

ORDINANCE NO. 476

AN ORDINANCE PROVIDING FOR SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AT AN ELECTION TO BE HELD ON NOVEMBER 7 2006, FOR THEIR RATIFICATION OR REJECTION, PROVIDING FOR AUTHORITY TO INCREASE THE REGULAR PROPERTY TAX ABOVE THE LEVY LIMITS PROVIDED IN CH. 84.55 RCW, SO THAT THE TOTAL REGULAR LEVY FOR COLLECTION IN 2007 DOES NOT EXCEED \$1.60 PER \$1000 OF ASSESSED VALUE, FOR THE PURPOSE OF PROVIDING FUNDS FOR CONSTRUCTING AND MAINTAINING CAPITAL IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO SIDEWALKS, STREETLIGHTS, AND ACQUISITION OF PROPERTY FOR CONSERVATION AND DEVELOPMENT OF PARKS AND TRAILS; SETTING FORTH THE BALLOT PROPOSITION; DIRECTING THE CITY CLERK TO CERTIFY TO THE COUNTY AUDITOR A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Over the past nine years, the City has invested more than \$50 million, or \$5.5 million a year, in capital improvements such as streets, sidewalks, street lighting, parks, storm drainage and others; and

WHEREAS, With the substantial reduction in State funding following the passage of recent initiatives, annual capital expenditures will reduce to \$700,000 in 2006 and to \$250,000 a year beginning in 2007; and

WHEREAS, The City has identified over \$200 million in potential improvements, plus associated maintenance and operation costs totaling over \$2.5 million annually, if all of these capital initiatives were implemented; and

WHEREAS, On July 11, 2005, the City Council adopted a resolution creating a citizen advisory body, the Capital Strategy Advisory Task Force, representing a wide range of community stakeholders, to advise the Council on the development of a comprehensive capital needs assessment to include a prioritization of those needs and the identification of viable funding alternatives; and

WHEREAS, The Task Force issued its recommendation in April 2006 and its recommendation centered on new sidewalks and street lights to deal with safety concerns, particularly in the residential neighborhoods, and targeted land purchases for conservation and the development of new parks and trails; and

WHEREAS, Central to the Task Force's final recommendation was the conclusion, based on responses to a statistically accurate community survey, that any tax increase used to pay for new infrastructure improvements should be limited to an amount less than \$200 per year for an average home in U.P; 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 proposition approved by a majority of the voters at a special election called for such purpose (a "levy lid lift"); and

WHEREAS, the City Council of the City of University Place (the "City") has determined that it is necessary and in the best interests of the City to propose a levy lid lift for the purpose of providing funds for construction and maintenance of capital improvements, including but not limited to sidewalks, streetlights, and acquisition of property for conservation and development of parks and trails; and

WHEREAS, the City Council intends to seek voter approval pursuant to this Ordinance for a levy lid lift of the regular property tax levy up to \$1.60 per \$1,000 for collection in 2007, to provide additional funding for the purposes described above.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Levy Lid Lift Election; Purpose. It is hereby found and declared that an emergency exists requiring submission to qualified electors of the City at an election to be held on November 7, 2006, a proposition which authorizes the City to impose regular property taxes for collection in 2007 in an amount greater than otherwise permitted under chapter 84.55 RCW and not to exceed a rate of \$1.60 per \$1,000 assessed value, representing an increase of approximately \$0.243 over the 2006 levy rate. The purpose of the levy lid lift is to fund the construction and maintenance of capital improvements, including but not limited to sidewalks, streetlights, and the purchase, conservation, development and maintenance of parks and trails, and other construction and maintenance of capital improvements. The voter-approved levy would be used to compute the levy lid on future levies. The Pierce County Auditor as ex officio supervisor of elections is hereby requested to find the existence of such emergency and to call and conduct said election within the City and to submit to the qualified electors of the City the proposition set forth in this ordinance.

Section 2. Ballot Title. The City Clerk, or her designee, is hereby authorized and directed, not less than 45 days prior to such election date, 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 University Place to levy its regular property tax in an amount greater than otherwise permitted under Chapter 84.55 RCW, and to certify the proposition to the Pierce County Auditor in the following form prepared by the City Attorney pursuant to RCW 29A.36.071:

PROPOSITION 1

LEVY LID LIFT FOR
CONSTRUCTION AND MAINTENANCE OF CAPITAL
IMPROVEMENTS

The City Council of the City of University Place passed Ordinance No. _____ concerning voter approval of a levy lid lift for capital improvements. If approved, this proposition would provide funds for constructing and maintaining capital improvements (such as sidewalks, streetlights, and the purchase, conservation and development of new parks and trails). If approved, this proposition would authorize a maximum City regular property tax levy of \$1.60/\$1,000 assessed value for collection in 2007 (about 24.3¢ above the 2006 rate), all as provided in the ordinance. The 2007 levy would be used to compute the levy lid on future levies.

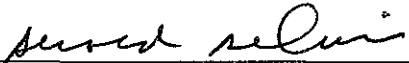
Should this proposition be approved?

YES ☐
NO ☐

Section 5. Severability. If any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance. This ordinance shall be construed and enforced as if such invalid provision had not been contained in this ordinance. Any provision which may be held, by reason of its extent, to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 6. Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the city. This ordinance shall be effective five days after its passage and publication as provided by law.

PASSED BY THE CITY COUNCIL ON AUGUST 7, 2006



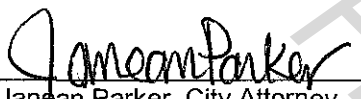
Gerald Gehring, Mayor

ATTEST:



Debora Nicholas, Assistant City Clerk

APPROVED AS TO FORM:



Janean Parker, City Attorney

Publication Date: 08/09/06

Effective Date: 08/14/06

CERTIFICATE

I, the undersigned, City Clerk of the City of University Place, Washington (the "City"), and keeper of the records of the City Council (the "Council"), DO HEREBY CERTIFY:

1. That the attached ordinance is a true and correct copy of Ordinance No. 476 of the City (the "Ordinance"), duly passed at a regular meeting of the Council held on the 7 day of 8/2006.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of said Ordinance; that all other requirements and proceedings incident to the proper passage of said Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this

8/23/06


Sarah Ortiz, CMC, City Clerk



City of University Place Proposition No. 1

BALLOT TITLE

PROPOSITION 1

LEVY LID LIFT FOR CAPITAL IMPROVEMENTS

The City Council of the City of University Place passed Ordinance No. 476 concerning voter approval of a levy lid lift for capital improvements. If approved, this proposition would provide funds for constructing and maintaining capital improvements (such as sidewalks, streetlights, and purchase, conservation, and development of parks and trails). If approved, this proposition would authorize a maximum City regular property tax levy of \$1.60/\$1,000 assessed value for collection in 2007 (about 24.3¢ above the 2006 rate), all as provided in the ordinance. The 2007 levy would be used to compute the levy lid on future levies.

Should this proposition be approved?

YES

NO

Explanatory Statement

Proposition No. 1 would provide funding for construction and maintenance of capital improvements, including but not limited to sidewalks, streetlights, and for the purchase, conservation and development and maintenance of parks and trails. The "levy lid" (ch. 84.55 RCW) limits annual property taxes to 101% of the City's previous highest levy amount, plus certain adjustments (e.g., new construction), unless voters approve a proposition for a greater increase. This proposition would authorize an increase of about \$0.243/\$1,000 over the 2006 levy rate, which was \$1.357/\$1,000 assessed value. If approved, the levy rate for collection in 2007 would be no greater than \$1.60/\$1,000 assessed value. The estimate of \$1.60/\$1,000 is based on 2006 assessed values. The 2007 levy would be used to compute the levy lid on future property tax levies.

Statement for

Statement against

Rebuttal of statement against

Rebuttal of statement for

UNOFFICIAL DOCUMENT