

## RESOLUTION NO. R-2019-\_\_\_\_

**RESOLUTION** providing for the submission to the qualified electors of the City of Yakima at an election to be held on February 11, 2020, of a proposition authorizing the City to lift the levy limit established in RCW 84.55.010 in order to provide funds to pay the costs of City operations and services, including public safety, parks and recreation, addressing homelessness, street maintenance, planning, code enforcement, graffiti removal and other City services; and providing for severability and an effective date

**WHEREAS**, Washington State law limits the annual increase of a city's regular property tax levy to 1% plus an allowance for new construction, unless the voters of a city approve a levy lid lift permitting the collection of regular property taxes in a greater amount; and

**WHEREAS**, the City of Yakima's (the "City") regular property tax levy is a major source of General Fund revenue paying for the costs of the City's general government services, including public safety services, parks and recreation services, youth, family and senior services, addressing homelessness, and others; and

**WHEREAS**, the costs of providing such basic City services have increased over time due to economic inflation and growth in the City, yet the City's regular property tax levy has not kept pace with inflation and growth; and

**WHEREAS**, existing constraints on the City's capacity to generate revenue for its General Fund have resulted in cutbacks to some services and threaten the City's ability to provide basic services into the future; and

**WHEREAS**, in order to continue to provide the current level of services being provided in the City, it is deemed necessary that the City increase its regular property tax levy rate to \$0.40 per \$1,000 of assessed value for collection in 2021 and thereafter to use the resulting levy amount as the basis for computing the limitations for subsequent levies as allowed by chapter 84.55 RCW; and

**WHEREAS**, the City Council deems it necessary to submit to the voters of the City the proposition of whether or not the City shall levy regular property taxes for collection in 2021 in excess of the limit factor provided for in chapter 84.55 RCW;

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:**

**Section 1.** Findings. The City Council hereby finds the best interests of the residents of the City require the City to provide additional funds to pay for the costs of City operations and services, including but not limited to the following (the "City Services"):

- Public safety services, such as crime prevention, police patrol and investigations, fire suppression and prevention and emergency management and preparedness;
- Youth, family and senior services, such as community-based and mental health services and safety net services;

- Parks and recreation services, such as park maintenance, community center operations, senior recreation services and special events;
- Construction, maintenance and improvement of existing and new City facilities, infrastructure and streets;
- Addressing homelessness through various means as are appropriate for City-level interventions, such as crime prevention, code enforcement, and refuse removal;
- Equipment acquisition and replacement, including City police, fire, streets and parks vehicles;
- Street maintenance, including removal of snow and ice;
- Planning, code compliance and code enforcement;
- Mitigation of graffiti and illegal dumping; and
- Other City operations, maintenance, and services as determined to be necessary from time to time.

The City Council shall determine the timing, order and manner of funding the City Services and other uses of levy proceeds. The cost of all compensation, benefits, training, support services, equipment, vehicles, infrastructure, facilities, and/or administrative expenses and other costs incurred in connection with the City Services shall be deemed a part of the costs of such City Services.

**Section 2.** Calling of Election Regarding the Levy of Additional Regular Property Taxes. It is hereby found and declared the best interests of the City require the submission to the qualified electors of the City of the proposition whether the City shall levy regular property taxes above the levy limitations established in RCW 84.55.005 and RCW 84.55.010 for their ratification or rejection at an election to be held on February 11, 2020. For the purpose of providing funds to pay the costs of the City Services, the Yakima County Auditor, as *ex officio* supervisor of elections in Yakima County, Washington, is hereby requested to call and conduct such election to be held on such day and to submit to the qualified electors of the City for their approval or rejection a proposition to increase the City's regular property tax levy by up to \$0.40 per \$1,000 of assessed valuation (to a total rate not to exceed \$3.10 per \$1,000 of assessed valuation) for collection in 2021, as allowed by chapter 84.55 RCW. The 2021 levy amount will be used as the basis to calculate subsequent levy limits.

Upon approval of the voters of the proposition hereinafter set forth, the City may use proceeds of such levy to pay the costs of the City Services as more particularly described herein.

**Section 3.** Certification of Ballot Proposition. The City Clerk is hereby authorized and directed to certify the following proposition to the Yakima County Auditor, as *ex officio* supervisor of elections in Yakima County, Washington, in substantially the following form. The election shall be held by all mail-in ballot.

CITY OF YAKIMA

PROPOSITION 1

LEVY LID LIFT FOR PUBLIC SAFETY, PARKS AND RECREATION,  
YOUTH, FAMILY AND SENIOR AND OTHER  
CITY SERVICES AND OPERATIONS

The City of Yakima City Council adopted Resolution No. \_\_\_\_ concerning funding for City services and operations. This proposition would provide funding to sustain City operations and services, including public safety, parks/recreation, youth/family, addressing homelessness, street and facilities maintenance, and other services, by increasing the City's regular property tax levy by \$0.40/\$1,000 to a maximum rate of \$3.10/\$1,000 of assessed valuation for collection in 2021. The 2021 levy amount will be used as the basis to calculate subsequent levies, consistent with RCW 84.55. [Seniors and other individuals qualifying under RCW 84.36 would be exempt.]

Should this proposition be approved?

YES ..... ☐

NO ..... ☐

The City Manager and City Attorney are authorized to make such minor adjustments to the wording of such proposition as may be recommended by the Yakima County Auditor, provided the intent of the proposition remains clear and consistent with the intent of this resolution.

**[Section 4. Exemption.** If the ballot proposition set forth herein is approved by the voters, as authorized by RCW 84.36.381, senior citizens, disabled veterans, and other people with disabilities (as defined in RCW 84.36.381) shall be exempt from the tax increase resulting from such levy lid lift.][for discussion]

**Section 5. Local Voters' Pamphlet Authorized.** The preparation and distribution of a local voters' pamphlet providing information on the foregoing ballot measure is hereby authorized. The pamphlet shall include arguments advocating approval and disapproval of the ballot measure. In accordance with RCW 29A.32.280, the arguments advocating approval and rejection of the ballot measure shall be prepared by committees appointed by the City Council by resolution not later than forty-five days before the publication of the pamphlet. Each committee shall be composed of not more than three persons; however, a committee may seek the advice of any person or persons. The committee advocating approval shall be composed of persons known to favor the ballot measure, and the committee advocating rejection shall be composed of persons known to oppose the ballot measure.

**Section 6. Corrections by City Clerk.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this resolution, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering.

**Section 7.**     Severability. If any one or more section, subsection, or sentence of this Resolution is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this resolution and the same shall remain in full force and effect.

**Section 8.**     Effective Date. This resolution shall become effective immediately after its adoption.

**ADOPTED BY THE CITY COUNCIL** this 3<sup>rd</sup> day of December, 2019.

CITY OF YAKIMA, WASHINGTON

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Kathy Coffey, Mayor

ATTEST:

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City Clerk

## CERTIFICATE

I, the undersigned, City Clerk of the City of Yakima, Washington, and keeper of the records of the City Council, DO HEREBY CERTIFY:

1. That the attached Resolution is a true and correct copy of Resolution No. \_\_\_\_ of the City Council (the "Resolution"), as adopted at a regular meeting of the City Council held on [\_\_\_\_], 2019, and duly recorded in my office.

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 quorum of the City Council was present throughout the meeting, and a legally sufficient number of members of the City Council voted in the proper manner for the adoption of said Resolution; that all other requirements and proceedings incident to the proper adoption or passage of said Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

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City Clerk