

1 Sponsored by: Councilmember \_\_\_\_\_  
2 Requested by: County Executive/Budget and Finance Department

File Number

3 **ORDINANCE NO. 2008-\_\_\_\_**  
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5 **AN ORDINANCE OF THE PIERCE COUNTY COUNCIL OF PIERCE COUNTY,**  
6 **WASHINGTON, RELATING TO REGULAR PROPERTY TAXES;**  
7 **PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS**  
8 **OF THE COUNTY AT A SPECIAL ELECTION HELD IN CONJUNCTION**  
9 **WITH THE STATE GENERAL ELECTION ON NOVEMBER 4, 2008, OF**  
10 **A PROPOSITION AUTHORIZING THE COUNTY TO LEVY REGULAR**  
11 **PROPERTY TAXES IN EXCESS OF THE LIMITATIONS OF CHAPTER**  
12 **84.55 RCW; SETTING FORTH THE TEXT OF THE BALLOT**  
13 **PROPOSITION; DIRECTING PROPER COUNTY OFFICIALS TO TAKE**  
14 **NECESSARY ACTIONS; AND PROVIDING FOR OTHER RELATED**  
15 **MATTERS.**

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15 **MATTERS.**

16 **WHEREAS,** RCW 84.55.050(1) provides for the levy of regular property taxes in  
17 an amount exceeding the limitations specified in chapter 84.55 RCW if that increased  
18 levy is authorized by a proposition approved by a majority of the voters at general  
19 election held within the taxing district (a "levy lid lift"); and

20 **WHEREAS,** The Pierce County Council has determined that it is essential and  
21 necessary for the public health, safety and welfare that the County acquire interests and  
22 rights in open space and recreational land, farm and agricultural land, timber land, and  
23 other properties having recreational, social, scenic, or esthetic values; and

24 **WHEREAS,** The Pierce County Council has determined that the revenues that  
25 would otherwise be available to the County from its regular property tax levy in calendar  
26 years 2009 through 2017 would be insufficient to provide for the acquisition of interests  
27 and rights in open space land, farm and agricultural land, timber land, and other  
28 properties having recreational, social, scenic, or esthetic values, and has therefore  
determined that it is in the interests of the County and its residents to submit this levy lid  
lift proposition to the voters for their approval or rejection; and

**WHEREAS,** if approved by the voters, the County will devote the annual  
proceeds of the lid lift in each of nine years, beginning with an estimated \$8,709,000 in  
2009, to the acquisition of interests and rights as described above and to make  
redemption payments on bonds issued for that purpose; **NOW, THEREFORE,**

**BE IT ORDAINED by the Council of Pierce County:**

Section 1. Incorporation of Recitals. The recitals set forth above are  
incorporated herein as if set forth in full in this section.



1           Section 2. Purpose and Calling of Election. The Pierce County Council  
2 finds that it is in the best interests of the County to submit to the qualified voters of the  
3 County, at a special election held in conjunction with the state general election on  
4 November 4, 2008, a proposition authorizing the County to increase its regular property  
5 tax levy for collection commencing in 2009, by an amount greater than otherwise  
6 permitted under chapter 84.55 RCW (the "101% Levy Lid") for the purpose of financing  
7 the acquisition of interests and rights in open space and recreational land, farm and  
8 agricultural land, timber land, and other properties having recreational, social, scenic, or  
9 esthetic values. The acquisition of interests and rights may include acquisition by  
10 purchase, gift, grant, bequest, devise, lease, or otherwise, of a fee simple or any lesser  
11 interest, development right, easement, covenant, or other contractual right necessary to  
12 protect, preserve, maintain, improve, restore, limit the future use of, or otherwise  
13 conserve the various categories of properties described above. Amounts collected from  
14 the increased regular property tax levy authorized pursuant to this ordinance may also  
15 be used to make redemption payments on bonds issued by the County for the purposes  
16 described in this Section 2. If this proposition is approved, the Pierce County Council  
17 will be authorized to adopt, in accordance with its regular budget process, an increased  
18 regular property tax as described in Section 3.

19           Section 3. Description of Ballot Proposition. To fulfill the purpose identified in  
20 Section 2 of this resolution, the Pierce County Council seeks voter approval under RCW  
21 84.55.050(1) for a levy lid lift, as follows:

22           (a) The regular County property tax levy for collection in 2009 is authorized to  
23 increase to \$1.2051 per \$1,000 of assessed valuation (an increase of \$0.1604 per  
24 \$1,000 of assessed value over the 2008 rate). This authorized maximum rate includes  
25 the incremental rate increase necessary to levy: (a) for general fund purposes, the full  
26 amount otherwise allowed for the County's general fund under the 101% levy lid  
27 (including adjustments for new construction and other factors); and (b) for the limited  
28 purposes set forth in Section 2, not more than \$8,709,000 in 2009.

(b) The dollar amount of the maximum allowable levy in 2009 shall be used  
for the purpose of computing the limitations for the subsequent levies in the years 2010  
through 2017, inclusive, as provided for under Chapter 84.55 RCW, and any resulting  
increases allocable in each year to the portion of the levy dedicated to the purposes  
described in Section 3(a) may be used only for those purposes.

(c) Ballot Proposition. The Auditor of Pierce County, Washington (the  
"Auditor"), as supervisor of elections, is hereby requested to call and conduct a special  
election in the County, in the manner provided by law, to be held on the date identified  
in Section 2, for the purpose of submitting to the voters of the County, a proposition in  
substantially the following form:

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**Pierce County, Washington**  
**Proposition \_\_**  
**Levy Lid Lift For Farm, Agricultural, Timber,**  
**Open-Space and Recreational Lands**

The Pierce County Council adopted Ordinance No. \_\_\_\_\_ for a nine-year lid lift on the regular property tax levy. If approved, this proposition would finance acquisition of interests in open space, farm, agricultural, timber and recreational land, including bond repayment. It authorizes a 2009 levy rate increase to \$1.2051/\$1,000 assessed value (\$0.1604 over 2008 rates) to provide the 2009 general fund increase otherwise allowed under the 101% levy lid, plus \$8,709,000 for the purposes described above. Increases in 2010-2017 would be calculated under the 101% lid, based on the 2009 levy and used solely for the purposes approved herein.

Should this proposition be: \_\_ Approved? \_\_ Rejected?

Section 4. Notices Relating to Ballot Proposition. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the Pierce County Council hereby designates the Office of the Prosecuting Attorney of Pierce County, Civil Division, 955 Tacoma Ave. S, Ste. 301, Tacoma, WA 98402, as the individuals to whom such notice should be provided.

Section 5. Authorization to Deliver Resolution and Perform Other Necessary Duties. The Clerk of the County Council (or her designee) is authorized and directed, no later than August 12, 2008, to certify a copy of this Ordinance to the Auditor and to perform such other duties as are necessary or required by law to the end that the proposition described herein should appear on the ballot at the special election identified in Section 2 of this Ordinance.

Section 6. Local Voters' Pamphlet Authorized. The preparation and distribution of a local voters' pamphlet providing information on this ballot proposition is hereby authorized. The pamphlet shall include arguments advocating approval and disapproval of the ballot proposition. In accordance with RCW 29A.32.280, committees to prepare arguments advocating approval and disapproval of the measure shall be appointed by motion of the Pierce County Council not later than 45 days before the publication of the pamphlet. Each committee shall be composed of not more than three persons, and the committee advocating approval shall be composed of persons known to favor the ballot proposition and the committee advocating disapproval shall be composed of persons known to oppose the ballot proposition.



STATE OF WASHINGTON                    )  
  ) ss.  
COUNTY OF PIERCE                    )

I, DENISE JOHNSON, Clerk of the Pierce County Council, certify that the within and foregoing is a full, true and correct copy of the following document:

Ordinance No. 2008-\_\_  
(Levy Lid Lift Ballot Title Ordinance)

The original of same is located in File No. \_\_\_\_\_ in the Executive's records which are located in the Pierce County Executive's Office, County-County Building, Tacoma, Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Pierce County, Washington, this \_\_\_\_ of \_\_\_\_\_, 2008.

PIERCE COUNTY COUNCIL

By \_\_\_\_\_  
Clerk of the Council