

CITY OF OLYMPIA, WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of Olympia, Washington, relating to regular property taxes; providing for the submission to the qualified electors of the city at a special election to be held on August 17, 2010, of a proposition authorizing the City to levy regular property taxes in excess of the limitations of Ch. 84.55 RCW; and setting forth the text of the ballot proposition.

WHEREAS, the City Council of the City of Olympia, Washington (the "City") has determined that it is in the interest of the City to hire additional fire personnel to staff the new fire station and to provide other fire and emergency management safety functions; and

WHEREAS, RCW 84.55.050 provides for the levy of regular property taxes in an amount exceeding the limitations specified in chapter 84.55 RCW if such increased levy is authorized by a ballot proposition approved by a majority of the voters at an election held within the taxing district (a "levy lid lift"); and

WHEREAS, the City Council has determined that it is in the best interest of the City and its residents to submit a levy lid lift proposition under RCW 84.55.050(1) to the voters for their approval or rejection;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Calling of Election. The City Council finds that it is in the best interests of the City to submit to the qualified voters of the City, at the primary election to be held on August 17, 2010, a proposition authorizing the City to increase its regular property tax levy for collection in 2011 by an amount greater than otherwise permitted under chapter 84.55 RCW for the purposes described in Section 2(a). If this proposition is approved, the City Council will be authorized to adopt, in accordance with its regular budget process, an increased regular property tax as described in Section 2.

Section 2. Purpose and Description of Ballot Proposition (the "Proposition"). For the purposes identified below, the City Council seeks voter approval under RCW 84.55.050 for a levy lid lift, as follows:

(a) Purpose. The amounts collected pursuant to the increase authorized by the Proposition shall be used to pay for fire safety and emergency management operations and improvements.

(b) Increase Authorized in 2010. The Proposition authorizes a maximum increase in the City's total levy rate to the maximum rate otherwise allowed for collection in 2011 under chapter 84.55 RCW plus not to exceed \$0.25 per \$1,000 of assessed value. The total regular property tax rate produced is estimated to be approximately \$2.218 per \$1,000 of assessed value, based on estimated 2010 assessed values.

(c) Increase Authorized in Future Years. Pursuant to RCW 84.55.050(4), the dollar amount of the maximum authorized levy under chapter 84.55 RCW for collection in 2011 shall be used for the purpose of computing the limitations for subsequent levies provided for under chapter 84.55 RCW, and such funds shall be limited to the purposes described in Section 2(a), above.

Section 3. Ballot Proposition. The Auditor of Thurston County, Washington (the "Auditor"), as *ex officio* supervisor of elections, is hereby requested to call and conduct an election in the City, in the manner provided by law, to be held on the date identified in Section 2, for the purpose of submitting to the voters of the City, a proposition in substantially the following form:

CITY OF OLYMPIA
PROPOSITION NO. 1

Levy for Fire Safety and Emergency Management Purposes

The City Council of the City of Olympia adopted Ordinance No. _____ concerning property taxes for fire safety and emergency management purposes. To finance fire safety and emergency management operations and improvements, this proposition would increase the City's regular property tax levy to a total authorized rate of not to exceed \$2.218 per \$1,000 (an estimated increase of \$0.25 per \$1,000 over the current levy) of assessed valuation for collection beginning 2011 and to use the 2011 levy amount to recalculate subsequent levy limits. Should this proposition be:

Approved? Rejected?

Section 4. Notices Relating to Ballot Proposition. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates (1) the Administrative Services Director and (2) special counsel to the City, Foster Pepper PLLC (Nancy Neraas, 206-447-4400, neran@foster.com) as the individuals to whom such notice should be provided.

Section 5. Authorization to Deliver Ordinance and Perform Other Necessary Duties. The City Clerk is authorized and directed, no later than May 25, 2010, to certify a copy of this ordinance to the Auditor and to perform such other duties as are necessary or required by law to the end that the Proposition described herein should appear on the ballot at the special election identified in Section 2 of this ordinance.

Section 6. Severability. The recitals stated above (i.e., the “Whereas” clauses) constitute specific findings by the City Council in support of passage of this ordinance. If any provision of this ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this ordinance, and shall in no way affect the validity of the other provisions of this ordinance or of any other ordinance or resolution, or of the levy or collection of the taxes authorized herein.

Section 7. Publication and Effective Date. This ordinance shall take effect and be in force five days after publication as provided by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Olympia at a regular open public meeting thereof this _____ day of _____, 2010.

CITY OF OLYMPIA

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney
(Prepared by Bond Counsel)

