat of Woodglen Division 1;

Thence easterly and southerly along the boundary of Woodglen Division 1 and Division 2 and the West line of Woodglen Division 2 extended southerly to the northwest corner of the plat of Bicentennial Addition and the South line of Section 11 T18N R01W;

Thence easterly along said South line and the South line of Section 12 T18N R01W to the southeast corner of the SW $\frac{1}{4}$ of said Section 12;

Thence North along the East line of said SW $\frac{1}{4}$ to the northeast corner thereof and the South line of the plat of Tanglewilde East;

Thence West along said South line to the southwest corner of said plat;

Thence North along the West line of said plat to the northwest corner thereof and the South line of Interstate 5;

Thence easterly along said South line to the East line of aforesaid Section 11;

Thence North along said East line to the North line of Interstate 5;

Thence westerly along said North line to the easterly line of Hogum Bay Road NE;

Thence northerly along said easterly line to the South line of Section 1 T18N R01W;

Thence East along said South line to the southeasterly line of Meridian Road NE;

Thence northeasterly along said line to the East line of Meridian Road NE in Section 6, T18N R01E;

Thence North along the East line of Meridian Road NE to the northeast corner of South 30 feet of the West 30 feet of Section 30 T19N R01E;

Thence West along the North line of 46th Ave NE to the East line of Section 26 T19N R01W;

Thence North along the line between Section 25 and Section 26 to the southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25 T19N R01W;

Thence East along the South line of said subdivision to the southeast corner thereof;

Thence North along the East line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said Section 25 to the North line thereof;

Thence East along said North line to the Meander Corner common to Sections 24 and 25 T19N R01W;

Thence along the Government Meander Line in Lot 1 of Section 24 and Lot 5 of Section 23 T19N R01W to a point shown on that survey recorded under recorded under Auditor's File Number 9104030177 Records of Thurston County located 653.76 feet northwesterly along said Meander Line from the Meander Corner common to Sections 23 and 24;

Thence along the property line detailed on page 6 of said survey to the South line of 61st Ave. NE;

Thence westerly along said South line to the West line of Said Government Lot 5;

Thence South along said West line and the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 23 to the South line of said Section;

Thence East along the South line of said Section 23 to the corner common to Sections 23, 24, 25 and 26;

Thence South between Sections 25 and 26 to the 1/4 Corner common to said sections;

Thence West along the North line of the SE ¼ of said Section 26 to the northwest corner said SE ¼;

Thence South along the West line of said subdivision to the 1/4 corner common to said Section 26 and Section 35 T19N R01W;

Thence West along the North line of said Section 35 and Section 34 T19N R01W to the westerly line of Marvin Road NE;

Thence southerly along said westerly line to the northerly line of Stillwell Road NE;

Thence westerly along said northerly line to the West line of the SE ¼ of the SE ¼ of said Section 34;

Thence South along said West line and the West line of the SE ¼ of the SE ¼ of said Section 34 to the South line thereof;

Thence South along the West line of the fractional NE ¼ of the NE ¼ of Section 3, T18N R01W to the southwest corner thereof;

Thence westerly along the North line, extended, of Parcel A of BLA 1276 recorded under Auditor's File Number 9212080017 Records of Thurston County to the westerly line of Eagle Drive NE;

Thence southerly along said line and easterly along the southerly line of 32nd Ave. NE to the easterly line, extended, of Lot 1 of Large Lot Subdivision LLS-1006TC recorded under Auditor's File Numbers 3448891 and 3448892 Records of Thurston County;

Thence northerly along said easterly line to the South line of said NE ¼ of the NE ¼ of Section 3;

Thence easterly along said South line and the South line of the fractional NW ¼ of the NW ¼ of Section 2 T18N R01W to the westerly line of Marvin Road NE;

Thence southeasterly along said westerly line to the northeast corner of Tract B of BLA 030019LA recorded under Auditor's File Number 3583434 Records of Thurston County;

Thence southwesterly along the northerly line of said Tract B to the southeast corner of the N ½ of the SW ¼ of the SW ¼ of said Section 2;

Thence easterly along the North line of the S ½ said SW ¼ SW ¼ to the northwest corner thereof;

Thence North along the East line of the SE ¼ of the SE ¼ of Section 3, T18N R01W to the northeast corner thereof;

Thence West along the North line of said subdivision to the northwest corner thereof;

Thence South along the West line of said subdivision to the northeast corner of the S ½ of the SW ¼ of the SE ¼;

Thence West along the North line of the S ½ of the SW ¼ of the SE ¼ and the North line of the S ½ of the SE ¼ of the SW ¼ of said Section 3 to the northwest corner said S ½ SE ¼ SW ¼;

Thence South along the West line of said SE ¼ SW ¼ and the West line of the NE ¼ of the NW ¼ of Section 10 T18N R01W to southwest corner of said NE ¼ NW ¼;

Thence West along the South line of the NW ¼ of the NW ¼ of said Section 10 to the easterly line of Carpenter Road NE;
Thence southerly along said easterly line extended to the southerly line of Draham Road NE;
Thence southwesterly along said southerly line and westerly along the southerly line of 15th Ave. NE extended to the centerline of Section 8 T18N R01W and Sleater Kinney Road NE;
Thence southerly along said centerline and the centerline of Section 17 T18N R01W to the North 1/16th line of said Section 17;
Thence easterly along said 1/16th line to a point 680 feet westerly of it's intersection with the East line of said Section 17;
Thence northerly parallel with said East line a distance of 370 feet;
Thence easterly parallel with said 1/16th line a distance of 235 feet;
Thence southerly parallel said East line a distance of 370 feet to said N1/16th line of Section 17;
Thence easterly along said 1/16th line to the westerly line of College Street NE;
Thence southerly along said westerly line extended to the centerline Interstate 5;
Thence westerly along said centerline to the intersection with the extended easterly line of the Chehalis Western railroad right of way;
Thence southerly along said easterly line to the northerly line of Elizabeth Ave. (14th Ave. SE);
Thence westerly along said northerly line to the West 1/16th line of Section 20 T18N R01W;
Thence southerly along the West 1/16th lines of Sections 20 and 29 T18N R01W to the northwest corner of the SE ¼ of the NW ¼ of said Section 29;
Thence easterly along the North line of said subdivision to the easterly line of the Chehalis Western railroad right of way;
Thence southerly along said easterly line to the Point of Beginning as shown on the attached map.

Containing 459,940,802 sq.ft. or 10,559 acres or 16.5 sq.mi.

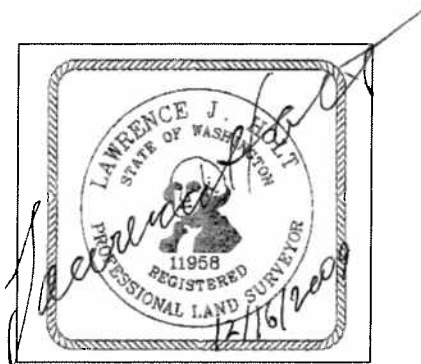
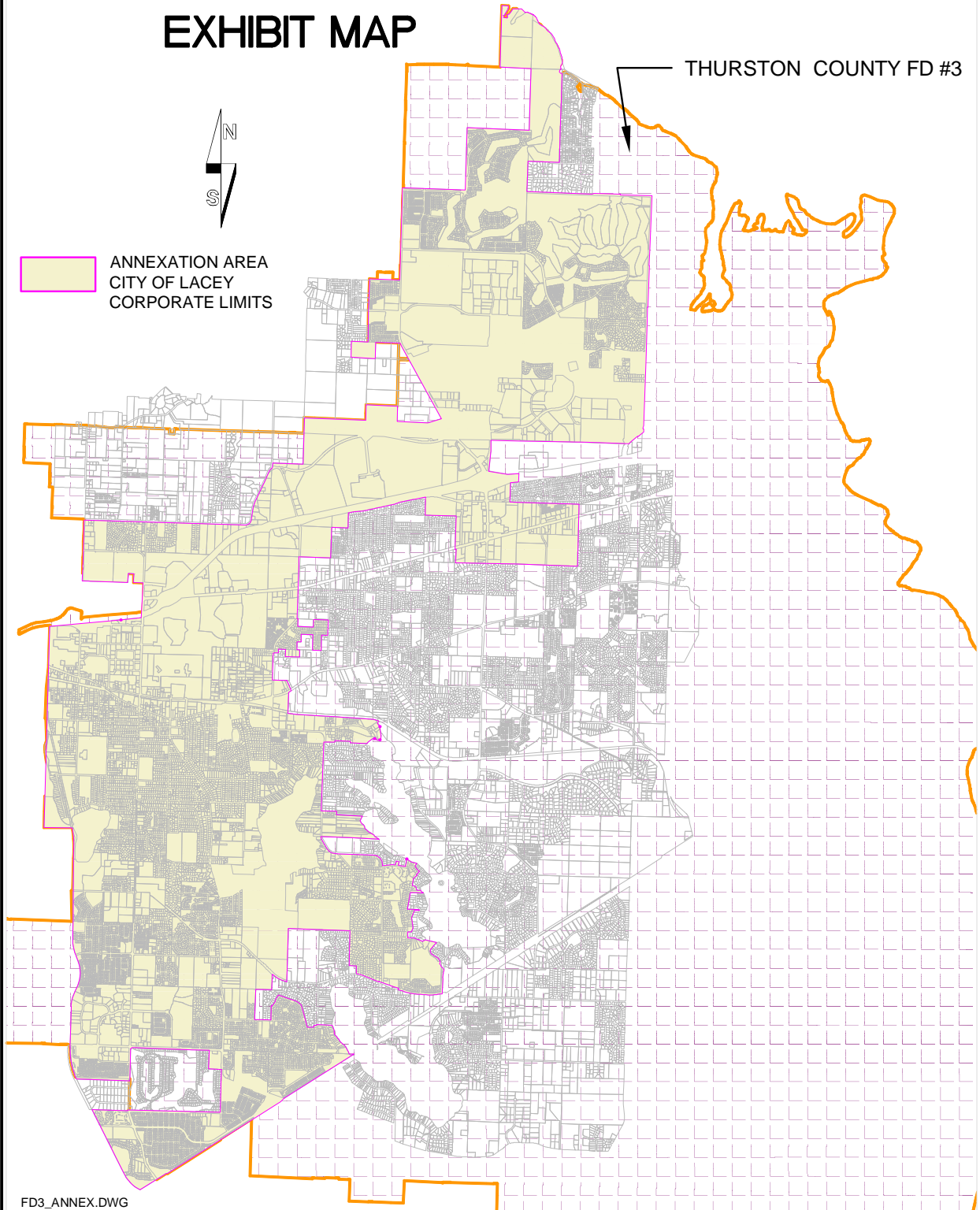


EXHIBIT MAP

THURSTON COUNTY FD #3



ANNEXATION AREA
CITY OF LACEY
CORPORATE LIMITS



FD3_ANNEX.DWG

**PROPOSED ANNEXATION OF
THE CITY OF LACEY TO
THURSTON COUNTY FIRE DISTRICT 3**

**CITY OF LACEY, WASHINGTON
DEPT. OF PUBLIC WORKS**

DES.
LJH

DWN.
LJH

CKD.

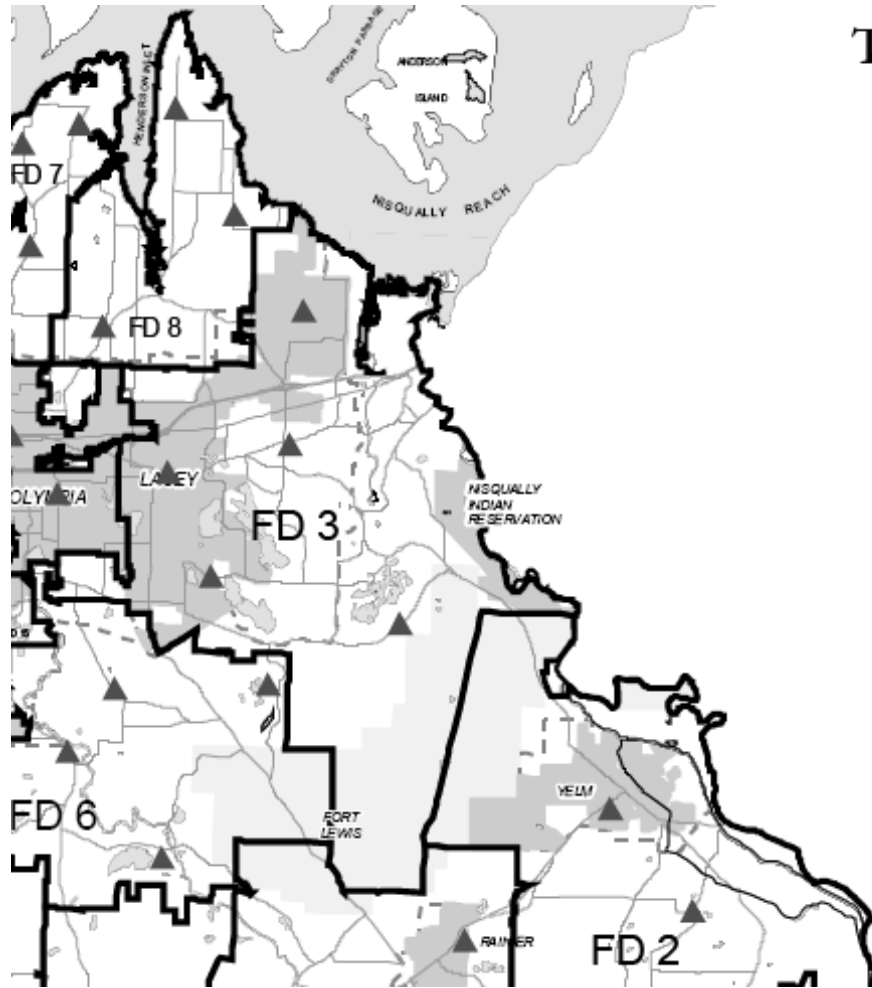
DATE
12/16/2009

Exhibit B

Thurston County Fire District Boundaries
Map zoomed to show Fire District 3
(FD3)

THURSTON COUNTY

FIRE DISTRICTS



- | | |
|-------------------|--------------------|
| 1 - Rochester | 9 - McLane |
| 2 - Yelm | 11 - Littlerock |
| 3 - Lacey | 12 - Tenino |
| 4 - Rainier | 13 - Griffin |
| 5 - Black Lake | 15 - Munn Lake |
| 6 - East Olympia | 16 - Gibson Valley |
| 7 - North Olympia | 17 - Bald Hills |
| 8 - South Bay | |

The Cities of Olympia and Tumwater are independent fire districts. The City of Lacey is part of FD 3.

- ▲ Fire Station
- City/Town Limits and Indian Reservation
- - - Urban Growth Areas
- - - Rochester Subarea Boundary



Exhibit C Lacey Zoning Map

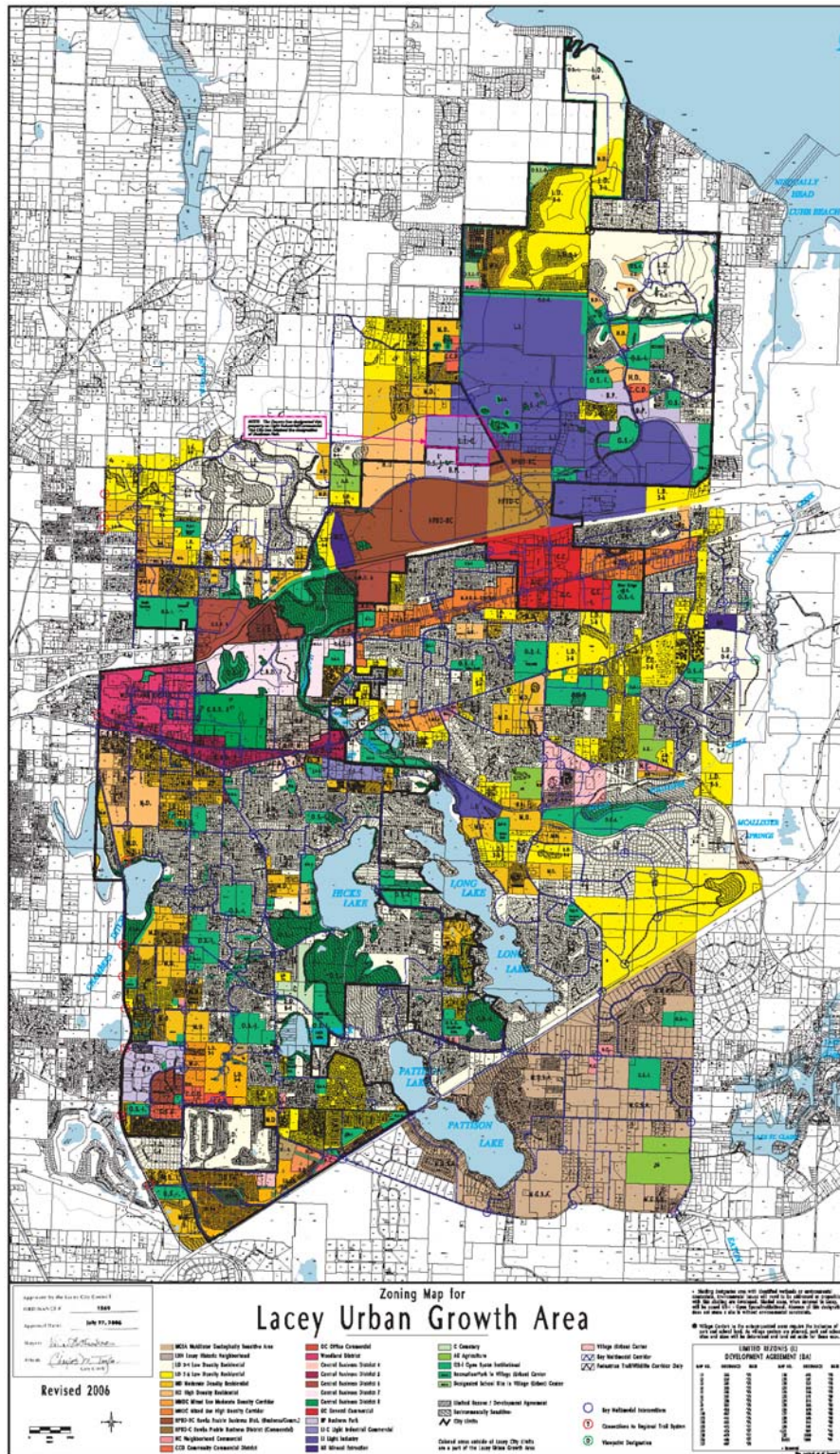


Exhibit D

Minutes of Council Meeting and
Ordinance 1341 Taking Action
Declaring Annexation Intent

**MINUTES OF A REGULAR MEETING OF THE
LACEY CITY COUNCIL HELD THURSDAY,
DECEMBER 17, 2009, AT LACEY COUNCIL
CHAMBERS.**

CALL TO ORDER: Mayor Sackrison called the meeting to order at 7:00 p.m.

COUNCIL PRESENT: G. Sackrison, J. Darby, V. Clarkson, J. Hearn, A. Burgman, M. Dean, T. Nelson.

STAFF PRESENT: G. Cuoio, K. Ahlf, B. Martin, S. Egger, S. Spence, D. Pierpoint, R. Walk, C. Litten, J. Burbidge, D. Burns

APPROVAL OF AGENDA
AND CONSENT AGENDA: **COUNCILMEMBER DEAN MOVED TO APPROVE THE AGENDA AND CONSENT AGENDA. COUNCILMEMBER CLARKSON SECONDED. MOTION CARRIED.**

Consent Agenda Items:

(a) Minutes from the regular Council meeting on December 3, 2009.

THE PUBLIC: Mayor Sackrison presented WIN certificates to South Sound Futbol – B96 for raking leaves and cleaning litter in City parks. Coach Mike Taylor accepted certificates on behalf of the group.

Mayor Sackrison presented WIN certificates to members of the Paramount Christian Church for laying bark on the habitat trail area in City parks. Chris Mick, Youth Leader, accepted certificates on behalf of the group.

Councilmember-elect Ron Lawson acknowledged the leadership of the current Council and pledged the new Council will continue its efforts.

PROCLAMATION:

Mayor Sackrison proclaimed January 11, 2010, as Human Trafficking Awareness Day. A representative of Soroptomist international accepted the proclamation.

REFERRAL FROM
PLANNING
COMMISSION:

Ordinance No. 1340 amends the Lacey Municipal Code to permit Self Storage use in the Community Commercial zone under certain conditions.

Dave Burns, Principal Planner, stated an application was received to amend the LMC to allow mini-warehouse use within the community commercial zone. This legislative action would impact all community commercial zones within the City. Currently, use is limited to central business district 5 zone, general commercial and light industrial zone. Standards have been developed to mitigate identified issues to ensure compatibility with other CCD uses and sensitivity for adjacent residential zones.

Mr. Burns stated the self-storage units would have a positive visual impact. Performance standards would be required in each zone to limit self-storage units to 5% of the lot size, to build out 80% of the commercial zone before allowing self-storage, and to be pedestrian-friendly.

The Planning Commission held a public hearing and one favorable comment was received. Both the Planning Commission and Finance Committee recommend approval to full Council.

Councilmember Dean inquired about the design elements. Mr. Burns stated that the design of the building must be consistent with existing retail stores. Doors would be internalized and the front of the facility would have glass. The building cannot be on a primary arterial or in a prominent location. Sidewalks, landscaping and awnings would require pedestrian-friendly functions.

Mr. Burns stated that community commercial zoning

is designed in neighborhoods to provide services to residents. This is an appropriate use if the design and functionality is controlled.

COUNCILMEMBER DEAN MOVED TO ADOPT ORDINANCE NO. 1340 TO AMEND LACEY MUNICIPAL CODE 16.34.020 TO ALLOW SELF STORAGE IN THE COMMUNITY COMMERCIAL ZONE. COUNCILMEMBER CLARKSON SECONDED. MOTION CARRIED.

RESOLUTION:

Resolution No. 955 adopts the 2009 update to the Natural Hazards Mitigation Plan. Jared Burbidge, Management Analyst, stated that the Natural Hazards Mitigation Plan is required by state and federal funding agencies and enables the City to apply for non-disaster related hazard mitigation funding from state and federal agencies. The original regional plan was adopted in 2003.

The update includes revisions to county-wide risk assessment, a Lacey risk analysis and specific mitigation initiatives for the City. Thurston Regional Planning Council (TRPC) is the lead agency in this regional planning process. The plan must be adopted by all jurisdictions.

Mayor Sackrison inquired about the local and federal approval process. Mr. Burbidge stated the plan is approved by the Federal Emergency Management Agency and the Washington State Emergency Management Division. Representatives from 16 cities, school districts, fire districts, colleges, and service providers participated in the process. The plan goes into effect when the first jurisdiction adopts it.

The General Government Committee reviewed and approved recommendation of the plan at its September 16, 2009, meeting.

Councilmember Clarkson asked whether the Council would approve the projects to be completed. Mr. Burbidge responded that some of the projects are included in the City's Capital Facilities Plan, but projects requiring a local match would be approved

by Council.

Councilmember Hearn asked if the City is prepared for natural disasters. Mr. Burbidge remarked that the City has a viable response plan with support from the Emergency Management Council of Thurston County and City leadership staffing.

COUNCILMEMBER BURGMAN MOVED TO APPROVE RESOLUTION NO. 955 TO ADOPT UPDATES TO THE 2009 NATURAL HAZARD MITIGATION PLAN. COUNCILMEMBER DEAN SECONDED. MOTION CARRIED.

ORDINANCE:

Ordinance No. 1341 declares the intent of the City Council to annex the City of Lacey to the Thurston County Fire Protection District No. 3 for purposes of fire emergency medical services, and requesting the Thurston County Board of Commissioners to call a special election on April 27, 2010, to consider annexation.

Ken Ahlf, City Attorney, stated FD3 has provided fire protection and emergency medical services to the City for over 40 years. The City and District have built the Fire District Headquarters, Station 33 on Mullen Road and Station 35 on Willamette Drive, and an equipment maintenance facility on Steilacoom Road. In addition, a ladder truck and two first response engines were purchased with bond levies. The current contract between Thurston County Fire District No. 3 and the City of Lacey expires at the end of 2010.

Mr. Ahlf explained the annexation process. Council would adopt an ordinance approving the annexation agreement. If passed, the ordinance will be submitted to the Fire District Commissioners for concurrence. If approved, the City will conduct an environmental review and notify the Boundary Review Board of the proposal. The City and District will request the Board of Thurston County Commissioners to set a special election on April 27, 2010, for the purpose of submitting the question of annexation to the voters of the City and the District. Both City and District voters must approve the annexation by a simple majority.

If passed, property taxes would not be collected until 2011. The City will pay the District approximately \$4.8 million in 2010, its final year of the contract. Under the agreement, the City would transfer to the District its ownership interest in the three fire stations, a vehicle maintenance facility, a ladder truck and two fire engines, which are being paid for by almost \$12 million in bonds approved by City and District voters in 2000. The City would continue to provide fire hydrants, water for fire suppression and training.

Mr. Ahlf noted with annexation, City voters paying the debt service on their share of the bonds would also pay a share of the District's outstanding bonds unless state law is changed. Legislation will be introduced when the Legislature convenes in January to change the law to prevent this inequity.

If annexation is approved, City residents would pay approximately an additional 12 cents per \$1,000 of assessed value, beginning in 2011. The owner of a \$250,000 home would pay \$30 more a year. City taxpayers would pay a separate tax levy to the District under annexation, but would see a reduction in the City's tax levy for basic services, because fire and emergency medical services would no longer be provided by the City. This reduction is equal to Lacey's projected 2011 contract payment of approximately \$4.8 million.

The City would appoint two advisory members to Lacey's Board of Fire Commissioners until voters decide on a proposal to increase the number of commissioners, who would be elected district-wide. In the interim, the advisory members would participate in all meetings, but not have a vote.

Councilmember Clarkson asked if the two advisory members would be required to live in a specific area of the City. Mr. Ahlf said there would be no boundary limitations.

If passed, the annexation would become effective immediately upon certification of the election. If annexation does not pass, the City would extend its contract by seven months to explore alternatives.

Mayor Sackrison remarked annexation will meet with fire and emergency medical service needs of the community.

COUNCILMEMBER HEARN MOVED TO APPROVE ORDINANCE NO. 1341 DECLARING COUNCIL INTENT TO ANNEX THE CITY TO THE THURSTON COUNTY FIRE PROTECTION DISTRICT NO. 3 AND REQUESTING THE THURSTON COUNTY COMMISSIONERS TO HOLD A SPECIAL ELECTION ON APRIL 27, 2010. COUNCILMEMBER NELSON SECONDED. MOTION CARRIED.

Fire Commissioner Skip Hauser thanked the Mayor, City Manager and staff for their support and efforts during this process. He said the Fire Commissioners will review the ordinance on December 18th and consider a resolution agreeing to the annexation proposal. He anticipates approval.

MAYOR'S REPORT:

Mayor Sackrison reported he attended the annual Senior Patrol Dinner, and acknowledged the volunteer efforts of the seniors who contributed more than 700 hours in 2009. Police Chief Pierpoint added his appreciation to the Senior Patrol for their dedication and commitment.

CITY MANAGER'S REPORT:

Scott Spence, Assistant City Manager, presented Council with a request to extend the Operating Agreement between City of Lacey and Thurston County Television (TCTV) for community access cable television. In 2009, Lacey and Comcast finalized negotiations on a new cable franchise which requires Comcast to grant community access channels on its cable system for government television programming.

The City's operating agreement with TCTV will expire at the end of 2009. Lacey would pay \$84,994 in 2010 in the extended agreement. TCTV would manage the community access channels, maintain studio facilities and equipment for production and broadcast of community-based programming and provide 655

hours to produce city government programs. The facilities and equipment could be used by Lacey residents at a nominal membership fee.

In 2010, the City and TCTV will begin negotiations on a multi-year operating agreement to address future funding of TCTV operation and management.

The General Government and Public Safety Committee reviewed the proposal at its December 16, 2009, meeting and recommend approval.

COUNCILMEMBER NELSON MOVED TO AUTHORIZE THE CITY MANAGER TO SIGN AN EXTENSION OF THE EXISTING TCTV CONTRACT FOR ONE YEAR WHICH WOULD EXPIRE DECEMBER 31, 2010. COUNCILMEMBER DEAN SECONDED. MOTION CARRIED.

Scott Spence, Assistant City Manager, stated the National Association of Telecommunications Officers and Advisors awarded the City of Lacey 2nd place for its Animal Services Public Service Announcement to encourage licensing of dogs and cats. He thanked Heidi Behrends-Cerniwey who produced the PSA.

**BOARDS, COMMISSIONS,
COMMITTEES:**

CAC

Councilmember Clarkson reported CAC recently was audited with no findings.

CAPCOM

Councilmember Nelson reported the Board held an emergency meeting to authorize the director to purchase equipment to replace a pipe that burst during the winter freeze.

Human Services Review Council:

Councilmember Dean reported that HSRC programs will be fully funded in 2010. Lacey will contribute \$85,000, Olympia - \$170,000, Tumwater - \$25,000, and Thurston County - \$50,000. Thirty-two agencies have applied and been ranked.

LOTT:

Mayor Sackrison reported the LOTT Board is reviewing wastewater efficiency to determine how businesses can produce less wastewater.

Sister City Committee:

Councilmember Clarkson reported students from Minsk Mazowiecki will visit Lacey in January.

Thurston Regional Planning Council:

Councilmember Clarkson reported the Board met and removed the trail project from the TRPC Plan, because it has been completed. The roundabout at 22nd Avenue on College Street has been added to the plan. During the TRPC retreat, Mayor Sackrison and Councilmember Clarkson drafted meeting norms for Board members. The standards include regular attendance, preparation, participation, sharing ideas, respect, and reporting back to jurisdictions.

VCB

Deputy Mayor Darby reported a petition is being initiated to form a Tourism Promotion Area which would be passed by all jurisdictions to collect taxes for tourism promotion.

WRIA:

Councilmember Clarkson reported that until 2008 elected officials attended monthly meetings. Now, staff will represent their jurisdictions at those meetings.

Since this is the last Council meeting for Councilmembers Sackrison, Darby and Burgman, farewell comments were made. Councilmember Hearn thanked the three for 37 years of combined leadership service. Councilmember Nelson also thanked Sackrison, Darby and Burgman for their long service and said they will be missed. Deputy Mayor Darby thanked the citizens for allowing him to serve the past eight years – he said it has been challenging and enriching. Councilmember Burgman said it has been a great privilege to serve the Lacey citizens for 16 years. Mayor Sackrison said he appreciated the opportunity to serve 13 years on the Council and 3 years on the Planning Commission.

ADJOURNMENT: Mayor Sackrison adjourned the meeting at 8:25 p.m.

MAYOR: _____

ATTESTED BY CITY CLERK: _____

DATE APPROVED: _____

ORDINANCE NO. 1341

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, DECLARING THE CITY'S INTENT TO INITIATE THE ANNEXATION OF THE CITY OF LACEY TO THURSTON COUNTY FIRE PROTECTION DISTRICT NO. 3, FINDING THAT THE PUBLIC INTEREST WILL BE SERVED THEREBY, REQUESTING THE CONCURRENCE OF THE FIRE DISTRICT TO SUCH PROPOSAL AND THE TERMS OF A PRE-ANNEXATION AGREEMENT, AND REQUESTING THE THURSTON COUNTY BOARD OF COMMISSIONERS TO CALL A SPECIAL ELECTION WITHIN THE DISTRICT AND WITHIN THE CITY ON APRIL 27, 2010 TO CONSIDER SUCH ANNEXATION AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, pursuant to RCW 52.04.061 the process of annexation to a fire district for service is initiated by an ordinance of the City Council stating the City's intent to join and annex to the fire district, and

WHEREAS, the City Council finds that the public interest will be served by annexation of the City to Thurston County Fire Protection District No. 3 for purposes of fire and emergency medical services, and

WHEREAS, the City Council further finds that the Annexation Agreement, attached hereto is necessary to accommodate such annexation, and

WHEREAS, if the Fire District concurs with the annexation, notification thereof shall be transmitted to the Thurston County Board of Commissioners, requesting that a special election be called within the City and within the District in the manner provided in RCW 52.04.071, and

WHEREAS, the City is willing to act as lead agency for purposes of SEPA review and to present this matter to the Thurston County Boundary Review Board, on behalf of both the City and the District,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Declaration of Intent and Finding. The City of Lacey hereby declares its intent to annex to and be a part of Thurston County Fire Protection District No. 3 and finds that such annexation is in the public interest.

Section 2. Request for Concurrence. Pursuant to RCW 52.04.061, the City Council requests that the Board of Commissioners of the Fire District concur with the proposed annexation of the City to the Fire District and approve the Annexation Agreement, a copy of which is attached hereto. The City Clerk is authorized and directed to forward a certified copy of this ordinance to the Board of Fire Commissioners for their concurrence. The City Manager is authorized to file a Notice of Intention with the Thurston County Boundary Review Board as

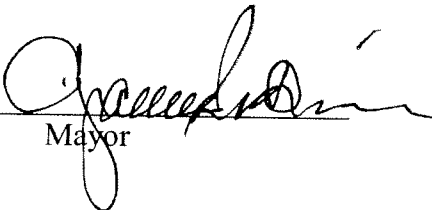
required by RCW 36.93.090 after completing such environmental review as may be necessary or appropriate pursuant to the State Environmental Policy Act. The City shall act as "lead agency" for such review and shall coordinate and cooperate with the Fire District and the Boundary Review Board proceedings.

Section 3. Notification to County Commissioners – Election. This ordinance constitutes a call for an election on the annexation ballot proposition, consistent with Chapter 52.04 RCW. Following concurrence by the Fire District, including approval of the Annexation Agreement attached hereto, the City Manager is authorized and directed to notify the Board of Commissioners of Thurston County of the City proposal and Fire District acceptance of the annexation proposal requesting that the Board of Commissioners call a special election for the annexation proposition to be held on April 27, 2010.

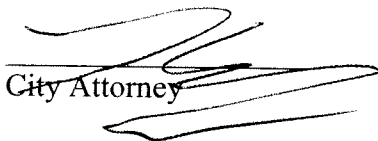
Section 4. Summary for Publication. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON, at a regularly-called meeting thereof, held this 17th day of December,
2009.


CITY COUNCIL

By: 
Mayor

Approved as to form:


City Attorney

Attest:


City Clerk

SUMMARY FOR PUBLICATION

ORDINANCE NO. 1341

CITY OF LACEY

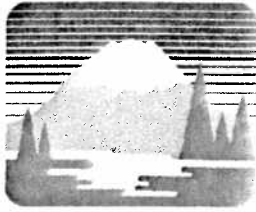
The City Council of the City of Lacey, Washington, passed on December 17, 2009, Ordinance No. 1341, entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, DECLARING THE CITY'S INTENT TO INITIATE THE ANNEXATION OF THE CITY OF LACEY INTO THURSTON COUNTY FIRE PROTECTION DISTRICT NO. 3, FINDING THAT THE PUBLIC INTEREST WILL BE SERVED THEREBY, REQUESTING THE CONCURRENCE OF THE FIRE DISTRICT TO SUCH PROPOSAL AND THE TERMS OF A PRE-ANNEXATION AGREEMENT, AND REQUESTING THE THURSTON COUNTY BOARD OF COMMISSIONERS TO CALL A SPECIAL ELECTION WITHIN THE DISTRICT AND WITHIN THE CITY ON APRIL 27, 2010 TO CONSIDER SUCH ANNEXATION AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance declares the intent of the City Council to annex the City of Lacey to the Thurston County Fire Protection District No. 3 for purposes of fire and emergency medical services and declares that such annexation is in the public interest.
2. The Ordinance approves an Annexation Agreement and requests that Fire District No. 3 concur with submission of the annexation proposal and approve the Annexation Agreement.
3. The Ordinance authorizes environmental review with the City as lead agency, the submittal of the proposition to the Boundary Review Board and, upon concurrence of the Fire District, to the Board of Thurston County Commissioners requesting a call for a special election to be held on April 27, 2010 at which time both the voters of the District and of the City will vote on such proposition.
4. The Ordinance approves this Summary for publication.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: December 21, 2009.



*Shaping
our community
together*

**CITY
OF LACEY**

POST OFFICE BOX 3400
LACEY, WA 98509-3400

CITY COUNCIL

GRAEME SACKRISON
Mayor
JOHN DARBY
Deputy Mayor
ANN BURGMAN
VIRGIL CLARKSON
MARY DEAN
JASON HEARN
THOMAS L. NELSON

CITY MANAGER
GREG J. CUOIO

CERTIFICATION

I, Carol A. Litten, duly appointed Clerk of the City of Lacey, Washington, do hereby certify that the attached ordinance constitutes a true and correct copy of Ordinance No. 1341 of the City of Lacey duly adopted at a regular meeting of the Lacey City Council held on December 17, 2009.

Carol A. Litten, Clerk
City of Lacey



TDD Relay
1-800-833-6388

City Council
(360) 491-3214

City Manager
(360) 491-3214

City Attorney
(360) 491-1802

Community Development
(360) 491-5642

Finance
(360) 491-3212

Park & Recreation
(360) 491-0857

Police
(360) 459-4333

Public Work
(360) 491-5600

Fax #
(360) 438-2669



Exhibit E

Thurston County Fire District 3
Minutes and Resolution 801-12-09
Declaring Annexation Intent

THURSTON COUNTY FIRE DISTRICT THREE BOARD OF FIRE COMMISSIONERS

MINUTES OF THE SPECIAL MEETING

December 18, 2009

I. CALL TO ORDER: 7:30 a.m.

Present:

Chairman Houser
Vice Chairman Christiansen
Commissioner Kirkbride

II. NOTICE OF SPECIAL MEETING

Chairman Houser noted that written notice of this meeting was provided to all Commissioners on Tuesday, December 15, 2009 and said notice was publicly posted at District Headquarters. All Commissioners acknowledged notice of the special meeting.

III. AGENDA APPROVAL

MOTION: To approve the agenda with a single item of business; a resolution concurring with City of Lacey to place an annexation measure on the April 27, 2010 special election ballot.

Motion: Commissioner Kirkbride
Second: Vice Chairman Christiansen
Vote: Unanimous

IV. BUSINESS

Chairman Houser outlined the action taken by the City of Lacey Council to adopt an ordinance to initiate annexation into the District, which occurred on the previous evening.

MOTION: To adopt Resolution # 801-12-09 concurring with City of Lacey to place an annexation measure on the April 27, 2010 special election ballot.

Motion: Commissioner Kirkbride
Second: Vice Chairman Christiansen
Vote: Unanimous

Subsequent to the Board action, the Board discussed next steps and their interest in further meetings with the City regarding this process, including the potential for a voters' pamphlet publication.

Commissioner-elect Dobry reported on his meeting with Mr. Tom Dozal from the Jubilee community and that Mr. Dozal was interested in and encouraged with the process to establish advisory members to the Board of Fire Commissioners.

V. ADJOURNMENT

Chairman Houser adjourned the special meeting at 8:23 a.m.

Chairperson

Commissioner

Commissioner

ATTEST: _____
Secretary



LACEY FIRE DISTRICT THREE

Making A Difference

COMMISSIONERS
John L. Christiansen
C.H. Skip Houser
K. Frank Kirkbride

CHIEF
James M. Broman

CERTIFICATION

I, James M. Broman, duly appointed District Secretary for Thurston County Fire Protection District # 3, Lacey, Washington, do hereby certify that the attached resolution constitutes a true and correct copy of Resolution No. 801-12-09 of the District Board duly adopted at a special meeting of the Board of Fire Commissioners held on December 18, 2009.

James M. Broman, District Secretary
Thurston County Fire Protection District # 3

FIRE PROTECTION DISTRICT NO. 3

THURSTON COUNTY, WASHINGTON

(Lacey Fire District # 3)

A R E S O L U T I O N

RESOLUTION NUMBER 801-12-09

A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS, FIRE PROTECTION DISTRICT NO. 3, THURSTON COUNTY, CONCURRING WITH THE CITY OF LACEY TO INITIATE THE ANNEXATION OF THE CITY OF LACEY TO FIRE PROTECTION DISTRICT NO. 3 (LACEY FIRE DISTRICT # 3); FINDING THAT THE PUBLIC INTEREST WILL BE SERVED THEREBY; REQUESTING THE APPROVAL OF THE THURSTON COUNTY COMMISSIONERS AND PLACEMENT OF THE ANNEXATION PROPOSITION ON THE BALLOT FOR THE APRIL 2010 ELECTION, OR AS SOON THEREAFTER AS PROVIDED BY LAW; AND AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE CITY OF LACEY

WHEREAS, pursuant to RCW 52.04.061, the process of city annexation to a fire district for service is initiated by an ordinance of a city stating the city's intent to join and annex into the fire district, finding that the public interest will be served thereby; and

WHEREAS, having reviewed the options for the continued provision of fire and emergency medical service to the residents of the City of Lacey ("City"), the City Council has initiated the process for annexation of the City to Fire Protection District No. 3, Thurston County (Lacey Fire District Three, "Fire District") for such services; and

WHEREAS, on December 17, 2009, the City Council of the City of Lacey passed its Ordinance No. 1341 for the annexation, including the City's finding that the public interest will be served by annexation of the City to the Fire District; and

WHEREAS, the Fire District has considered the proposed annexation of the City to the Fire District and concurs with the annexation; and

WHEREAS, the Fire District finds that an Interlocal Agreement for annexation of the City of Lacey into Thurston County Fire Protection District No. 3, to provide for coordination of the activities of the City and the Fire District is necessary and appropriate to accommodate such annexation; and

WHEREAS, following the effective date of City Ordinance No. 1341, notification shall be transmitted to the Thurston County Commissioners, which shall then call a special election to be held in the City and District at the time and in the manner provided in RCW 52.04.071; and

WHEREAS, the City shall act as the lead agency to satisfy the requirements of SEPA, and shall present the matter to the Washington State Boundary Review Board for Thurston County, on behalf of and in cooperation with the Fire District, as needed;

NOW, THEREFORE

BE IT RESOLVED by the Board of Fire Commissioners, Fire Protection District No. 3, Thurston County, Washington, as follows:

Section 1. **Declaration and Finding.** Fire Protection District No. 3, Thurston County, Washington, declares and finds that annexation of the City to the Fire District is in the public interest.

Section 2. **District Concurrence.** Pursuant to RCW 52.04.061, the Board of the Fire District concurs with the proposed annexation of the City to the Fire District. On or before the effective date of the City ordinance calling for the annexation of the City to the Fire District, the City is authorized to file a Notice of Intention with the Washington State Boundary Review Board for Thurston County (“BRB”) as required by RCW 36.93.090, after completing such environmental review as may be necessary or appropriate pursuant to the State Environmental Policy Act (SEPA). The City shall act as the “lead agency” under SEPA. The District shall coordinate and cooperate with the City in the BRB proceedings.

Section 3. **Notification to County Commissioners – Election.** This resolution constitutes a call for an election on the annexation ballot proposition, consistent with Chapter 52.04 RCW. The District Secretary is hereby authorized and directed to notify the Thurston County Commissioners of the City and Fire District acceptance of the annexation proposal and to request that the Thurston County Commissioners call a special election for the annexation proposition to be held on April 27, 2010 (and any appeal thereof), assuming that the annexation proposition is approved by the BRB.

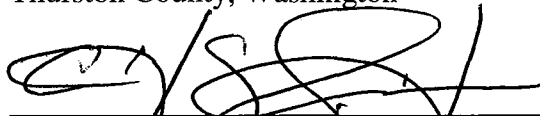
Section 4. **Interlocal Agreement Authorized.** That certain Interlocal Agreement for Annexation of the City of Lacey into Thurston County Fire Protection District No. 3, as approved by the City in Ordinance No. 1341, and attached hereto, is hereby authorized and approved. The Chairman of the Board of Fire Commissioners is hereby authorized to execute the Interlocal Agreement for and on behalf of the District.

Section 5. **Severability.** If any one of more sections, subsections, or sentences of this resolution are held to be invalid, such invalidity shall not affect the validity and enforceability of the remaining portion of this resolution and the same shall remain in full force and effect.


Section 6. **Filing.** A certified copy of this Resolution shall be filed with the Thurston County Commissioners and the Boundary Review Board of Thurston County.

MOVED AND PASSED at a special meeting of the Board of Fire Commissioners for Fire Protection District No. 3 on December 18, 2009, of which all Commissioners were notified and all were present and voting.

BOARD OF FIRE DISTRICT COMMISSIONERS
Lacey Fire District Three
Thurston County, Washington



SKIP HOUSER, Chair



JOHN CHRISTIANSEN, Vice Chair



FRANK KIRKBRIDE, Commissioner

Attest:



James M. Broman, District Secretary

Exhibit F

SEPA DNS and Environmental Checklist

DETERMINATION OF NONSIGNIFICANCE

Proponent: City of Lacey

Description of Proposal: This is a non project action for annexation of the City of Lacey into Thurston County Fire District number 3. The City of Lacey is looking at options for fire protection.

Currently, Lacey contracts with Fire District 3 for fire protection services. Annexation would formalize Fire District 3 as the agency providing emergency services to Lacey. Annexation would also give Lacey citizens more direct representation in operation and services by providing an opportunity to vote for Fire District Commissioners.

Annexation would not change the provision of fire protection services to Lacey and would have no identified adverse environmental impacts.

Location of Proposal: Applies to all of the property currently within the incorporated City of Lacey.

Lead Agency: Community Development Department

The lead agency for this proposal has determined that it does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement is not required under RCW 43.21C.030(2)(C). This decision was made after review by the lead agency of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

There is a 14-day comment period on this DNS.

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. No action will be taken on this proposal until the comment period has expired.

Assigned Staff Person: David R. Burns, AICP, Lacey Principal Planner
Responsible Official: Rick Walk, AICP, Community Development Director
Date of Issuance: December 3, 2009
Comment Deadline: December 17, 2009

David R. Burns, AICP, Principal Planner
Community Development Department
P.O. Box 3400
Lacey, WA 98509-3400
(360) 491-5642

Do not publish below this line

Please Publish December 4, 2009

RCW 197-11-960 ENVIRONMENTAL CHECKLIST

PURPOSE OF CHECKLIST:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS:

This Environmental Checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project", "applicant", and "property or site", should be read as "proposal", "proposer", and "affected geographic area", respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Annexation of the City of Lacey into Thurston County Fire District 3 under the authority and process of RCW 52.04.061

2. Name of applicant:

City of Lacey

3. Address and phone number of applicant and contact person:

David Burns, AICP, Principal Planner
P. O. Box 3400
Lacey, WA 98503

4. Date checklist prepared:

December 3, 2009

5. Agency requesting checklist:

City of Lacey

6. Proposed timing or schedule (including phasing, if applicable):

Review by the City of Lacey Council and Thurston County Fire District 3 Commissioners in December 2009. Review by Boundary Review Board after application is submitted in late December with 60 days notice to review and potential for additional review time if BRB jurisdiction for review is invoked. After BRB review, there is time required for preparation and scheduling of a special election by the County Auditors office. The special election will be held at least 45 days after declaration. If the vote is for annexation certification of election results is required before August 1 in order for taxes to be collected for the following year.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Two studies were completed comparing service options under a City fire department that could be created or continuation with Fire District 3. One study was contracted by Fire District 3 and was written by Fitch Associates. The other study was contracted by the City of Lacey and was

written by ICMA. While this type of report is not usually considered an environmental document, these reports provide analysis of service alternatives and impacts under these two options. These reports may be helpful in considering impacts under item 15 of this environmental checklist evaluation. These reports are available by request from the City of Lacey or Thurston County Fire District 3.

In addition to the reports mentioned above, the City has prepared a number of environmental reviews of long range planning documents that have considered the impact of urbanization on the full range of services to Lacey citizens and Lacey growth area residents. These documents are available upon request.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

This is a non project action which is administrative. There is not a specific site involved. Annexation into Fire District 3 simply formalizes Lacey's existing fire protection service provider (Fire District 3) as the fire protection service provider for Lacey. There are no applications pending that would be impacted.

10. List any government approvals or permits that will be needed for your proposal, if known.

Approval by the City of Lacey Council, Fire District 3 Commissioners, the County Boundary Review Board and City of Lacey and Thurston County Fire District 3 citizens by special election.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

This is a non project action which is an administrative change in how fire protection services are provided for the City of Lacey. Currently, Lacey contracts with Thurston County Fire District Three for fire protection services. The subject action being reviewed in this checklist is the annexation of the City of Lacey into Thurston County Fire District 3 pursuant to the process and authority under RCW 52.04.061. Such annexation would formalize Lacey's existing fire protection service provider (Fire District 3) as the fire protection service provider for Lacey. No environmental impacts would be attributed to this action.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposal involves all of the property within the incorporated City Limits of Lacey.

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other: The property contains flat, rolling, and steep slopes.

This is a non project action. There are no changes to this element of the environment that would result from annexation of Lacey into Thurston County Fire District 3.

- b. What is the steepest slope on the site (approximate slope)?

Not applicable. This is a non project action. There are no changes to this element of the environment that would result from annexation of Lacey into Thurston County Fire District 3.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Not applicable.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Not applicable.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable. No impervious surfaces will be covered with this proposal since this is a non-

project action.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable.

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Because this is a non-project action, the air will not be affected by this proposal.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable.

- c. Proposed measures to reduce or control emissions or other impacts, if any:

Not applicable.

3. WATER

- a. Surface:

1) Is there any surface waterbody on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetland)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable. This is a non project action.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described water? If yes, please describe and attach available plans.

Not applicable.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable.

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose and approximate quantities if known.

Not applicable.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals..., agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable.

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other water? If so describe.

Not applicable. While fire fighting actions use water and this will often end up as runoff in normal runoff area patterns this action will not change the way fire fighting is handled or what runoff impacts occur from fire fighting actions.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable. See also response to item c.1 above.

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Not applicable. No measures are necessary or proposed.

4. PLANTS

Not applicable

- a. Check or circle types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

No vegetation shall be removed or altered with this proposal as it is a non-project action.

- c. List threatened or endangered species known to be on or near the site.

Not applicable.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable.

5. ANIMALS

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

Not applicable this is a non project action.

birds: hawk, heron, eagle, songbirds, other:.....

mammals: deer, bear, elk, beaver, other:.....

fish: bass, salmon, trout, herring, shellfish, other...

- b. List any threatened or endangered species known to be on or near the site.

Not applicable.

- c. Is the site part of a migration route? If so, explain.

Not applicable.

- d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable.

6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable.

7. ENVIRONMENTAL HEALTH

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

- 1) Describe special emergency services that might be required.

The proposal deals with annexation of Thurston County Fire District 3 and provision of emergency services to the City of Lacey. However, this does not represent a change from the current contract with Fire District 3 and services currently being provided by the District.

- 2) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable.

- b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other?)

Not applicable.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable.

- 3) Proposed measures to reduce or control noise impacts, if any:

Not applicable.

8. LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties?

This is a non project action applying to the entire City. The question is not applicable. While various properties are used across the City for fire stations, the properties and use will not change as a result on this action and no additional properties will be included for fire protection facilities as a result of this action.

Fire District three and/or Lacey may propose new fire protection stations/infrastructure at some time in the future and on additional sites unknown at this time, but this will not be impacted by the proposed annexation. In addition, when physical changes and or additional properties are proposed for fire protection infrastructure and use, this will be considered a project action and the specific impacts related to the specific site will be reviewed and addressed during a separate SEPA evaluation. At the time specific project(s) are proposed site specific issues can be identified.

- b. Has the site been used for agriculture? If so describe.

Not applicable. See also response to question item number 8 a above.

- c. Describe any structures on the site.

Not applicable. See also response to question item number 8 a above.

- d. Will any structures be demolished? If so what?

Not applicable.

- e. What is the current zoning classification of the site?

Not applicable. Fire protection services are available throughout all zones in Lacey. This will not change as a result of the proposed annexation.

f. What is the current comprehensive plan designation of the site?

Not applicable. See also response to question item number 8 e above.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Not applicable. .

i. Approximately how many people would reside or work in the completed project?

Not applicable. The annexation does not address administrative issues such a hiring practice and no employment will change as a result of a successful annexation.

j.

Approximately how many people would the completed project displace?

Not applicable. See also response to question item number 8 i above.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable. This annexation does not include land use issues.

9. HOUSING

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing.

Not applicable.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low income housing.

As this is a non-project action, no housing units will be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:

Not applicable.

10. AESTHETICS

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed.

Not applicable.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable.

- c. Proposed measures to reduce or control aesthetic impacts if any:

Not applicable.

11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable. The annexation will have no direct or indirect physical impacts for this element of the environment.

- b. Could light or glare from the finished project be a safety hazard or interfere with view?

Not applicable.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable.

12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable.

- b. Would the proposed project displace any existing recreational uses? If so describe.

Not applicable.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable. The annexation will not impact this element of the environment

13. HISTORIC AND CULTURAL PRESERVATION

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

Not applicable. The annexation will not impact this element of the environment

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

Not applicable.

- c. Proposed measures to reduce or control impacts, if any:

Not applicable.

14. TRANSPORTATION

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans if any.

Not applicable. This is a non project action. However, currently all streets and viable access are used for public safety emergency services when needed. The annexation will not change this situation or priority.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Not applicable.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Not applicable.

- d. Will the proposal require any new roads or streets, or improvements to existing road or streets, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable. Emergency services have specific standards for all new construction to provide needed life safety services. The annexation will not change this situation or have any impact to existing established standards.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Not applicable.

- g. Proposed measures to reduce or control transportation impacts, if any:

Not applicable.

15. PUBLIC SERVICES

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, school, other)? If so, generally describe.

The point of the proposal is provision of fire protection and emergency services to the City of Lacey in a responsible and cost effective way. One option is annexation to the Thurston County Fire District 3. Other options include creating a Fire Authority, contracting with Fire District 3, or the City forming its own fire and emergency medical services department. The Lacey City Council has determined that taking the issue of annexation to the Lacey citizens in a special election is a preferred option.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable. However, the proposal could be considered a mitigating measure to provide future fire protection for the City of Lacey.

16. UTILITIES

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: ...David R. Burns, AICP.....

Date submitted:.....December 3, 2009.....

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, or production of noise?

Not applicable. The annexation would not have any impact upon this element of the environment.

Proposed measures to avoid or reduce such increases are:

Not applicable.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

Because this proposal is a non-project action and essentially an administrative action, the annexation will not impact this element of the environment.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Not applicable; See response above .

3. How would the proposal be likely to deplete energy or natural resources?

Not applicable.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetland, floodplains, or prime farmlands?

Because this proposal is a non-project action and essentially an administrative action, the annexation will not impact this element of the environment.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Not applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Because this proposal is a non-project action and essentially an administrative action, the annexation will not impact this element of the environment.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Not applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The annexation can be considered one option to provide fire and emergency services for the City of Lacey over the long term.

7. Identify, if possible, whether the proposal may conflict with local, state, or other requirements for the protection of the environment.

The proposal is being processed under the authority and process prescribed in RCW 52.04.061.

ENVNE:cd

Exhibit G

**Interlocal agreement between Thurston County
Fire District 3 and the City of Lacey for
annexation of Lacey into Fire District 3**

**INTERLOCAL AGREEMENT FOR ANNEXATION
OF THE CITY OF LACEY INTO THURSTON COUNTY
FIRE PROTECTION DISTRICT NO. 3**

THIS AGREEMENT is entered into by and between the City of Lacey, a municipal corporation of the State of Washington (“City”) and Thurston County Fire Protection District No. 3, a municipal corporation of the State of Washington (“District”).

RECITALS

- A. The City and District are both located in Thurston County, Washington and have contiguous boundaries.
- B. The parties jointly own fire stations known as Stations 31, 33, 35 and a portion of Station 34 and certain capital equipment all pursuant to that certain agreement entitled Fire Protection Acquisition and Ownership Agreement – Fire Protection District No. 3 and City of Lacey dated April 24, 2003.
- C. The District currently provides fire and emergency medical services to the City pursuant to that certain agreement entitled Service Agreement – City of Lacey and Thurston County Fire District No. 3, dated June 8, 2006 as Amended.
- D. The City and the District are authorized by Chapter 52.04 RCW to cause an election to be held in order for the voters of the City and the voters of the District to decide whether or not the City should be annexed to and become part of the District. The City and the District have had ongoing discussions concerning whether, and under what terms, they would agree to submit this issue to the voters. The City and the District have now reached agreement on the said terms and conditions and desire to reduce their agreement to writing.

AGREEMENT

IN CONSIDERATION OF the terms and conditions set forth below, the parties agree as follows:

1. Annexation Process.

A. Pursuit of Annexation. Pursuant to the provisions of Chapter 52.04 RCW, the parties agree to pursue annexation of the City to the District according to the terms and conditions set forth in this Agreement and any amendments thereto, subject to approval of such annexation by the Thurston County Boundary Review Board (TCBRB) and the voters of the City and District. Contemporaneously with its execution of this Agreement, the City has passed an ordinance requesting annexation to the District. Contemporaneously with its execution of this Agreement, the District has accepted the City’s annexation request.

B. Boundary Review Board Notices and Proceedings. The parties agree to join together in pursuing a notice of intent to be filed with the TCBRB seeking annexation of the

City to the District. The City shall take the lead in filing the notice of intent with the TCBRB, pursuant to Chapter 36.93 RCW. The City shall also act as lead agency for SEPA purposes in connection with the annexation. The parties agree that they will not request the TCBRB to review the annexation. In the event that a request for review is filed by any person or persons authorized to do so under RCW 36.93.100, the District and the City agree to jointly coordinate, prepare, and present testimony to the TCBRB in favor of the annexation and to take all necessary actions to obtain TCBRB approval of the annexation.

C. Notification of County Commissioners – Election. The parties agree to take all necessary steps to notify the Thurston County Commissioners of the proposal by the City and the acceptance by the District and to request that the Commissioners call a special election to be held on April 27, 2010 to place before the voters of the City and the voters of the District the proposition of whether the City should be annexed to the District.

D. Cooperation as to Other Matters. The parties agree to cooperate as to any other matters necessary to effectuate the annexation of the City to the District.

2. Post-Annexation Fire Service.

A. Upon annexation of the City to the District, the District shall be solely responsible for providing fire protection, fire suppression and emergency medical services within the incorporated boundaries of the City and the boundaries of the District. Additionally, the District shall provide within the corporate boundaries of the City fire prevention services including commercial occupancy fire code safety inspections, fire investigative services and community safety education services. Upon annexation and subject to the City making the payments expressly provided for in this Agreement, the District shall assume all responsibility for providing such services. The term “annexation” shall mean the date on which the election results are certified by the Thurston County Canvassing Board.

B. The authority and responsibility for code enforcement and prosecutorial activity within the City boundaries shall remain with the City.

C. Nothing in this Agreement shall give rise to a special duty to any individual or entity other than the respective parties with respect to the governmental services called for herein.

3. 2010 Payments by the City. It is understood by the parties that the first real property taxes payable to the District by City residents will be for those taxes levied in 2010 for collection in 2011. Therefore, subsequent to the annexation, the City shall continue to pay to the District those sums called for in the Service Agreement between the parties dated June 8, 2006 as amended by Settlement Agreement between the City of Lacey and Lacey Fire District No. 3 effective on May 18, 2009, for the remaining portion of the calendar year 2010.

4. Transfer of City’s Interest in Stations and Equipment. Effective upon the date of annexation, the City hereby conveys and quit claims to the District all of its interests in those certain stations identified as Station 31 or Headquarters Station located on Franz Street SE, Station 34 and the Vehicle Repair Facility located thereon on Steilacoom Road SE, Station 33 located on Mullen Road SE and Station 35 located on Willamette Drive NE and all of the

interests of the City in the ladder truck apparatus and the two first response engines all as purchased or constructed by the parties pursuant to the Fire Protection Acquisition and Ownership Agreement between the parties. The parties shall execute such quit claim deeds or other documents necessary to complete such ownership transfers. The consideration for such conveyance shall be the terms of this Agreement and no further charge will be payable to the City. Upon the transfer of such interests from the City to the District, the District shall assume sole responsibility for the maintenance, operation and repair of the same and the City shall in no event be liable for any such maintenance, operation or repair, except for the payments called for in Section 3.

5. **Fire Hydrants and Water.** The City agrees to allow the District to utilize City fire hydrants both within and without the City and use water from such hydrants to provide fire suppression services and bona fide fire fighter training. Such use and water consumption shall be without charge to the District by the City, the consideration for the same being the terms of this Agreement.

6. **Tax Levies.**

A. It is understood between the parties that due to statutory restrictions, the tax levy set by each of the parties in 2010 for collection of taxes in 2011 will, in the absence of voter approval, restrict the amount of taxes which can be levied for subsequent years. Therefore, in light of such restrictions, the parties shall set their tax levy in 2010 for taxes to be collected in 2011 in the manner set forth in this section.

B. The City shall reduce its real property tax levy in 2010 for taxes to be collected in 2011 by an amount equal to the sum the City would otherwise have paid to the District for fire services pursuant to the Service Agreement between the parties dated June 8, 2006, as amended, had the term of said Agreement been set to expire at the end of calendar year 2011. It is estimated at the time of this Agreement that such dollar amount will be in the sum of \$4,774,683.00.

C. The District shall set its 2010 levy for real property taxes against all real property in the enlarged District for taxes to be collected in 2011 to be in the total sum of \$9,836,973.00. It is estimated that a levy in this amount will result in a levy rate of 1.070689 per thousand dollars of assessed evaluation within the enlarged District.

7. **Bonded Indebtedness.** Both the District and the City, pursuant to approval of their respective voters, issued tax general obligation bonds in the sum of \$5,990,000.00 for the City and \$5,990,000.00 for the District and used the proceeds of such bond issues for the construction and remodeling of fire stations and the purchase of equipment. It is agreed between the parties that it is fair and equitable for the residents of the existing District to continue to pay the excess levies for retirement of the District indebtedness and for City residents to continue to pay the excess levies to retire the City indebtedness. Further, it is understood that for the District to restrict its excess tax levy to portions of the District located outside of the City, state legislation will be necessary. Therefore, the parties will cooperate in proposing such legislation and with the passage of such legislation, the District shall extend its excess tax levy for the retirement of its outstanding bonds only to that real property located in portions of the District

which lie outside of the City boundaries. Further, the City agrees to continue to levy excess taxes for retirement of its outstanding bonds upon residents of the City.

8. **Indemnity.** The District agrees to indemnify, hold harmless, and defend the City, its officers, agents, and employees, from and against any and all claims, losses, or liability for injuries, sickness; or death of persons, including employees of the District, or damage to property, occurring prior or subsequent to the effective date of annexation and arising out of any negligent act, error or omission of the District, its officers, agents, or employees, in providing those services under existing contracts or as called for in Section 2 hereof.

9. **Acquisition and Ownership Agreement.** Upon annexation of the City to the District and transfer of the jointly owned property, that certain Agreement entitled Fire Protection Acquisition and Ownership Agreement between the parties dated April 24, 2003, shall be automatically terminated and of no further effect.

10. **Board of Commissioners.** It is agreed that so long as the Board of Fire Commissioners consists of three (3) members, two (2) advisory members shall be added who shall be appointed by the City. The two (2) advisory members shall not have a vote in the affairs of the Commission, however, shall be given notice of all meetings together with all materials presented to the Board of Fire Commissioners and shall have an opportunity to be heard on each issue coming before the Commissioners. Further, the District agrees that no later than the general election to be held in 2010, the District shall submit to a vote of the residents of the enlarged District the question of whether the Commission shall be expanded to five (5) members.

11. **Obligations Contingent.** The obligations of the parties under all previous sections of this Agreement are expressly contingent upon receipt of a favorable vote on annexation at the April 27, 2010 election. In the event this proposition does not receive a favorable vote in both the District and the City, this Agreement shall terminate and the parties shall have no further obligations under it except as set forth in Section 12 hereof.

12. **Service Agreement Extension.** In the event that the annexation proposal does not receive a favorable vote in both the District and the City, the parties agree that that certain Service Agreement between the parties dated June 8, 2006, as amended, shall be extended through July 31, 2011.

13. **Costs.** Each of the parties shall bear their individual costs for the special annexation election called for herein. All other costs incurred by the parties, including the preparation of this Agreement and the notification of and processing through the Boundary Review Board, including attorney fees, consultant fees and staff time shall be borne by the party experiencing said costs.

14. **Integrated Agreement.** This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof and may be modified only by a written instrument signed by all parties.

15. **Third Party Rights.** Nothing contained in this Agreement shall be interpreted to create third party rights in any person or entity not a party hereto.

16. **Notices.** All notices to be given under this Agreement shall be delivered in person or mailed to the parties at the following addresses:

To the City:

Mayor
City of Lacey
420 College St. SE
P.O. Box 3400
Lacey, WA 98509

City Manager
City of Lacey
420 College St. SE
P.O. Box 3400
Lacey, WA 98509

To the District:

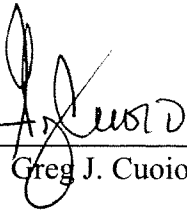
Chair
Board of Commissioners
Thurston County Fire Protection District No. 3
Lacey Fire District 3
1231 Franz Street
Lacey, WA 98503

Chief
Thurston County Fire Protection District No. 3
Lacey Fire District 3
1231 Franz Street
Lacey, WA 98503

17. **Posting of Agreement.** This Agreement shall be posted on the website of the City and/or the District in a manner designed to satisfy the requirements of RCW Chapter 39.34 regarding either recording or website posting.

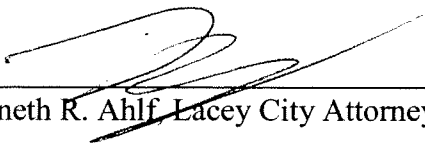
18. **Effective Date.** This Agreement shall be effective upon execution by both parties and the posting of the same as called for herein.

CITY OF LACEY

By  _____
Greg J. Cuoio, City Manager

Date 12-16-09 _____

Approved as to form:



Kenneth R. Ahlf, Lacey City Attorney

THURSTON COUNTY FIRE PROTECTION DISTRICT NO. 3

By _____
Chairman

Date _____

Approved as to form:

P. Stephen DiJulio, Attorney for the District

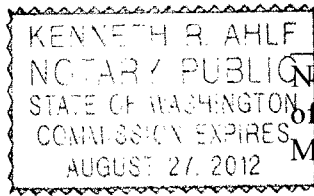
STATE OF WASHINGTON)

: ss

COUNTY OF THURSTON)

On this day personally appeared before me Greg J. Cuoio, to me known to be the City Manager of the City of Lacey, that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said City for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said instrument on its behalf.

GIVEN under my hand and official seal this 17th day of December, 2009.



[Signature]
Notary Public in and for the State
of Washington, residing at Lacey
My Commission Expires 8-27-2012

STATE OF WASHINGTON)

: ss

COUNTY OF THURSTON)

On this day personally appeared before me _____, to me known to be the Chairman of the Thurston County Fire Protection District No. 3, that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said District for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said instrument on its behalf.

GIVEN under my hand and official seal this _____ day of _____, 2009.

Notary Public in and for the State
of Washington, residing at _____
My Commission Expires _____