

RECEIVED
7/24/2023

ORDINANCE NO. 1564

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, PROVIDING FOR SUBMISSION OF A PROPOSITION TO THE QUALIFIED VOTERS OF THE CITY OF RUSTON AT THE AUGUST 2023 PRIMARY ELECTION OR AT A LATER 2023 ELECTION, OF A PROPOSITION AUTHORIZING THE CITY TO INCREASE ITS REGULAR PROPERTY TAX LEVY ABOVE THE LIMIT ESTABLISHED IN RCW 84.55 TO PROVIDE FOR THE CONTINUAL PROVISION OF PUBLIC SAFETY AND OTHER GOVERNMENTAL SERVICES AS PERMITTED BY LAW; SETTING FORTH THE BALLOT PROPOSITION; REQUESTING THAT THE PIERCE COUNTY AUDITOR PLACE THE PROPOSITION ON THE AUGUST 2023 PRIMARY BALLOT OR AT A LATER 2023 ELECTION AS DIRECTED BY THE CITY; DIRECTING ACTS CONSISTENT WITH THE AUTHORIZATIONS HEREIN; AND ESTABLISHING THE TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the City Council of the City of Ruston, Washington (the "City") desires to provide for (1) the continual provision of public safety; and (2) the continual provision of other governmental services pursuant to RCW 36.70A.070; and

WHEREAS, in order to provide for the foregoing, the City is in need of additional funds to supplement existing City general fund revenue which is applied for these purposes; and

WHEREAS, the City's current regular property tax levy is \$1.581667028976 per \$ 1,000 of assessed value, which is \$1.79333297103 per \$1,000 of assessed value less than what is statutorily authorized, on a total assessed value of \$376,666,782, for a levy total of \$596,278.50; and

WHEREAS, the City's 2023 regular property tax levy will be \$1.38300906425 per \$1,000 of assessed value, which is \$1.99199093575 per \$1,000 of assessed value less than what is statutorily authorized, on a total assessed value of \$440,589,860, for a levy total of \$602,241.59; and

WHEREAS, RCW 84.55.050 provides for the levy of regular property taxes in an amount exceeding the limitations specified in RCW Chapter 84.55 if such increased levy is authorized by a ballot proposition approved by a majority of the voters at an election held within the taxing district (a "levy lid lift"); and

WHEREAS, the City Council has determined that it is in the best interests of the City and its residents to submit a levy lid lift proposition under RCW 84.55.050(1) to the voters for their approval or rejection; and

WHEREAS, this Ordinance was introduced at a Regular City Council meeting for First Reading on November 15, 2022; and

WHEREAS, this Ordinance was adopted at a Regular City Council meeting during Second Reading on December 6, 2022; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF RUSTON, WASHINGTON, DOES HERBY ORDAIN AS FOLLOWS:

Section 1. Levy Lid Lift Election Called For. Pursuant to RCW 84.55.050 and RCW 29A.04.330, an election is hereby called, to be conducted election conducted and held in conjunction with the August 2023 Primary Election, or at a later election date in 2023, for the purpose of submitting a proposition to the qualified electors of the City asking whether the City shall levy regular property taxes in excess of the limitation established in RCW 84.55.010. The Pierce County Auditor, as supervisor of elections in Pierce County, is hereby requested to call and conduct the election referenced herein in the City of Ruston on the date of the August 2023 primary election. The proposition to be submitted to the qualified voters of the City for their approval or rejection is to authorize an increase in the City's regular property tax levy by \$0.325614 per \$1,000 of assessed value, to a total regular property tax levy rate of \$1.7086230718 per \$1,000 of assessed value, or \$752,802, for collection beginning on January 1, 2024.

Section 2. Purpose of Levy Lid Lift. The purpose of the proposed levy lid lift is to provide for the continual provision of public safety and other governmental services.

Section 3. Ballot Title. The ballot title and proposition to be submitted to the voters shall be in substantially the following form:

City of Ruston Proposition No. 1

Public Safety and Government Services Levy

For the purpose providing continual funding for public safety (police, fire) and other governmental services. This proposition would increase the City's regular property tax rate by \$0.325614 to a total authorized rate of \$1.708623 per \$1,000 of assessed valuation for collection starting in 2024 and annually thereafter. The maximum allowable levy rate in 2024 shall serve as the base for subsequent levy limitations as provided by Chapter 84.55 RCW. Should this proposition be approved?

YES ()
NO ()

Section 4. Changes. The Mayor and the City Attorney are authorized to make such minor adjustments to the wording of the proposition as may be recommended or required by the Pierce County Auditor, as long as the intent of the proposition remains clear and as approved by the City

Council. They Mayor and the City Attorney are authorized to schedule this proposition for a different election date in 2023 in order to reduce the costs of the same.

Section 5. 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 City Council hereby designates (1) the City Clerk (townclerk@rustonwa.org); and (2) the City Attorney Jennifer Robertson (phone 425-450-4204, jenniferr@rustonwa.org) as the individuals whom such notice should be provided.

Section 6. Authorization of Local Voters' Pamphlet. To the extent a local voters' pamphlet and/or online voters' guide (the "Pamphlet") will be produced for the August 2023 Primary Election, or a later election as allowed, the preparation and distribution of information on the ballot title for inclusion in the Pamphlet is hereby authorized; provided that, the City reserves the right not to participate in the preparation and distribution of the Pamphlet if such participation would create undue financial hardship for the City or not be in the best interests of the City. The Mayor is authorized to exercise the City's right to appoint a committee to prepare arguments advocating voters' approval of the measure ("Pro Committee") and a committee to prepare arguments advocating voters' rejection of the measure ("Con Committee"); and, to not participate in the preparation and distribution of the Pamphlet. The Pamphlet shall include, if applicable, an explanatory statement and statements in favor of and in opposition to the ballot title. The preparation of the explanatory statement, the appointment of pro/con committees, the preparation of statements in favor of and in opposition to the ballot title, and the payment of the costs of the Pamphlet shall be in accordance with Chapter 29A.32 RCW and the rules and guidelines of the Auditor, as applicable.

Section 7. Authorization To Deliver Ordinance and to Perform Other Necessary Duties. The City Clerk or designee is authorized and directed no later than December 16, 2022 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 primary election identified in Section 1 of this Ordinance.

Section 8. Election Notice. The Pierce County Auditor's Office shall cause a notice of election to be published at least once in a newspaper of general circulation within the City. Such publication shall take place not more than ten days or less than three days prior to the election date.

Section 9. Severability. If any section, subsection, sentence, clause, phrase, or word of this Ordinance should be held to be invalid or unconstitutional or inapplicable by a court of competent jurisdiction, such invalidity or unconstitutionality or inapplicability thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this Ordinance.

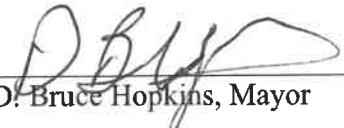
Section 10. Corrections. Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this Ordinance, including but not limited to the correction of scrivener's/clerkal errors, references, Ordinance numbering, section/subsection numbers, and any reference thereto.

Section 11. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 12. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 6th day of December, 2022.

APPROVED by the Mayor this 6th day of December, 2022.



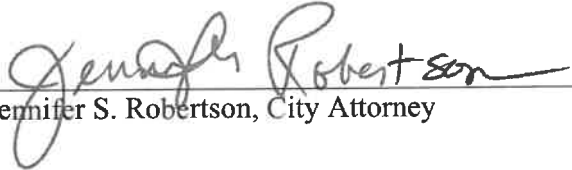
D. Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams, City Clerk/Treasurer

APPROVED AS TO FORM:



Jennifer S. Robertson, City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO: 1564

BALLOT MEASURE TITLE INFORMATION FOR PIERCE COUNTY

Ballot Measure Title: City of Ruston Proposition No. 1

Enacting Body: Ruston City Council

Subject Matter: Public Safety and Government Services Levy Lid Lift

Description of the Measure: This proposition is for the purpose of providing continual funding for public safety and other governmental services. This proposition will increase the City’s regular property tax rate by \$0.325614 to a total authorized rate of \$1.708623 per \$1,000 of assessed valuation for collection starting in 2024 and annually thereafter. The maximum allowable levy rate in 2024 shall serve as the base for subsequent levy limitations as provided by Chapter 84.55 RCW.

Question: Should this proposition be approved?

YES ()

NO ()

Explanatory Statement of City of Ruston Levy Lid Lift

Ruston proposes a one-time 25-percent levy lid lift to increase property taxes over the currently constrained 1% limitation starting in 2024. This is an increase of \$0.325614/ \$1,000 of assessed valuation resulting in an authorized rate of \$1.708623/\$1,000 AV. This adds approximately \$224 per year to the annual property tax bill based on the average Ruston home value. In the first year, Ruston's legal levy maximum will be increased by the proposed percentage. That then becomes part of the new basis for which all future increases (limited to 1% per year) will be made.

Ruston currently levies approximately \$602,242 in property tax annually which is inadequate to fund all city operations. If the voters approve this measure, it is expected to generate approximately \$150,000 annually.

A levy lid lift is not a separate property tax, but rather a way of increasing an existing property tax. In this case, it would increase the general fund levy above the 1% increase limit. Because Ruston is currently levying a tax rate below its statutory maximum rate, it is asking the voters to "lift" the levy lid by increasing the tax rate to an amount less than or equal to its statutory maximum rate.