

CITY OF SULTAN, WASHINGTON

ORDINANCE NO. 935-06

AN ORDINANCE of the City of Sultan, Washington, providing for the submission to the voters of the City at a special election to be held therein on November 7, 2006, in conjunction with the State general election to be held on the same date, of a proposition authorizing a one-year tax levy to be made in 2006 for collection in 2007 on all of the taxable property within the City of \$385,000, the estimated dollar rate of tax levy required to produce such an amount being \$.98584 (98.58 cents) per \$1,000 of assessed value (such assessed value representing 100% of true and fair value unless specifically provided otherwise by law), in excess of the maximum tax levy provided by law for cities without voter approval, for the City's General Fund, the proceeds of such levy to be used to hire an additional police officer and to pay for police equipment and vehicles making other funds available to maintain acceptable levels of service (as deemed necessary by the City Council); and designating the City Attorney to receive notice of the ballot title from the Snohomish County Auditor.

THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN, as follows:

Section 1. Findings and Determinations. The City Council (the "Council") of the City of Sultan, Washington (the "City") hereby makes the following findings and determinations:

1.1 In the judgment of the Council, it is essential and necessary for the public health, life and property that the City provide the highest level of governmental services that can be funded through the City's available tax resources.

1.2 The Council has determined that the money which will be available for the City's General Fund in the 2007 will be insufficient to permit the City to hire a new police officer and to supply and replace police equipment and vehicles and will therefore impair funds required to maintain the acceptable levels of governmental services, and that it is necessary that a one-year excess tax levy of \$385,000 be made in 2006 for collection in 2007 for the City's General Fund to provide funds required to meet those expenses to hire a new police officer and to supply and replace equipment and vehicles.

1.3 The City is authorized by Article VII, Section 2(a) of the Washington Constitution and RCW 84.52.052, to submit a ballot proposition to the City's voters regarding the question of whether or not the City should levy and collect such excess taxes.

Section 2. Calling of Special Election. It is found and declared by the Council that an emergency exists requiring the calling of a special election and the Auditor of Snohomish County, Washington, as *ex officio* Supervisor of Elections (the "Auditor"), is requested to find and declare the existence of an emergency. The Auditor further is requested to call and conduct a Special Election in the City, in the manner provided by law, to be held therein on November 7, 2006, in conjunction with the State general election to be held on the same date, for the purpose of submitting to the voters of the City, for their approval or rejection, a proposition of whether or not a one-year excess tax levy shall be made in 2006 for collection in 2007 on all of the taxable property within the City in the amount of \$385,000, the estimated dollar rate of tax levy required to produce such amount being \$.98584 (98.58 cents) per \$1,000 of assessed value (such assessed value representing 100% of true and fair value unless specifically provided otherwise by law), in excess of the maximum tax levy provided by law for cities without voter approval.

The exact tax levy rate may be adjusted based upon the actual assessed value of the taxable property within the City at the time of the levy.

If such proposition is approved by the requisite number of voters, the City will be authorized to levy excess property taxes for the City's General Fund and use the proceeds of such levies to hire a new police officer and to supply and replace police equipment and vehicles thereby freeing other funds to maintain acceptable levels of governmental services and pay part of the expenses of operation and maintenance (including law enforcement and other property operation and maintenance expenses and deemed necessary by the Council) thereof during 2007. Pending receipt of those taxes, the City may issue short-term obligations pursuant to chapter 39.50 RCW. The one-year General Fund excess tax levy authorized in this ordinance shall be in addition to, and not in lieu of, the City's other legally authorized tax levies.

Section 3. Ballot Proposition. Pursuant to chapter 29A.36 RCW (formerly RCW 29.27.066), the City Attorney is requested to prepare the ballot title and its concise statement in substantially the following form:

PROPOSITION 1

CITY OF SULTAN

One-Year Excess Levy For Supply and replacement of Police Equipment and Vehicles

The City Council of the City of Sultan, Washington, adopted Ordinance No. ____ concerning a proposition to finance the supply and replacement of police equipment and vehicles. This proposition would authorize the City to levy excess property taxes at the estimated levy rate of \$.98584 (98.58 cents) per \$1,000 of assessed value on all taxable property within the City for collection in 2007 to provide a total of \$385,000 for paying for the hiring of a police officer and the supply and replacement of police equipment and vehicles (as deemed necessary by the City Council), all as provided in Ordinance No. 936-06. Should this proposition be approved?

LEVY YES
LEVY NO

Section 4. Submission to County Auditor. The City Clerk or her designee is directed (a) to present a certified copy of this ordinance to the Auditor at least 45 days prior to the date of such special election; and (b) perform such other duties as are necessary or required by law to the end that the question of whether or not such excess tax levy shall be made as herein provided for shall be submitted to the City's voters at the aforesaid special election.

Section 5. Notice of Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080 (formerly RCW 29.27.065), the Council hereby designates the City Attorney as the individual to whom the Auditor shall provide such notice.

Section 6. Severability. If any provision of this ordinance shall be 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.

Section 7. Effective Date of Ordinance. This ordinance shall take effect and be in force from and after its passage and five (5) days following its publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Sultan, Washington, at a regular open public meeting thereof, held this ____ day of _____, 2006.

CITY OF SULTAN

By _____
BEN TOLSON, Mayor

ATTEST:

By _____
LAURA KOENIG, City Clerk

Approved as to form:

By _____
THOM H. GRAAFSTRA, City Attorney

Date of Publication: _____

PROPOSITION NO. 1

BALLOT ISSUE EXPLANATORY STATEMENT

If approved by the voters, the proposition will authorize the City to levy excess real property taxes to raise \$385,000 at an estimated levy rate of \$.98584 (98.58 cents) per thousand dollars of assessed value over and above the City's current regular and real property tax levy. The City's current regular tax levy is \$1.82 per thousand dollars of assessed value. In addition, the City currently imposes an excess levy for radio equipment of \$.10 per \$1,000 dollars of assessed value.

The special levy will be for one year and will be made in 2006 for payment in 2007.

The City Council has found that a special tax levy and the revenues it will produce are necessary to maintain current levels of law enforcement in the City, the proceeds of such levy to be used to hire an additional police officer and to pay for police equipment and vehicles making other funds available to maintain acceptable levels of service.

If the levy is approved the tax increase on a \$168,900 assessed valuation residence (the average assessed value for a residence in Sultan) is estimated to be \$166.51 for the year or approximately \$13.88 per month for purchase of equipment and police vehicles.

Prepared by

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