

**CITY OF CHENEY, WASHINGTON  
ORDINANCE NO. W-68**

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF CHENEY AT THE NOVEMBER 3, 2015 GENERAL ELECTION OF A PROPOSITION AUTHORIZING THE CITY TO INCREASE ITS REGULAR PROPERTY TAX LEVY ABOVE THE LIMIT ESTABLISHED IN RCW 84.55 TO PROVIDE FOR THE CONTINUAL PROVISION OF PUBLIC SAFETY AND OTHER GOVERNMENTAL SERVICES, UPDATE THE CITY'S COMMUNICATION, OPERATING AND ELECTRONIC TECHNOLOGY IN ORDER TO BETTER SERVE THE COMMUNITY; AND FUND THE CONSTRUCTION AND IMPROVEMENT OF PUBLIC FACILITIES IN ACCORDANCE WITH THE CITY'S CAPITAL FACILITIES PLAN; SETTING FORTH THE BALLOT TITLE THEREFORE; REQUESTING THAT THE SPOKANE COUNTY AUDITOR PLACE THE PROPOSITION ON THE NOVEMBER 3, 2015 BALLOT; AND FIXING THE TIME WHEN THE SAME SHALL BECOME EFFECTIVE.**

**WHEREAS**, the City Council of the City of Cheney, Washington (the "**City**") desires to provide for (1) the continual provision of public safety and other governmental services; (2) update the City's communication, operating and electronic technology to better serve the community; and (3) provide funds to finance capital facilities in accordance with the City's Capital Facilities Plan, as amended, pursuant to RCW 36.70A.070;

**WHEREAS**, in order to provide for the foregoing, the City is in need of additional funds to supplement existing City general fund revenue which is applied for these purposes;

**WHEREAS**, the City's current regular property tax levy is \$2.4038 per \$1,000 of assessed value, which is \$0.6962 per \$1,000 of assessed value less than what is statutorily authorized;

**WHEREAS**, RCW 84.55.050 provides for the levy of regular property taxes in an amount exceeding the limitations specified in RCW Chapter 84.55 if such increased levy is authorized by a ballot proposition approved by a majority of the voters at an election held within the taxing district (a "*levy lid lift*"); and

**WHEREAS**, the City Council has determined that it is in the best interest of the City and its residents to submit a levy lid lift proposition under RCW 84.55.050(1) to the voters for their approval or rejection.

**NOW, THEREFORE**, the City Council of the City of Cheney, Washington, do ordain as follows:

**Section 1.** Levy Lid Lift Election Called For. Pursuant to RCW 84.55.050, the Cheney City Council hereby calls for the submission of a proposition to the qualified electors of the City asking whether the City shall levy regular property taxes in excess of the limitation established in RCW 84.55.010. The Spokane County Auditor, as *ex officio* supervisor of elections in Spokane County, is hereby requested to call and conduct the election referenced herein in the City of Cheney on November 3, 2015. The proposition to be submitted to the qualified voters of the City for their approval or rejection is to authorize an increase in the City's regular property tax levy by \$0.6962 per \$1,000 of assessed value, to a total regular property tax levy rate of \$3.10 per \$1,000 of assessed value, for collection beginning on January 1, 2016.

**Section 2.** Purpose of Levy. The purpose of the proposed levy lid lift is to provide for the continual provision of public safety and other governmental services, update the City's communication, operating and electronic technology to better serve the community, and implement goals under the City's Capital Facilities Plan, all as set forth above.

**Section 3.** Ballot Proposition. The City Clerk is hereby authorized and directed, not later than August 4, 2015, to certify a proposition to the Spokane County Auditor, as *ex officio* supervisor of elections in Spokane County, Washington, in substantially the following form:

CITY OF CHENEY  
PROPOSITION NO. 1

PUBLIC SAFETY AND CAPITAL PLAN LEVY

The Cheney City Council adopted Ordinance W-68 concerning a proposition to provide for continual public safety (police, fire), other governmental services and implement priority elements of the City's capital plan (swimming pool, technology, etc.). This proposition would increase the City's regular property tax rate by \$0.06962 to a total authorized rate of \$3.10 per \$1,000 of assessed value for collection in 2016 and annually thereafter. Should this proposition be approved?

YES \_\_\_\_\_ NO \_\_\_\_\_

**Section 4.** Changes. The Mayor and City Attorney are authorized to make such minor adjustments to the wording of such proposition as may be recommended by the Spokane County Auditor, as long as the intent of the proposition remains clear and consistent with the intent of this ordinance as approved by the City Council.

**Section 5.** Notices Relating to Ballot Proposition. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates the City Clerk.

**Section 6.** Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 7.** Effective Date. This ordinance shall become effective five (5) days after its passage, approval, and publication.

Introduced this 28 day of July, 2015.

Passed by the City Council this 28 day of July, 2015.

Approved by the Mayor this 28 day of July, 2015.

  
Tom Trulove, Mayor

ATTEST:

  
Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:

  
Stanley M. Schwartz, City Attorney