

ORDINANCE NO. 2004-09-061

AN ORDINANCE OF THE CITY OF BELLINGHAM RELATING TO PROPERTY TAXES; PROVIDING FOR THE SUBMISSION PURSUANT TO RCW 84.55.050 TO THE QUALIFIED VOTERS OF THE CITY ON THE GENERAL ELECTION DATE TO BE HELD THEREIN ON NOVEMBER 2, 2004, OF A PROPOSITION AUTHORIZING THE CITY TO LEVY REGULAR PROPERTY TAXES IN EXCESS OF THE LIMITATIONS OF CH. 84.55 RCW FOR A PERIOD OF SIX YEARS, BEGINNING IN 2005, TO FUND A NEW CITY EMERGENCY MEDICAL SERVICES PROGRAM ENTITLED BELLINGHAM MEDIC ONE; SETTING FORTH THE BALLOT PROPOSITION DESCRIBING THE PROPOSED MAXIMUM LEVY RATE, A LIMIT FACTOR, AND SPECIFYING THAT THE MAXIMUM ALLOWABLE DOLLAR AMOUNT OF THE FINAL ANNUAL LEVY SHALL BE USED TO COMPUTE THE CH. 84.55 RCW LEVY INCREASE LIMITATIONS IN SUBSEQUENT YEARS; AND PROVIDING FOR OTHER PROPERLY RELATED MATTERS.

WHEREAS, in order to assure the provision of emergency medical services to residents of the City of Bellingham (the "City") after the expiration of the Joint Powers Agreement for emergency medical services between the City and the County (the "County Medic One Agreement"), it is both necessary and appropriate that the City increase in the regular property tax levy rate of the City to provide a dedicated source of revenue to pay for the costs of taking on the new responsibility as the sole provider of emergency medical services and transport to city residents; and

WHEREAS, under RCW 84.55.050, the question of whether the City may collect such a levy in excess of the limitations of ch. 84.55 RCW must be submitted to the qualified voters of the City for ratification or rejection;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: Findings and Purpose. The City Council finds and declares:

1.1 The residents of the City currently receive emergency medical services through Whatcom Medic One, which provides such services throughout Whatcom County under a Joint Powers Agreement between the City and the County (the "County Medic One Agreement"), whereby the City and County contribute equally to the costs of the County Medic One system.

1.2 The County Medic One Agreement expires by its own terms on December 31, 2006 and, upon its expiration, the City will become solely responsible for providing emergency medical services within its boundaries.

1.3 Emergency medical services and transport are essential to the people of the City of Bellingham. In response to the expiration of the County Medic One Agreement, the City intends to create a new system to provide emergency medical services to City residents that will be owned, funded, and operated solely by the City, will be operated by a newly licensed provider (the Bellingham Fire Department) with a new billing and operational structure, and will base its operational response procedure upon a triage process to properly deploy the appropriate level of emergency medical service resources to the appropriate call.

1.4 The new City Emergency Medical Services program (entitled "Bellingham Medic One") will require a dedicated and stable funding base that can keep pace with forecasted increasing demand for services and increasing costs of providing a high quality emergency medical services program with paramedic staffing and adequate response times at a time when available sources of revenue for these services have been reduced by recent changes in federal Medicare reimbursement and state law.

1.5 If this levy is approved, the City intends to use the funds raised in 2005 and 2006 to transition from the County Medic One program, which is jointly funded by the City and County, to the new Bellingham Medic One program, which is solely funded by the City, during the interim period until the County Medic One Agreement terminates, including transitional changes to the system's operational and administrative procedures, and to operate the new Bellingham Medic One program during the transition process. The funds raised in 2007 through 2010 will be used for the operation of the new Bellingham Medic One program.

1.6 The funds raised by this levy in excess of the amounts the City would otherwise be allowed to collect under limitations of ch. 84.55 RCW shall be used solely for the new Bellingham Medic One program, including all related administrative, transition, implementation, and operational costs, and, as this is a new program, shall not supplant any existing funds used for this purpose.

1.7 It is in the best interest of the City that its voters have an opportunity to vote on the question of whether to authorize an increase in the City's regular property tax levy rate to commence the year 2005 to provide a stable and dedicated funding source to support the new Bellingham Medic One program.

Section 2: Levy of Regular Property Taxes Submitted to Voters.

(2.1) This proposition seeks voter approval pursuant to RCW 84.55.050 to impose the City's regular property tax levy in excess of the limits of ch. 84.55 RCW to fund the new City of Bellingham Medic One program. If this proposition is approved, the City Council will be authorized to impose its regular property tax in an amount estimated not to exceed a maximum rate for collection in 2005 of \$3.27/\$1,000 plus any additional increases that may be authorized by law, which includes \$0.35/\$1,000 of new funds raised under this authorization for the new Bellingham Medic One program. This estimated maximum rate is based upon the 2004 rate, which may change depending upon variables, such as the computation of the assessed value, that are presently unknown. For collection in the years 2006 through 2010, the maximum allowable regular tax levy for the City shall be computed by using the Limit Factor, as defined in subsection (2.2) of this ordinance, as the limit factor in accordance with RCW 84.55.050(3)(b). The maximum allowable dollar amount of the levy in 2010 shall be used to compute the limitations provided for in Ch. 84.55 RCW on levy increases occurring thereafter.

(2.2) "Limit Factor" shall mean, for any twelve preceding month period ending on July 31 ("Period"), the change in that Period's annual average Consumer Price Index (CPI), medical care group (1982-84=100), compiled by the Bureau of Labor Statistics, United States Department of Labor -- as compared to the previous Period.

Section 3: Declaration of Emergency and Submission to County. The City Council hereby finds that an emergency exists requiring the submission to the qualified electors of the City at the November 2, 2004 general election a proposition as authorized by RCW 84.55.050 to exceed the limitations on regular property taxes contained in ch. 84.55 RCW as it now exists or may hereafter be amended.

The City therefore requests the Auditor of Whatcom County, as Supervisor of Elections in Whatcom County (the "Auditor"), to submit to the qualified electors of the City for their approval or rejection at the general election held on November 2, 2004 a proposition authorizing the City to impose the City's regular property tax levy in excess of the limits of ch. 84.55 RCW as described in Section 2 of this ordinance.

Upon the approval by a majority of the voters of the proposition set forth below, the City may levy its regular property tax in excess of any limitations provided in ch. 84.55 RCW, as it now exists or may hereafter be amended, as described in Section 2 of this ordinance.

Section 4: Ballot Proposition. The Finance Director is authorized and directed to certify to the Auditor, at least 45 days prior to the November 2, 2004 election date, a copy of this ordinance and the proposition, prepared by the City Attorney in accordance with RCW 29A.36.071, to be submitted at the election in the following form:

CITY OF BELLINGHAM, WASHINGTON
Proposition ____

LEVY FOR NEW BELLINGHAM MEDIC ONE PROGRAM

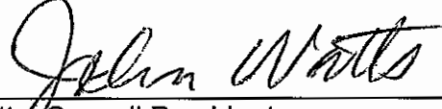
The City Council of the City of Bellingham, Washington adopted Ordinance No. ²⁰⁰⁴⁻⁰⁹⁻⁰⁶¹ concerning regular property taxes for emergency medical services in the City. If approved, this proposition would authorize regular property taxes of \$0.35/\$1,000 of assessed value in 2005 (for an estimated total 2005 regular levy rate of \$3.27/\$1,000) and set the "limit factor" for 2006-2010 maximum levies at the Consumer Price Index for medical care. The 2010 levy would be used to compute future levy limits under ch. 84.55 RCW. Additional revenues in excess of the RCW 84.55.010 limits would be dedicated solely for the new Bellingham Medic One program. Should this proposition be approved?

____ Yes
____ No

Section 5. Additional Authorization and Ratification. The proper City officials are authorized to perform such other duties as are necessary or required by law to the end that the question of whether or not to authorize the City of Bellingham to levy its regular property tax in excess of the limitations provided in Chapter 84.55

RCW, as it now exists or may hereafter be amended, shall be submitted to the voters of the city at the aforesaid general election.

PASSED by the Council this 13th day of September, 2004.



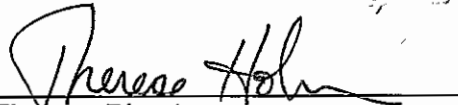
John Watts, Council President

APPROVED by me this 16th day of Sept, 2004.



Mark Asmundson, Mayor

ATTEST:


Finance Director

APPROVED AS TO FORM:


Office of the City Attorney

Published: 9/17/04