

CITY OF BOTHELL, WASHINGTON
ORDINANCE NO. 2253-(2018)

AN ORDINANCE of the City of Bothell, Washington, relating to regular property taxes; providing for the submission to the qualified electors of the City at a special election to be held in conjunction with the state general election on November 6, 2018, of a proposition authorizing the City to increase its regular property tax levy in excess of the limitations of chapter 84.55 RCW for the public safety purposes set forth herein; setting forth the text of the ballot proposition; directing proper City officials to take necessary actions; and providing for other properly related matters.

WHEREAS, the City Council previously directed staff to research and engage in community outreach and discussion to make recommendations on public safety services and levels of service desired by and needed for City residents; and

WHEREAS, based on this community engagement process, Council has determined that the City is in need of ongoing funding to provide for increased levels of public safety services to its residents, including police and traffic patrol officers to improve response and improve officer safety, to create a proactive policing unit including mental health professionals and other support staff, to allow additional traffic enforcement, and to support additional fire and EMS response resources; and

WHEREAS, the City does not have sufficient funds available in its current budgeted resources or from other available sources to meet these needs on an ongoing basis into the foreseeable future; and

WHEREAS, if the City Council has determined that it is advisable to submit to the voters a proposition for the increase of the City's regular property taxes by an amount greater than otherwise permitted under state law (a "levy lid lift"), as further described in this ordinance; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DO ORDAIN, as follows:

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

1.1 **Intent.** The City Council intends to place before the voters two related propositions:

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- (a) *Public Safety Levy Lid Lift.* Proposition 1, submitted pursuant to this ordinance, is a levy lid lift that would authorize collection of increased regular property taxes to improve and enhance various public safety resources, as described in this ordinance. It would be a multi-year lid lift, providing an additional approximately \$4.85 million in 2019 dedicated to these public safety purposes, and permitting increases in the next five years equal to inflation (measured by the consumer price index (CPI-W), as more specifically identified in Section 2.3 below). After twelve years, the City would be required to review and ask the voters to renew their approval of this public safety funding. The estimated levy increase in 2019 would be approximately \$220 on a \$500,000 home.
- (b) *Fire Station Construction Levy.* Proposition 2, authorized pursuant to Ordinance YY, would authorize the City to issue no more than \$35.5 million of general obligation bonds to construct, reconstruct, renovate, and equip two fire stations and make related capital improvements. The intention is to replace Fire Stations 42 and 45. The principal of and interest on the Bonds would be repaid through the collection of an excess property tax levy, which would replace a levy that residents previously paid for construction of the public safety building. Depending on interest rates and timing of the bond issuance, the estimated levy amount is anticipated to be approximately \$130 per year on a \$500,000 home.

1.2 Purpose. The City Council has determined that it is essential and necessary for the public health, safety and welfare to provide a stable and reliable funding source for increased levels of public safety services to its residents. Proposed costs include the costs of recruiting, hiring, training and equipping and employing of additional fire, police and traffic officers, mental health professionals and other staff (school outreach and safety officers, community engagement coordinators, additional evidence and software technicians, probation officers, and public safety application analysts) and related public safety expenses;

1.3 Submission to Voters. The City Council has determined that the revenues that will be available to the City in the coming years will be insufficient to provide the increased levels of public safety services that residents desire and has therefore determined that it is in the best interests of the City and its residents to submit to the qualified voters of the City, at a special election to be held in conjunction with the state general election on November 6, 2018, a levy lid lift ballot proposition, as set forth in this ordinance.

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

2.1 Purpose. The amounts collected pursuant to the increase authorized shall be used solely for public safety purposes, which may include but are not limited to

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personnel and related costs of recruiting, hiring, training and equipping and employing additional firefighters, police and traffic patrol officers, school outreach and safety officers, community engagement coordinators, mental health professionals, additional evidence and software technicians, probation officers, and public safety application analysts, and to pay other related public safety expenses including increased costs related to improved public safety facilities. To the extent that the provisions of RCW 84.55.050(2)(b) applies to any portion of the increased revenues received as a result of this measure, the City shall ensure that such funds will not supplant existing funds used for these purposes as those terms are defined in RCW 84.55.050(2)(b).

2.2 Maximum Levy Rate for 2019. The proposition would authorize a maximum regular levy rate to be levied in 2018 for collection in 2019 of not to exceed \$1.96/\$1,000 of assessed value. This maximum levy rate includes the non-voted general expense portion of the levy and a previously voter-approved levy lid lift. The estimated amount to be produced by this increase is approximately \$4.85 million in 2019 and the estimated increase to the City regular levy portion of the taxes paid by the owner of a \$500,000 home is approximately \$220 in 2019.

2.3 Limit Factor. The limit factor used to compute the City's maximum allowable regular tax levy under chapter 84.55 RCW (the "Levy Lid") for collection in each of the following five years (collection years 2020 through 2024) shall be equal to inflation, as measured by the annual increase (measured from June to June) in the Seattle-Bellevue-Tacoma Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), as compiled by the U.S. Bureau of Labor Statistics.

2.4 Duration. The dollar amount of the maximum allowable levy for collection in 2024 shall be carried forward and used as the base for the purpose of computing the limitations on subsequent levies through collection year 2030 under the Levy Lid.

Section 3. Calling of Election. The City requests that the Director of Records and Elections of King County and the Snohomish County Auditor (together, the "Elections Officers") call and conduct a special election in the City, in the manner provided by law, to be held therein on November 6, 2018, 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 levy lid lift proposition under RCW 84.55.050(2), as described in this ordinance.

If this proposition is approved, the City Council will be authorized to increase, in accordance with its regular annual budget and levy process, its regular property tax levy for collection in 2019 by an amount greater than otherwise permitted under chapter 84.55 RCW for the purposes described in Section 2, and to use the limit factor identified in Section 2 for the purpose of calculating the maximum lawful levy for collection years 2020 through and including 2024, and to carry forward this increased levy amount as the base for calculating subsequent levy increase limitations under chapter 84.55 RCW through and including the amounts levied for collection in 2030.

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Section 4. Ballot Proposition. The City Clerk is authorized and directed to certify, no later than August 7, 2018, to the Elections Officers, as *ex officio* supervisors of elections in the City, a copy of this ordinance and the proposition to be submitted at that election in the form of ballot title prepared pursuant to RCW 29A.36.071, as set forth in Exhibit A, which is attached and incorporated by this reference. For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the City hereby designates its City Attorney (Paul Byrne, 425-806-6220, paul.byrne@bothellwa.gov) and its Bond Counsel, Stradling Yocca Carlson & Rauth, PC (Alice Ostdiek, 206-829-3002, aostdiek@sycr.com), as the persons to whom such notice shall be provided.

Section 5. Authorization of Local Voters' Pamphlet. The City authorizes preparation and distribution of a local voters' pamphlet, including an explanatory statement and statements in favor of and in opposition to the ballot measure, if any. The preparation of explanatory statement, the appointment of pro/con committees and the preparation of statements in favor or and in opposition to the ballot title shall be in accordance with chapter 29A.32 RCW and the rules and guidelines of the Elections Officers.

Section 6. General Authorization; Ratification. The proper City officials are authorized to perform such duties as are necessary or required by law to the end that the levy lid lift proposition described in this ordinance, shall be submitted to the voters of the City at the November 6, 2018 election. Any action taken consistent with the authority and prior to the effective date of this ordinance is hereby ratified, approved and confirmed.

Section 7. 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 and shall in no way affect the validity of the other provisions of this ordinance, or of the levy or collection of the taxes authorized by this proposition.

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Section 8. Effective Date. This ordinance shall take effect and be in force from and after its passage and thirty days following its passage as required by law.

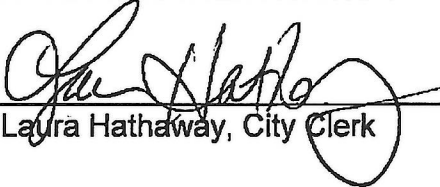
PASSED by the City Council and APPROVED by the Mayor of the City of Bothell, Washington, at a regular open public meeting thereof, this 19th day of June, 2018.

APPROVED:



Andy Rheäume, Mayor

ATTEST/AUTHENTICATED:



Laura Hathaway, City Clerk

APPROVED AS TO FORM:



Stradling Yocca Carlson & Rauth, PC,
Bond Counsel

FILED WITH THE CITY CLERK: 06/15/2018
PASSED BY THE CITY COUNCIL: 06/19/2018
PUBLISHED: 06/22/2018
EFFECTIVE DATE: 07/22/2018
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Exhibit A

**Proposition 1
Public Safety Levy Lid Lift**

The Bothell City Council passed Ordinance No. 2253-(2018) concerning increased regular levy funding for public safety purposes.

If approved, this proposition would increase public safety funding for additional fire and EMS, police officers, mental health professionals, support staff, and other public safety expenses. The maximum 2019 levy rate would be \$1.96/\$1,000 of assessed value (an estimated \$220 increase on a \$500,000 home). The limit factor on levy increases for the next five years would equal inflation, measured by CPI-W. The 2024 levy would be used to calculate levy limits under state law through 2030.

Should this proposition be approved?

- YES.....
- NO.....

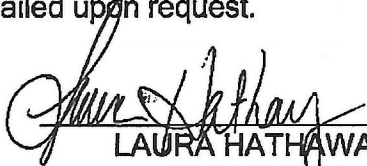
SUMMARY OF ORDINANCE NO. 2253 (2018)

City of Bothell, Washington

On the 19th day of June, 2018, the City Council of the City of Bothell passed Ordinance No. 2253 (2018). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, RELATING TO REGULAR PROPERTY TAXES; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE STATE GENERAL ELECTION ON NOVEMBER 6, 2018, OF A PROPOSITION AUTHORIZING THE CITY TO INCREASE ITS REGULAR PROPERTY TAX LEVY IN EXCESS OF THE LIMITATIONS OF CHAPTER 84.55 RCW FOR THE PUBLIC SAFETY PURPOSES SET FORTH HEREIN; SETTING FORTH THE TEXT OF THE BALLOT PROPOSITION; DIRECTING PROPER CITY OFFICIALS TO TAKE NECESSARY ACTIONS; AND PROVIDING FOR OTHER PROPERLY RELATED MATTERS.

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


LAURA HATHAWAY
CITY CLERK

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