

RESOLUTION NO. M-1780

JUL 12 2012

AT 8:18
BY: [Signature] AM/PM
DEPUTY

A RESOLUTION OF THE CITY OF OLYMPIA, WASHINGTON, PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE CITY AT THE NOVEMBER 6, 2012, GENERAL ELECTION, OF A PROPOSITION AUTHORIZING A SALES AND USE TAX AT THE RATE OF ONE-TENTH OF ONE PERCENT PURSUANT TO RCW 82.14.450 TO BE USED FOR PUBLIC SAFETY AND CRIMINAL JUSTICE PURPOSES.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OLYMPIA, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Findings and Determinations. The following recitals are hereby adopted as legislative findings and determinations made by the City Council of the City of Olympia (the "Council"). The Council makes the following findings and determinations:

- a. The City has a critical need for additional funding to provide residents with the desired level of public safety services.
- b. RCW 82.14.450 provides that cities may submit a proposition to the voters authorizing a sales and use tax increase of not more than one-tenth of one percent, provided that at least one-third of the revenues are dedicated to criminal justice purposes as defined under RCW 82.14.340.
- c. The types of activities that are covered by the term "criminal justice purposes" are set forth in RCW 82.14.340, which defines criminal justice purposes as "activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice system occurs, and which includes domestic violence services such as those provided by domestic violence programs, community advocates, and legal advocates, as defined in RCW 70.123.020."
- d. If the local voters approve a sales and use tax increase, eighty-five percent of the revenue will be distributed to the City and fifteen percent of the revenue will be distributed to Thurston County. State law requires that at least one-third of the money received under the new tax must be used for criminal justice or fire protection purposes.
- e. The City Council is seeking new revenue dedicated to public safety and criminal justice purposes to preserve existing essential public safety services, such as neighborhood crime prevention and domestic violence prosecution, and to add additional public safety services such as a downtown walking patrol and downtown ambassador program.
- f. The City Council determines that it is in the best interest of the City and promotes the safety and welfare of its residents to submit to the voters a proposition authorizing the one-tenth of one percent sales and use tax pursuant to RCW 82.14.450.

SECTION 2. Authorization of Criminal Justice Sales and Use Tax. The Council directs the submission of a proposition to the voters of the City substantially as set forth in this Resolution to authorize the City to impose pursuant to RCW 82.14.450 a Sales and Use Tax of one-tenth of one percent (the "Additional Sales and Use Tax"). If approved, at least one-third of the annual revenues from the Additional Sales and Use Tax shall be used for criminal justice purposes as defined in RCW 82.14.340.

SECTION 3. Use of Tax Proceeds. The City will use its eighty-five percent of the Additional Sales and Use Tax revenues in a manner that will ensure that at least one-third of all proceeds shall be used for criminal justice purposes as required by RCW 82.14.450. State law currently provides that fifteen percent of the Additional Sales and Use Tax collected by the State Department of Revenue shall be distributed to Thurston County and the remainder to the City.

SECTION 4. Calling of Election. The City Council requests that the Thurston County Auditor call and conduct a general election in the City, in the manner provided by law, to be held therein on November 6, 2012, for the purpose of submitting to the voters of the City, for their approval or rejection, the question of whether or not the City shall impose the Additional Sales and Use Tax. If such proposition is approved by the requisite number of voters, the City shall be authorized to impose the Additional Sales and Use Tax and to use the revenues as authorized by this Resolution.

SECTION 5. Ballot Proposition. The City Clerk/Treasurer is authorized and directed to certify, no later than August 7, 2012, to the Thurston County Auditor, as ex officio supervisor of elections in the City, a copy of this Resolution and the proposition to be submitted at that election in the form of ballot title prepared by the City Attorney pursuant to RCW 29A.36.071, as follows:

**CITY OF OLYMPIA
PROPOSITION NO. 1**

**SALES AND USE TAX INCREASE OF 0.1%
FOR PUBLIC SAFETY AND CRIMINAL JUSTICE PURPOSES**

The City Council of the City of Olympia adopted Resolution No. _____ concerning a sales and use tax increase pursuant to RCW 82.14.450. If approved, this proposition would authorize the City to impose an additional sales and use tax of 0.1%, split between the City (85%) and Thurston County (15%) as required by state law. City proceeds shall be used for public safety and criminal justice purposes as allowed by RCW 82.14.450. Should the proposition be:

APPROVED
REJECTED

For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the Council hereby designates its City Attorney as the person to whom such notice shall be provided.

SECTION 6. General Authorization. The proper City officials are authorized to perform such duties as are necessary or required by law to the end that the question of whether or not the Additional Sales and Use Tax shall be submitted to the voters.

SECTION 7. Severability. If any provision of this Resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this Resolution, and shall in no way affect the validity of the other provisions of this Resolution.

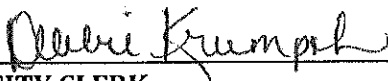
SECTION 8. Effective Date. This Resolution shall take effect and be in full force immediately upon passage as provided by law.

SECTION 9. Ratification. Any action taken consistent with the authority of this Resolution, after its passage but prior to the effective date, is ratified, approved, and confirmed.

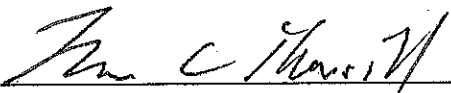
ADOPTED BY THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, AT A REGULAR MEETING this 10th day of July 2012.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY