

ORDINANCE NO. 06-1013

AN ORDINANCE of the City of SeaTac, Washington providing for the submission to the qualified voters of the City of SeaTac at an election to be held on September 19, 2006 of a proposition authorizing the City to increase its regular property tax levy annually for six consecutive years above the limit established in RCW 84.55.010 in order to provide funds for fire protection and emergency services, including increased fire department staffing, purchase of equipment and rebuilding existing fire stations, and setting forth the ballot proposition and directing the City Clerk to certify a copy of this ordinance to the King County Records & Elections Division. The proposition would approve a maximum regular property tax levy rate for 2007 of \$3.10/\$1,000 assessed valuation, authorize annual increases in the levy amount by four percent, thereby setting the limit factor at 104 percent for each of the five succeeding years, and increase the levy each year thereafter as allowed by Chapter 84.55 RCW.

WHEREAS, the City of SeaTac is a Code City, located in King County, Washington, duly organized and existing pursuant to the laws of the State of Washington, and

WHEREAS, the City Council authorized a seismic evaluation of all three City fire stations; and

WHEREAS, the seismic evaluation completed by MLA Engineering provided the opinion that all three City fire stations are not structurally sound, and are in danger of significant damage or collapse in the event of major earthquake; and

WHEREAS, the City Council has committed to replacing Fire Station 46 using existing reserve funds; and

WHEREAS, the City Council believes that in the near future, the two remaining fire stations will need to be rebuilt; and

WHEREAS, since 1996, due to budget shortfalls to the City of SeaTac General Fund, the SeaTac Fire Department has cut a Fire Marshal's and Public Educator's position, and

WHEREAS, the City of SeaTac has responded to an increase of 67% of calls for service since the inception of the department in 1991, due to a steady increase in 911 calls for service, and causing increased response times to our citizens while maintaining the same number of personnel on duty daily (10 firefighters on duty at any one time); and

WHEREAS, from 1996 to 2005, since staffing levels were cut, there has been little fire and life safety education, first aid and CPR education, disaster preparedness education, and emergency management planning and training for citizens, and

WHEREAS, an appropriate level of fire service is essential to the goal of keeping the City of SeaTac a safe and livable community, and

WHEREAS, the City previously staffed a ladder truck until 1996, when the ladder truck was taken out of service and declared surplus because the ladder truck failed the ladder truck certification test; and

WHEREAS, the ladder truck was not replaced due to lack of funding, and thus the City relies on mutual aid when a ladder truck is needed, significantly increasing response time; and

WHEREAS, the purchase and staffing of additional Fire Department apparatus, such as a replacement ladder truck, will greatly benefit the community; and

WHEREAS, the City is authorized to levy a permanent regular property tax not to exceed \$3.10 per \$1,000 assessed valuation on the real property within the City, and

WHEREAS, the City has an unused portion of its permanent regular property tax authority, and

WHEREAS, the funds from the unused portion of the City's permanent regular property tax authority can be used to restore and support an essential level of public safety services, and

WHEREAS, in order to restore and support an essential level of fire protection and emergency services to the community the City Council desires to allow the electors to vote to ratify or reject a proposition to raise the tax on real property within the City for the year 2007 to the authorized levy rate of \$3.10 per \$1,000 assessed valuation, and authorize annual increases in the levy amount by four percent, thereby setting the limit factor at 104 percent for each of the five succeeding years, and increase the levy each year thereafter as allowed by Chapter 84.55 RCW;

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

Section 1. It is hereby found and declared that an emergency exists requiring the submission to the qualified electors of the City of the proposition whether the City shall levy regular property taxes in excess of the limitations established in RCW 84.55.010 for their ratification or rejection at a special election to be held on September 19, 2006. The King County Records, Elections and Licensing Services Division, as ex officio supervisor of election in King County, is requested to find the existence of such an emergency and to call and conduct such election to be held within the City and to submit to the qualified electors of the City, for their ratification or rejection, a proposition to raise the permanent regular property tax on real property within the City, from and after January 1, 2007, to \$3.10 per \$1,000.00 of assessed valuation, authorize annual increases in the levy amount by 4 percent, thereby setting the limit factor at 104 percent for each of the five succeeding years, and increase the levy each year thereafter as allowed by Chapter 84.55 RCW.

Section 2. The purpose of the Proposition shall be to provide funds to operate, equip, and construct facilities for fire protection and emergency services. Funds raised under this levy shall be in addition to, and not supplant, existing funds used for these purposes. Specific use of funds generated by this levy could include increased Fire Department staffing, purchases of Fire Department equipment including a ladder truck, and fire station construction. The City Council shall determine the exact use of the amounts received from such increased regular property taxes for various fire protection and emergency services purposes.

Section 3. The City Clerk is authorized and directed, not less than 45 days prior to such election date, to certify said Proposition to the King County Records and Elections Division, as ex officio supervisor of elections in King County, Washington in substantially the following form:

PROPOSITION No. ____
LEVY FOR FIRE PROTECTION AND
EMERGENCY SERVICES PURPOSES

The City Council of the City of SeaTac Adopted Ordinance No.
_____ concerning an increase in the City's regular
property tax levy.

To provide funds to operate, equip and construct facilities for fire protection and emergency services, this proposition would increase the City's regular property tax levy for 2007 to the authorized rate of \$3.10 per \$1,000 assessed valuation, increase the levy amount by 4% for each of the five succeeding years, thereby setting the limit factor at 104%, and provide the maximum allowable levy in 2012 shall be used to determine future increases under RCW 84.55.010.

Should this proposition be:

Approved?

Rejected?

Section 4. If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this Ordinance are found to be inconsistent with other provisions of the SeaTac Municipal Code, this Ordinance is deemed to control.

Section 5. This Ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

ADOPTED this 23rd day of May, 2006, and signed in authentication thereof on this 23rd day of May, 2006.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 6/3/06]

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