

RESOLUTION NO. 1197

A RESOLUTION OF THE CITY OF DES MOINES, WASHINGTON providing for the submission of a proposition to the qualified voters of the City of Des Moines at the November 6, 2012 general election for their ratification or rejection, providing for authority to increase the utility occupation tax rate from 6% to 8% for 10 years to provide funding to protect and rehabilitate the City's pavement; setting forth the ballot proposition; directing the City Clerk to certify to the County Auditor a certified copy of this Resolution; and providing for other matters properly related thereto.

WHEREAS, RCW 35.21.870 authorizes cities to impose a tax on the privilege of conducting a electric, gas, solid waste, cable TV, telephone services and city utilities business at a rate up to six percent (6%) by legislative approval, and at a rate that exceeds six percent (6%) if approved by a majority of the voters of the city voting on such proposition, and

WHEREAS, increasing the tax on electric, gas, solid waste, cable TV, telephone services and City utilities (the businesses operating in the City that are subject to the tax) from six percent (6%) to eight (8%) percent would result in revenue of approximately \$1,067,000 annually, and

WHEREAS, revenues are needed to provide approximately two-thirds of the funds needed for the preservation and rehabilitation of 100 miles of Des Moines City streets with pavement overlays and rehabilitation, and without these investments the streets would not realize their full design lives and the City would incur substantially higher pavement costs in the future, and

WHEREAS, the City Council of the City of Des Moines (the "City") finds it is appropriate to submit to the voters of the City of Des Moines a proposition asking whether the City should impose an increase of the tax on electric, gas, solid waste, cable TV, telephone and City utilities from six percent (6%) currently taxed to eight percent (8%) for ten (10) years in order to provide revenues for the City-wide street pavement overlays; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. Utility Occupation Tax Levy proposition submitted to voters. An election is hereby requested to be called, conducted and held within the City on November 6, 2012 for the purposes of submitting to the qualified electors of the City for their ratification or rejection, a proposition pursuant to RCW 35.21.870 to impose an increase of the tax on electric, gas, solid waste, cable TV, telephone services and City utilities from six percent (6%) currently taxed to eight percent (8%) for ten (10) years. This proposition would provide two percent (2.0%) for City street pavement overlays and rehabilitation.

Sec. 2. Submission to the County. The City requests the Director of Records and Elections of King County as Supervisor of Elections for King County, to submit to the qualified electors of the City for their approval or rejection at the November 6, 2012 general election a proposition authorizing the City to impose the tax as described in section 1 of this Resolution.

Upon the approval by a majority of the voters of the proposition set forth below, the City may increase the tax on electric, gas, solid waste, cable TV, telephone services and City utilities from six (6.0%) percent currently taxed to eight percent (8%). This proposition would provide two percent for City street pavement overlays and rehabilitation.

Sec. 3. Ballot proposition and submission to voters at general election. The City Clerk is authorized and directed to certify to the Director of Records and Elections of King County, by August 7, 2012, a copy of this resolution and the proposition, prepared by the City Attorney in accordance with RCW 29A.36.071, to be submitted at the election in the following form:

PROPOSITION NO. 1
UTILITY OCCUPATION TAX FOR DES MOINES STREETS

This proposition increases the City Utility Occupation Tax to pay for City street paving improvements.

The Des Moines City Council proposes to improve City streets to prevent their further deterioration. This proposition increases the current 6% utility occupation tax to 8% for ten (10) years authorizing 2.0% for City street paving improvements.

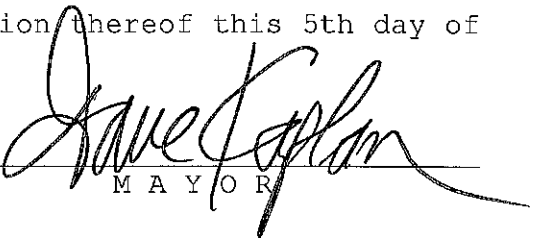
Should this proposition be:

APPROVED? _____
REJECTED? _____

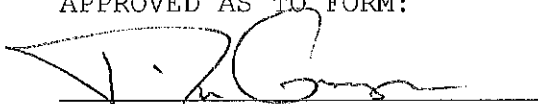
The election will be held on Tuesday, November 6, 2012. The Director of Records and Elections of King County, Washington, shall cause a notice of election to be published as provided by law prior to the election. The Director of Records and Elections of King County, Washington, as the City's ex officio Supervisor of Elections, shall conduct the election, canvas the vote, and certify the results in the manner provided by law.

Sec. 4. Notice of ballot title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the City Council hereby designates the City Attorney as the individual to whom the Auditor shall provide such notice.

ADOPTED BY the City Council of the City of Des Moines this 5th day of July, 2012 and signed in authentication thereof this 5th day of July, 2012.


MAYOR

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk