

RESOLUTION No. 30901

A RESOLUTION regarding Initiative No. 88; requesting that the King County Division of Records and Elections call a special municipal election to coincide with the primary election to be held on September 19, 2006 and place Initiative No. 88 before the qualified electors of the City of Seattle on the September 2006 ballot if, but only if, the Division of Records and Elections certifies that the Initiative No. 88 petitions bear a sufficient number of valid signatures to qualify the proposed Initiative No. 88 for introduction to the City Council as provided in Seattle City Charter Article IV.

Introduced: JUL 24 2006	By: DELLA
Referred: JUL 24 2006	To: FULL COUNCIL
Referred:	To:
Reported:	
Passed:	Signed:
Filed:	Published:

US5171

7-31-06 withdrawn
4-21-08 Retired 80

Law Department

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2 **RESOLUTION _____**

3 A RESOLUTION regarding Initiative No. 88; requesting that the King County Division of
4 Records and Elections call a special municipal election to coincide with the primary
5 election to be held on September 19, 2006 and place Initiative No. 88 before the qualified
6 electors of the City of Seattle on the September 2006 ballot if, but only if, the Division of
7 Records and Elections certifies that the Initiative No. 88 petitions bear a sufficient
number of valid signatures to qualify the proposed Initiative No. 88 for introduction to
the City Council as provided in Seattle City Charter Article IV, Section 1.

8 WHEREAS, proponents submitted to the Office of the City Clerk a ballot measure petition
9 regarding a proposed property tax levy lid lift (which the City Clerk designated as
Initiative No. 88 in Clerk File No. 307964); and,

10 WHEREAS, proponents also submitted to the Office of the City Clerk another ballot measure
11 petition (which the City Clerk designated as Initiative No. 87 in Clerk File No. 307973)
12 requiring that the City provide to the Seattle School District additional funding for
13 educational programs in an amount that is not less than the additional regular property tax
levy amount authorized by Initiative 88; and,

14 WHEREAS, the Office of the City Clerk forwarded both petitions to the King County Division
15 of Records and Elections for certification whether either or both petitions bear a
16 sufficient number of valid signatures to qualify for introduction to the City Council as
provided in City Charter Article IV, Section 1; and,

17 WHEREAS, King County Division of Records and Elections has not yet completed the signature
18 verification process for either petition; and,

19 WHEREAS Initiative No. 88, as a proposed levy lid lift, must be approved by the qualified
20 electors of the City of Seattle in order to take effect; and,

21 WHEREAS, if King County certifies that Initiative No. 88 has sufficient valid signatures, the
22 Office of the City Clerk and the Ethics and Elections Commission have certain legal
23 obligations and must meet certain deadlines in order to place the ballot measure on the
September 2006 ballot and in order to include information regarding the proposed ballot
measure in the voters' pamphlet for the September 2006 election; and,

24 WHEREAS, the City may, in order to meet legal and practical deadlines, need to take certain
25 actions before the County has completed the signature verification process; and,

26 WHEREAS, the City of Seattle filed a Declaratory Judgment action in King County Superior
27 Court requesting a declaration that Initiative No.87 exceeds the scope of the initiative
28 power and is inconsistent with the state budget laws for first class cities; and,



1 WHEREAS, the City does not expect a decision from the Superior Court regarding Initiative No.
2 87 until at least August 25, 2006; NOW, THEREFORE,

3 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE AS**
4 **FOLLOWS:**

5 Section 1. If the King County Division of Records and Elections certifies that the
6 petition in support of Initiative No. 88 contains a sufficient number of valid signatures to qualify
7 Initiative No. 88 for placement on the September 2006 ballot, the City requests, in the form of
8 this resolution, that King County call a special municipal election to coincide with the September
9 2006 primary election and place Initiative No. 88 before the qualified electors of the City of
10 Seattle on the September 2006 ballot.
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13 Section 2. The City Clerk is authorized and directed to take those actions necessary to
14 place Initiative No. 88 before the voters at the September 2006 election. If it is determined that
15 Initiative No. 88 will not appear on the September 2006 ballot, the City Clerk is authorized and
16 directed to cease such actions and to take any appropriate remedial actions.
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19 Section 3. The City Attorney has prepared the following ballot title for Initiative No.
20 88. The City Clerk is authorized to transmit this ballot title to the King County Division of
21 Records and Elections:

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23 Seattle Initiative Measure No. 88 concerns tax levies to fund the Seattle School
24 District's educational programs.

25 If enacted, this measure would allow increased property taxes to be collected in
26 2008 through 2013 to provide funding for educational programs of the Seattle
27 School District. It would lift the RCW 84.55 limit on regular property taxes so
28 that the total regular tax limit for collection in 2008 would be \$3.27/\$1,000
assessed value. Each year from 2009 through 2013, the additional regular



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property taxes that could be collected would increase at the same rate as the consumer price index.

Should this levy lid lift be approved?

Levy Yes

Levy No

Section 4. The Executive Director of the Ethics and Elections Commission is authorized and requested to take those actions necessary to place information regarding Initiative No. 88 in the September 2006 voters' pamphlet. If it is determined that Initiative No. 88 will not appear on the September 2006 ballot, the Executive Director of the Ethics and Elections Commission is authorized and requested to cease such actions and to take any appropriate remedial actions.

Section 5. Actions taken prior to the adoption of this resolution that are consistent with it are hereby ratified and confirmed.

Adopted by the City Council the _____ day of _____, 2006, and signed by me in open session in authentication of its adoption this _____ day of _____, 2006.

President _____ of the City Council

Filed by me this _____ day of _____, 2006.

City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Norm Schwab/ x4-9292	N/A

Legislation Title:

A RESOLUTION regarding Initiative No. 88; requesting that the King County Division of Records and Elections call a special municipal election to coincide with the primary election to be held on September 19, 2006 and place Initiative No. 88 before the qualified electors of the City of Seattle on the September 2006 ballot if, but only if, the Division of Records and Elections certifies that the Initiative No. 88 petitions bear a sufficient number of valid signatures to qualify the proposed Initiative No. 88 for introduction to the City Council as provided in Seattle City Charter Article IV, Section 1.

• **Summary of the Legislation:**

If King County certifies that the petition in support of Initiative No. 88 contains sufficient valid signatures to qualify it for placement on the September 2006 ballot, this legislation request that King County place the initiative before the voters of Seattle.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

Initiative 88 would allow the City to lift the levy lid for taxes collected in 2008-2013 to \$3.27/\$1000.00 assessed value, with CPI adjustment. Lifting the lid authorizes, but does not compel, the City raise property taxes up to the lid to fund Seattle School District educational programs.

The City has filed a Declaratory Judgment action in King County Superior Court requesting a declaration that related Initiative No. 87 exceeds the scope of the initiative power and is inconsistent with the state budget laws for first class cities. The City does not expect a decision from the Superior Court regarding Initiative No. 87 until at least August 25, 2006.

- *Please check one of the following:*
 This legislation does not have any financial implications.

Because Initiative 88 only allows, but does not compel, the City to lift the levy lid for taxes, this legislation does not have any financial implications. However, Initiative 87, if placed on the ballot and approved by the voters, would have financial implications (as yet unspecified).