

RESOLUTION R-4771

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY OF KIRKLAND AT THE NOVEMBER 3, 2009, GENERAL ELECTION OF A PROPOSITION TO INCREASE THE UTILITY TAX IMPOSED UPON ELECTRICAL ENERGY, NATURAL GAS, AND TELEPHONE SERVICES FROM 6 PERCENT TO 7.5 PERCENT IN ORDER TO CREATE A MORE SUSTAINABLE BUDGET FOR THE PURPOSE OF MAINTAINING EXISTING CITY SERVICES, INCLUDING PARKS, PUBLIC SAFETY, NEIGHBORHOODS AND OTHER CITY SERVICES.

WHEREAS, RCW 35.21.870 permits cities to impose a tax on privately-provided electric, natural gas, or telephone services at a rate of up to 6 percent by legislative approval, and at a rate that exceeds 6 percent if approved by a majority of the voters of the city voting on such proposition; and

WHEREAS, the Cable Communications Policy Act of 1984 permits cities to increase the tax rate on cable television without a voter approval as long as the tax is not discriminatory against cable operators and subscribers; and

WHEREAS, increasing the tax on electrical energy, natural gas, and telephone services, and cable services from 6 percent to 7.5 percent would result in additional total revenue of approximately \$2.24 million annually; and

WHEREAS, revenues are needed to create a more sustainable budget and provide funds to maintain existing City services, including parks, public safety, neighborhoods and other City services; and

WHEREAS, the City Council of the City of Kirkland finds it is appropriate to submit to the voters of the City of Kirkland a proposition to increase the tax on electric, natural gas, and telephone services from 6 percent currently taxed to 7.5 percent, which would also be applied to cable services, in order to provide revenues to create a more sustainable budget for the purpose of maintaining existing City services, including parks, public safety, neighborhoods and other City services.

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. A proposition authorizing the City to increase the utility tax imposed on electrical energy, natural gas, and telephone services, for a total of 7.5 percent, in order to provide revenues to create a more sustainable budget for the purpose of maintaining

existing City services, including parks, public safety, neighborhoods and other City services, shall be submitted to the qualified electors of the City at the general election to be held November 3, 2009. The intent of the City Council is to increase the tax on cable services by an equivalent amount. The King County Elections Director is requested to assume jurisdiction of and to call and conduct such election and to submit to the qualified electors of the City the proposition set forth in Section 2.

Section 2. The ballot title shall read as follows:

**CITY OF KIRKLAND  
UTILITY TAX**

The City Council of the City of Kirkland adopted Resolution R-4771 concerning increasing the tax on electrical energy, natural gas, and telephone services. If approved, this proposition would authorize the City to increase the tax on electrical energy, natural gas, and telephone services from the current 6 percent to 7.5 percent in order to provide revenues to create a more sustainable budget for the purpose of maintaining existing services, including parks, public safety, neighborhoods and other city services. Should this proposition be approved?

- ☐ Yes  
☐ No

Section 3. The City Council intends to increase the tax on cable services from the current 6 percent to 7.5 percent. If the voters authorize the increase in the tax on electrical energy, natural gas, and telephone services from the current 6 percent to 7.5 percent, the increased tax on electrical energy, natural gas, telephone, and cable services would result in additional revenue of approximately \$2.24 million annually.

Section 4. The City Clerk shall file a certified copy of this resolution with the King County Elections Director.

Passed by majority vote of the Kirkland City Council in open meeting this 4th day of August, 2009.

Signed in authentication thereof this 4th day of August,  
2009.

  
MAYOR

Attest:

  
City Clerk