

ORDINANCE NO. 3429

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, RELATING TO THE FUNDING OF PUBLIC SAFETY OPERATIONS; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT A SPECIAL ELECTION TO BE HELD THEREIN ON NOVEMBER 8, 1994, OF A PROPOSITION AUTHORIZING THE CITY TO LEVY REGULAR PROPERTY TAXES IN EXCESS OF THE 106% LEVY LIMITATION FOR THE PURPOSE OF FUNDING TWELVE POLICE AND TWELVE FIRE POSITIONS.

WHEREAS, the City Council (the "Council") of the City of Kirkland (the "City") has determined that the public safety requires that additional funds be made available to adequately provide for police, fire, and emergency medical operations; and

WHEREAS, to provide funding for such public safety operations, it is deemed necessary and advisable that the City levy regular property taxes in 1994 in excess of the 106% limitation to collect \$1,200,000 in 1995 and to use such amount in calculating subsequent levies; and

WHEREAS, RCW 84.55.050 provides that the question of whether or not regular property taxes may exceed the 106% limitation must be submitted to the qualified electors of the City for their ratification or rejection.

NOW, THEREFORE, the City Council of the City of Kirkland, Washington, does ordain, as follows:

Section 1. *Public Safety Funding Plan.* Subject to voter approval as specified herein, the City hereby adopts a plan for funding a portion of the ongoing operations of its police and fire departments by hiring twelve new fire fighters to open a new fire station and hiring twelve new police staff at a cost of \$1,200,000. By ordinance of the City, the Council shall determine the application of moneys available for the various purposes set forth above so as to accomplish, as nearly as may be, all purposes described.

Section 2. *Authorization of Levy.* For the purpose of upgrading the general level of police, fire, and medical emergency response as set forth in Section 1 of this ordinance, subject to the approval of the voters in accordance with RCW 84.55.050, the City hereby authorizes the levy of regular property taxes of \$1,200,000, in excess of the 106% limitation contained in RCW 84.55.010 in 1994 for collection beginning in 1995, and continuing in each subsequent year; and, further, to use such levy to compute limitations on subsequent tax levies.

Section 3. *Election.* It is hereby found and declared that an emergency exists requiring the submission to the qualified electors of the City a proposition of whether or not the City shall

levy regular property taxes in excess of the 106% levy limitation for the purposes specified in this ordinance. The Director of Records and Elections of King County is hereby requested also to find the existence of such emergency and to assume jurisdiction of and to call and conduct said special election to be held within the City and to submit to the qualified electors of the City the proposition hereinafter set forth.

The City Clerk is hereby authorized and directed not less than 45 days prior to November 8, 1994, to certify the following proposition to the Director of Records and Elections of King County in the following form:

CITY OF KIRKLAND  
PROPOSITION NO. 1  
PUBLIC SAFETY LEVY

*In order to upgrade the general level of police, fire, and medical emergency response by hiring twelve new fire fighters to open a new fire station and hiring twelve new police staff, shall the City of Kirkland increase its regular property tax levy by levying \$1,200,000 in regular property taxes in excess of the 106% limitation in 1994 for collection beginning in 1995, and continuing in each subsequent year; and, further, to use such levy to compute limitations on subsequent tax levies, all as specified in Ordinance #3429?*

LEVY - YES        [   ]  
LEVY - NO        [   ]

The polls for such special election shall be open from 7:00 a.m. to 8:00 p.m.


Certification of such proposition by the City Clerk to the Director of Records and Elections of King County, in accordance with law, prior to the date of such election on November 8, 1994, and any other act consistent with the authority and prior to the effective date of this ordinance, are hereby ratified and confirmed.

Section 5. Severability. In the event any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance, but this ordinance shall be construed and enforced as if such invalid provision had not be contained therein; provided, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

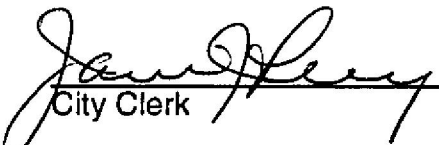
Section 6. Effective Date. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, as required by law.

PASSED by majority vote of the Kirkland City Council at the special open meeting this 13th day of September, 1994.

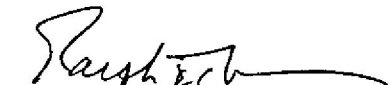
SIGNED in authentication thereof this 13th day of September, 1994.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to Form:

  
\_\_\_\_\_  
City Attorney

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