

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LYNNWOOD PROVIDING FOR THE SUBMISSION OF A PROPOSITION TO THE QUALIFIED VOTERS OF THE CITY OF LYNNWOOD AT THE SEPTEMBER 2006 PRIMARY ELECTION FOR THEIR APPROVAL OR REJECTION, THAT WOULD PERMIT THE CITY TO LEVY THE PREVIOUSLY AUTHORIZED EMERGENCY SERVICES PROPERTY TAX LEVY RATE OF \$0.50 PER \$1000 ASSESSED VALUE FOR COLLECTION IN 2007 THROUGH 2012 AS PERMITTED BY LAW; SETTING FORTH THE BALLOT PROPOSITION; AND DIRECTING THE CITY FINANCE DIRECTOR TO CERTIFY TO THE COUNTY AUDITOR A CERTIFIED COPY OF THIS ORDINANCE.**

WHEREAS, in RCW 84.52.069, the Washington State Legislature authorized cities to impose an additional property tax levy of up to \$.50 per One Thousand Dollars of assessed valuation to provide emergency medical care and emergency medical services in each year for ten consecutive years; and

WHEREAS, in accordance with RCW 84.52.069, in November 2001, voters approved a ten year Emergency Medical Services tax levy of up to \$.50 per One Thousand Dollars assessed valuation to provide emergency medical care and emergency medical services, to apply in the years 2002 through 2012; and

WHEREAS, the City of Lynnwood, Washington maintains a full-time fire department which provides emergency medical services that includes paramedic response and transport services; and

WHEREAS, assuring a constant source of funds to provide such emergency medical care and services will ensure continuous provision of emergency medical care and services and thus be in the best interest of the public health, safety and general welfare; and

WHEREAS, the level of funding needed to adequately provide emergency medical care and services to the citizens of the City of Lynnwood for each of the years 2007 through 2012 cannot be precisely determined due to the changing economic needs and demands of the City; and

WHEREAS, as a result of the passage of Initiative 747 ("I-747"), which limits property tax revenue increases to 1 percent per year (excluding new construction), the City of Lynnwood now collects only as much revenue as it would have if the EMS Levy rate for 2006 were approximately \$0.36 per \$1,000

of current assessed value, notwithstanding the voter's previous approval of the full \$0.50 per \$1000 of assessed value levy; and

WHEREAS, the City of Lynnwood may, pursuant to RCW 84.55.050, ask the citizens for permission to increase the dollar amount of regular property taxes above the one percent limit that would otherwise apply, subject to the voter-approved maximum EMS levy rate of \$0.50 per \$1,000 of assessed value, by means of a "lid lift"; and

WHEREAS, the Lynnwood City Council has determined that it is in the best interests of the City to conduct an election on the issue of whether the dollar amount of regular property taxes should be increased above the one percent limit that would otherwise apply, to restore the voter-approved maximum EMS levy rate of \$0.50 per \$1,000 of assessed value for the years 2007 through 2012; now, therefore

**THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON,  
DOES ORDAIN AS FOLLOWS:**

**Section 1.** The Lynnwood City Council finds and declares that an emergency exists, requiring the submission of a proposition to the qualified electorate of the City, at the September 19, 2006 election, for rejection or approval, of whether the City shall levy property taxes in the previously authorized rate of \$0.50 per One Thousand Dollars of assessed valuation, for the years 2007 through 2012, the proceeds thereof to be used to pay the costs of furnishing emergency medical care and emergency medical services, including related personnel costs, training for such personnel, and related equipment, supplies, vehicles, and structures needed for the provision of emergency medical care and emergency medical services. The Snohomish County Auditor, as the *ex officio* supervisor of elections, is requested to find the existence of such emergency and to call and conduct the election on September 19, 2006 pursuant to RCW 29A.04.330, as set forth in Section 2 below.

**Section 2.** The Snohomish County Auditor is hereby requested to call and conduct an election in the City of Lynnwood, Snohomish County, Washington, in the manner provided by law to be held therein on September 19, 2006, in conjunction with the primary election to be held on the same day and at the hours established by statute, for the purpose of submitting to the qualified electors of the City for their approval or rejection the question of whether or not to permit the City of Lynnwood to increase the property tax levy to the previously authorized rate of \$0.50 per One Thousand dollars of assessed valuation, commencing in 2007, with the amount of \$1,XXX,XXX to be collected in 2007, and to be assessed in each of the years 2007 through 2012 and to be collected in the years 2007 through 2012, the dollar amount of said subsequent levies to be determined by the amount of funds needed to adequately provide for emergency medical care and services, limited by RCW 84.52 and not to exceed

\$0.50 per One Thousand Dollars of the then current assessed valuation of all property in the City subject to taxation, said levies to be in addition to the regular tax levy provided by law for cities without the vote of the electors, the proceeds thereof to be used to pay the costs of furnishing emergency medical care and emergency medical services, including related personnel costs, training for such personnel, and related equipment, supplies, vehicles, and structures needed for the provision of emergency medical care and emergency medical services.

**Section 3.** The ballot title for the aforesaid proposition shall be as follows:

**Proposition 1**

The Lynnwood City Council adopted Ordinance No. \_\_\_\_ concerning an increase in the City's emergency medical services regular property tax levy. For the purpose of continuing to fund emergency medical care and emergency medical and paramedic services, this proposition would allow the City to increase its emergency medical service regular property tax levy to restore the levy to the previously authorized rate of \$0.50 per One Thousand dollars of assessed valuation within the City, for each of the years 2007 through 2012. The property tax levy authorized by this proposition would be subject to all limits imposed by law except the one percent levy limitation on annual increases in property tax revenues. Should this proposition be:

Approved                    ( )  
Rejected                    ( )

**Section 4.** Pursuant to RCW 84.55.050, if a simple majority of the qualified voters voting on the proposition vote for the approval and adoption thereof, the proposition shall be deemed approved and shall be adopted. Thereafter, the City Council shall have the necessary authority to levy, in the manner provided by law, a regular property tax emergency medical services levy in an amount of \$0.50 per \$1,000 in assessed value for collection in each of the years 2007 through 2012 as permitted by law. If less than a majority of the qualified voters approve the proposition, then it shall be deemed rejected by the qualified voters, and the City Council shall not increase the EMS levy above the levy limits set forth in RCW 84.55. The City's authority to levy the existing, and previously approved, EMS levy shall in no way be affected by either the approval or rejection of the proposition.

**Section 5.** The proposition, if approved, shall authorize the City Council to increase the EMS levy over and above the levy limits imposed on regular property tax levies under Chapter 84.55 RCW to a rate of \$0.50 per \$1000 of assessed valuation, for each of the years 2007 through 2012.

**Section 6.** The Finance Director is hereby authorized and directed to furnish to the Snohomish County Auditor a certified copy of this Ordinance on or before August 4, 2006.

**Section 7.** If any section, subsection, sentence, clause, phrase, or word of this Ordinance should be held to be invalid or unconstitutional or inapplicable by a court of competent jurisdiction, such invalidity or unconstitutionality or inapplicability thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this Ordinance.

**Section 8.** This Ordinance shall be in full force and effective five (5) days after passage and publication as provided by law. Publication shall be by summary publication of the Ordinance Title.

PASSED BY THE CITY COUNCIL this \_\_\_\_\_ day of July, 2006.

APPROVED:

\_\_\_\_\_  
DON GOUGH, MAYOR

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
DIRECTOR ADMINISTRATIVE SERVICES,  
PATRICK DUGAN

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

On the \_\_\_\_ day of \_\_\_\_\_, 2006, the City Council of the City of Lynnwood, Washington, passed Ordinance No. \_\_\_\_\_. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, PROVIDING FOR THE SUBMISSION OF A PROPOSITION TO THE QUALIFIED VOTERS OF THE CITY OF LYNNWOOD AT THE SEPTEMBER 2006 PRIMARY ELECTION FOR THEIR APPROVAL OR REJECTION, THAT WOULD PERMIT THE CITY TO LEVY THE PREVIOUSLY AUTHORIZED EMERGENCY SERVICES PROPERTY TAX LEVY RATE OF \$0.50 PER \$1000 ASSESSED VALUE FOR COLLECTION IN 2007 THROUGH 2012 AS PERMITTED BY LAW; SETTING FORTH THE BALLOT PROPOSITION; AND DIRECTING THE CITY FINANCE DIRECTOR TO CERTIFY TO THE COUNTY AUDITOR A CERTIFIED COPY OF THIS ORDINANCE.

The full text of this Ordinance will be mailed upon request.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

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PATRICK DUGAN, DIRECTOR  
ADMINISTRATIVE SERVICES