

RESOLUTION 2025 – 003

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TILLAMOOK FIRE DISTRICT AUTHORIZING SUBMISSION OF AND SUPPORTING A PETITION FOR FORMATION OF A NEW FIRE DISTRICT PURSUANT TO ORS 198.800 FOR THE FORMATION OF TILLAMOOK BAY FIRE AND RESCUE RFPD

WHEREAS, the Tillamook Fire District is a Rural Fire Protection District organized under ORS Ch. 478 that provides fire and rescue services; and

WHEREAS, the Tillamook Fire District and the City of Bay City, operating through its fire department have a contractual and coordinated operations system to provide efficient and effective fire protection and emergency services within their respective city and rural fire district territories; and

WHEREAS, the Tillamook Fire District, and the City of Bay City desire to consolidate their operations and governing structures by the dissolution of the Tillamook Fire District, with the City of Bay City authorizing provision of fire and emergency services within the territory of the City by the new special district to be formed, and by the formation of a new rural fire protection district to be known as the Tillamook Bay Fire & Rescue RFPD; and

WHEREAS, the Board of Directors of Tillamook Fire District intends to initiate a measure for voter approval of dissolution conditioned on simultaneous voter approval of the formation of the Tillamook Bay Fire & Rescue RFPD with a permanent tax rate of \$1.49 per \$1,000; and

WHEREAS, the Board of the Tillamook Fire District has communicated that it intends to propose a Plan of Dissolution and Liquidation which would convey all assets and liabilities to the Tillamook Bay Fire & Rescue RFPD; and

WHEREAS, the City of Bay City has communicated its intent to convey all assets used by the Bay City Fire Department, including the land and building on which its fire station is located, and all other assets used by the Bay City Department; and

WHEREAS, the Tillamook Fire District, upon formation of the Tillamook Bay Fire & Rescue RFPD, will convey all Tillamook Fire District property, vehicles, equipment, supplies, and fire department liabilities to the new district. The two Fire Stations real property will also be transferred upon formation of Tillamook Bay Fire & Rescue RFPD to the new fire district; and

WHEREAS, subject to the provisions of ORS 236.605 to 236.640, the employees of the Tillamook Fire District shall be transferred to the Tillamook Bay Fire & Rescue RFPD; and

WHEREAS, the Tillamook County Board of Commissioners has the authority pursuant to ORS 198.795 to 198.820 to approve an Order for Formation of the Tillamook Bay Fire & Rescue RFPD, to approve the boundaries of the proposed District pursuant to ORS 478.115, as attached hereto as Exhibit A, and to call for an election to be held on May 19, 2026 for the purpose of

submitting to the electors within the Exhibit "A" boundaries of the proposed District the question of forming the District within those boundaries, and for the additional purpose of electing the first members of the district board of directors; and

WHEREAS, the Tillamook County Board of Commissioners has the authority pursuant to ORS 198.835 to call for an election by the electors of the proposed Tillamook Bay Fire & Rescue RFPD on the question of adoption of a permanent rate limit for operating taxes for the proposed Tillamook Bay Fire & Rescue RFPD; and

WHEREAS, the Oregon Constitution limits the general government tax rate on real property to \$10 per \$1,000 of assessed value. The attached Petition proposes a permanent tax rate for the proposed Tillamook Bay & Rescue RFPD of \$1.49 per \$1,000 of assessed value. If the formation of the Tillamook Bay Fire & Rescue RFPD had been undertaken prior to the current tax year the general government tax rate for Tillamook Fire District would be \$0.69 per \$1,000 of assessed value and would not have caused compression of the general government tax rates for properties located within the Tillamook Fire District; and

WHEREAS, the Tillamook County Commissioners have the statutory authority to approve an Order for Formation of the Tillamook Bay Fire & Rescue RFPD and submit to the electors a. Ballot Measure on the question of formation of the Tillamook Bay Fire & Rescue RFPD; and

WHEREAS, the boundary of the proposed Tillamook Bay Fire & Rescue RFPD is described on the Petition attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Tillamook Fire District, OREGON, as follows:

1. The Tillamook Fire District, Tillamook Oregon hereby approves and authorizes submission of the attached Petition for Formation of the Tillamook Bay Fire & Rescue RFPD to the Tillamook County Board of Commissioners requesting Board action to initiate the formation of the Tillamook Bay Fire & Rescue RFPD.
2. The Board Chair of the Tillamook Fire District is hereby authorized to sign the attached Petition on behalf of the Tillamook Fire District.
3. The Tillamook Fire District, Oregon shall provide a certified copy of this Resolution and original Petition to the Tillamook County Board of Commissioners forthwith.
4. The Fire Chief or the Fire Chief's designee is authorized to take all necessary and appropriate steps to facilitate the dissolution of the Tillamook Fire District contingent upon voter approval of the dissolution, voter approval of the proposed formation, and voter approval of the proposed permanent tax rate of \$1.49 per \$1,000 of assessed value

Adopted by the Board of Directors of the Tillamook Fire District at a regular meeting held on the 18th day of November 2025 by the following Votes:

Ayes: 5 Nays: 0

Approved this 18th day of November 2025

Casey Burden

Casey Burden, Tillamook Fire District Board Chair

Approved as to form:

Attest:

Tillamook Fire District Attorney

Tim Hamburger

Tim Hamburger, Secretary/ Treasurer

PROSPECTIVE PETITION

Petition to the Tillamook County Board of Commissioners for the Formation of a Rural Fire Protection District

The Tillamook Fire District, by resolution of the Tillamook Fire District Board, hereby petitions the Tillamook County Board of Commissioners, pursuant to ORS 198.835, to initiate the formation of a rural fire protection district organized under ORS Chapter 478.

1. This Petition is filed pursuant to ORS 198.705 to 198.955 and ORS Chapter 478.
2. This is a proposal for the formation of a rural fire protection district, the principal act of which is Chapter 478 of the Oregon Revised Statutes.
3. The affected county is Tillamook County, and the affected district is Tillamook Fire District. The City of Bay City is also affected.
4. The Board of Directors of the proposed District will be elected and will consist of five (5) members elected at large.
5. The legal description of the proposed District is shown on Exhibit "A", attached to this Petition, and is depicted on the included map.
6. The territory of the proposed District is inhabited.
7. The name of the proposed District is the Tillamook Bay Fire & Rescue RFPD.
8. The proposed permanent tax rate for operating taxes sufficient to support the services and functions described in the 5- year Financial Budget Planning for the proposed District is \$1.49 per one thousand dollars (\$1,000) of assessed value.
9. The proposed formation of Tillamook Bay Fire and Rescue RFPD ("Fire District") is subject to the following proposed terms and conditions:
 - a. Formation of the Fire District is subject to the public hearing process with the County Board specified in ORS 198.800, et seq.
 - b. Formation of the Fire District is subject to voter approval, with the questions presented at the May 19, 2026, election.
 - c. Formation of the Fire District is subject to the concurrent voter approval of the dissolution of the existing Tillamook Rural Fire Protection District.
 - d. Effective Date: The order forming the Fire District will take effect on June 30, 2026, at 11:59 p.m. PST.
 - e. Employees: Subject to the provisions of ORS 236.605 to 236.640, the employees of the Tillamook Fire District and the employees of the City of Bay City Fire Department shall be transferred to the Tillamook Bay Fire and Rescue RFPD.
 - f. Asset Transfer of Tillamook Fire District: All assets, including buildings and land of the Tillamook Fire District shall be transferred to and become the property of the Tillamook Bay Fire and Rescue RFPD.

PROSPECTIVE PETITION

- g. Asset Transfer of The City of Bay City: All real property and other assets of the City of Bay City Fire Department and those assets of the City of Bay City Fire Department necessary for provision of fire and EMS services will be transferred to and become the property of the Fire District.
- h. Debt Distribution of Tillamook Fire District: The Fire District will assume all fire protection related debt obligations of the Tillamook Rural Fire Protection District. The Tillamook Fire Protection District has no outstanding loans or long-term debt obligations.
- i. Debt Distribution of the City of Bay City: The Tillamook Bay Fire & Rescue RFPD will assume all fire protection-related debt obligations of the City of Bay City Fire Department. The City of Bay City Fire Department has no outstanding loans or long-term debt obligations, with the exception of the financing of a Command Vehicle with a principal amount of \$63,000 with final payment due March 15, 2033.
10. A portion of the proposed District is within the boundaries of a forest protection district established pursuant to ORS Chapter 477. Pursuant to ORS 478.150, the petitioners have conferred with the Oregon State Forestry Department in determining the boundaries and lands to be included within the proposed District. Petitioners will work with the Oregon State Forestry Department to obtain final approval of the boundaries and lands to be included within the proposed District.
11. The boundary of the proposed District includes the City of Bay City. As required by ORS 198.720, the Resolution of the City Bay City approving the formation of the proposed District is made in conjunction with this petition. The City of Bay City is one of two incorporated cities within the boundary of the proposed District. The City of Tillamook is also within the boundary. City consideration and approval by resolution of the final Order of the County Board will occur contemporaneously with the County process and must be attached to the County's Order.
12. The petitioners request that proceedings for the formation of the Fire District proceed.

DATED this 18th day of November 2025

Casey Burden

Casey Burden, Tillamook Fire District Board Chair

Approve as to form:

Robert F. Blackmore
Tillamook Fire District Attorney

Attest:

Tim Hamburger
Tim Hamburger,
Secretary / Treasurer