

RESOLUTION NO. 2016-04

A RESOLUTION of the Board of Commissioner of North Kitsap Fire & Rescue, authorizing the transfer of any interests and liabilities in the assets of Cencom from the North Kitsap Fire & Rescue to Kitsap County for the reorganization and re-establishment of Cencom as a separate legal entity.

WHEREAS, since 1991 certain governmental entities in Kitsap County have been a party (“Parties”) to an interlocal agreement establishing a joint board, known as “Cencom” providing for the joint and cooperative provision of emergency communications services to citizens within the Parties’ respective jurisdictions; and

WHEREAS, since 1991, and subject to the oversight and consent of the Parties, the Cencom 911 Policy Board was the overall governing authority of the joint and cooperative undertaking, establishing policy, systems, and programs for Cencom’s operations, developing Cencom’s annual budget, funding, and cost share distribution, and determining staffing levels and supervising the CENCOM director; and

WHEREAS, since 1991, Kitsap County has served as the administrator for the Cencom joint board, equipping, operating, staffing, and maintaining facilities necessary to provide 911 communication services, issuing Limited Tax General Obligation Bonds to finance and refinance construct, equip, acquire, and improve 911 facilities and systems in furtherance of the joint and cooperative undertaking; and

WHEREAS, the Parties desire to continue to provide a county-wide operation of 911 dispatch services by reorganizing and re-establishing Cencom as a separate legal entity established as a Public Development Authority and changing the name of the new organization from Cencom to Kitsap 911, and transferring all of the administrative functions heretofore performed by Kitsap County to Kitsap 911; and

WHEREAS, since 1991, the Parties have invested public funds and have incurred liabilities for the benefit of Cencom. Such funds and liabilities have been used to acquire necessary property, real and personal, and incur liabilities for the operation of Cencom. As the Administrator for Cencom, all properties and liabilities are currently held by Kitsap County for the benefit of the Parties for the operation of Cencom; and

WHEREAS, in order to organize and re-establish Cencom as a Public Development Authority, all the Parties desire to release and transfer any and all interests and liabilities they have in those assets held by Kitsap County on behalf of Cencom to Kitsap County so that Kitsap County can transfer all interests and liabilities of the Parties, including those of Kitsap County, to the new organization upon its creation; and

WHEREAS, the Parties desire to make provision for all liabilities currently existing or the occurrence of which arise prior to the date Kitsap 911 is established; and

WHEREAS, the transfer of all such interests and liabilities of the Parties to Kitsap 911 upon its creation is in the best interest of the Parties; and

WHEREAS, pursuant to Chapter 39.33 RCW, on March 28th, the Board of Commissioners conducted a public hearing with proper notice and considered all testimony prior to their decision; NOW THEREFORE,

THE BOARD OF COMMISSIONERS OF NORTH KITSAP FIRE & RESCUE, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The recitals set forth above are hereby incorporated by reference as if set forth fully herein.

SECTION 2. Pursuant to Chapter 39.33 RCW, the Board of Commissioners hereby declares as surplus any interest the District has in any property including, but not limited to, real property, personal property, contracts, the property specifically identified in **Exhibit A**, or any other property that is currently held by Kitsap County for the operation of Cencom.

SECTION 3. The District hereby releases and transfers to Kitsap County any and all interest it has in those assets identified in Section 2 above held by Kitsap County on behalf of Cencom and further, releases and transfers any and all liabilities it has in those assets currently existing or which arise prior to the date Kitsap 911 is established, so that Kitsap County can transfer all interests and liabilities of the Parties, including those of Kitsap County, to Kitsap 911 upon its creation. This release and transfer of interest is conditioned and shall be effective upon the following:

- 1) Kitsap County passing an ordinance creating a Public Development Authority pursuant to the provisions of RCW 35.21.730 through RCW 35.21.759 establishing Kitsap 911; and
- 2) Kitsap County transferring, and Kitsap 911 accepting, any and all interest and liabilities Kitsap County has, including the interest and liabilities of the Parties released and transferred by resolution, in the assets of Cencom to Kitsap 911 upon its establishment pursuant to the provisions of RCW 35.21.747.

This resolution only releases interest the District has, if any, in any property identified in **Exhibit A**, or any other property, real or personal identified elsewhere as being held by Kitsap County or Cencom, for the operation of Cencom. This resolution expressly does not release or transfer to Kitsap County the District's interest in any real or personal property, whether identified or not in **Exhibit A**, that the District owns, leases or otherwise has title to, whether or not the property is used for the operation of Cencom.

SECTION 4. Severability. If any one or more sections, subsections, or sentences of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

SECTION 5. *Effective Date.* This Resolution shall take effect and be in force immediately upon its passage.

Adoption: ADOPTED by the Board of Commissioners of North Kitsap Fire & Rescue, Kitsap County, Washington, at a regular open public meeting of such Board on the 28th day of March, 2016, the following commissioners being present and voting:

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

Secretary

EXHIBIT A

Kitsap County CENCOM Property

Site Name Address	Coordinates (NAD83)	Cencom Property *	Owner Owner of property identified as follows:
			Tower - standard type <u>Building</u> - underlined <i>Real Property</i> - italicized
CENCOM Facility 911 Carver Street Bremerton, WA Kitsap County	47-33-18.92 122-40-51.52	CENCOM Facility. Building, Tower, and Equipment. Estimated value \$10,883,756	CENCOM <u>CENCOM</u> <i>State of Washington</i>
NDGC Location 345 6 th Street Bremerton, WA 98337 Kitsap County <i>Voting Receivers</i>		Equipment Only	City of Bremerton <u>City of Bremerton</u> <i>City of Bremerton</i>
Capital Hill 6 th Street/Times Ave Bremerton, WA 98312 Kitsap County <i>Voting Receivers</i>		Equipment Only (Cabinet)	City of Bremerton <u>N/A</u> <i>City of Bremerton</i>
Cultas Bay 6496 Cultas Bay Clinton, WA Island County	47-58-26.3 122-31-21.5	Equipment Only	ICOM <u>ICOM</u> <i>South Whidbey Fire</i>
East 30th 3027 Olympus Drive Bremerton, WA Kitsap County	47-35-26.31 122-37-11.77	We only have equipment at this location. Estimated Value \$557,149	US West New Vector <u>City of Bremerton</u> <i>City of Bremerton</i>
Gold Mountain – 90 Ft Microwave Tower	47-32-57.0 122-47-08.	Tower and Equipment. Estimated Value \$334,289	CENCOM <u>N/A</u> <i>DNR</i>
Gold Mountain – 260 Ft Main Tower 1686 Minard Road West Bremerton , WA Kitsap County	47-32-55.8 122- 47-08.1	Tower, Equipment, and Building Estimated Value \$2,228,597	CENCOM <u>CENCOM</u> <i>DNR</i>

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Kingston 27055 Ohio Avenue Kingston, WA Kitsap County	47-48-30.4 121-29-36.4	We only have equipment at this location. Estimated Value \$228,860	American Tower <u>NW Laborers Training Trust</u> <i>NW Laborers Training Trust</i>
Kitsap County Courthouse 614 Division St Port Orchard, WA 98366 Kitsap County		We only have equipment at this location	CENCOM <u>Kitsap County</u> <i>Kitsap County</i>
Lincoln Hill 20230 Pugh Road NE Poulsbo, WA Kitsap County	47-44-45.55 122-37-11.64	Building and Equipment Estimated Value \$445,719	City of Poulsbo PW <u>CENCOM</u> <i>City of Poulsbo</i>
Mandus Olson East of Mandus Olson Road NE South of NE Koura Road Bainbridge Island, WA Kitsap County	47-39-21.81 122-32-50.11	Equipment Only. Estimated value \$334,289	Bainbridge Island Fire Dept <u>Bainbridge Island Fire Dept</u> <i>Bainbridge Island School District</i>
Newberry Hill 8115 Dickey Road Silverdale, WA Kitsap County	47-38-17.51 122-43-32.12	Building and Equipment \$557,149	Central Kitsap School District <u>CENCOM</u> <i>Silverdale Water District</i>
Orchard Heights 1826 Fircrest Drive SE Port Orchard, WA Kitsap County	47-31-55.32 122-35-59.83	Tower, Building, and Equipment \$1,114,298	CENCOM <u>CENCOM</u> <i>South Kitsap Fire & Rescue</i>
Purdy Purdy Transfer Station 14515 54th Avenue N.W. Purdy, WA Pierce County	47-23-27.0 122-36-29.0	Building and Equipment. Estimated Value \$557,149	Pierce County Transit <u>CENCOM</u> <i>Pierce County PW</i>
Simon Point 2400 Tahuyeh Lake Rd NW Bremerton, WA 98312 Kitsap County	47-35-15.0 122-49-6.0	Tower and Building	CENCOM <u>CENCOM</u> <i>DNR</i>

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Suquamish 22063 Dewberry Rd NE Indianola, WA 98342 Kitsap County	47-45-35.09 122-31.03.62	Equipment Only Estimated Value \$557,149	Suquamish Tribe <u>CENCOM</u> <i>Suquamish Tribe</i>
Teal Lake 1057 Teal Lake Road Port Ludlow, WA Jefferson County	47-54.02.10 122-40-13.65	Tower, Building, and Equipment. Estimated Value \$1,114,298	CENCOM <u>CENCOM</u> <i>Olympic Resources</i>
View Park 8869 SE View Park Road Port Orchard, WA Kitsap County	47-28-49.0 122-32-02.0	Equipment only Estimated Value \$334,289	Global Tower Partners <u>Global Tower Partners</u> <i>Global Tower Partners</i>

Revenue Leases

US Coast Guard Rescue 21-	KC-264-05 (Gold Mountain Tower)
US Coast Guard	KC-485-03 (Gold Mountain Tower)
US Navy Spawar	KC-150-07 (Gold Mountain Tower)
US Navy ELMR	KC-201-07 (Gold Mountain Tower)
US State Department	KC-358-06 (Gold Mountain Tower)
CLEARWIRE/Sprint	KC-118-09 (Gold Mountain Tower)
Kitsap Transit	KC-117-09 (Gold Mountain Tower)
Jefferson County 911	KC-160-07 (Teal Lake Tower)
T-Mobile	KC-160-07 (Orchard Heights Tower)
South Kitsap School District	KC-229-13 (Orchard Heights Tower)
Qwest Corporation	KC-423-07 (Gold Mountain Tower)
Verizon Wireless	KC-141-12 (Simon Point Tower)
Harrison Hospital	KC-248-12 (CENCOM Facility)