

Resolution No. 2013-24

[CITY COUNCIL MEETING MINUTES OCTOBER 21, 2013](#)

RESOLUTION NO. 2013-24

A RESOLUTION of the City of Lakewood, Washington, opposing the City of Tacoma Special Election, Proposition No. 1, 2% Utility Company Earnings Tax For Tacoma Street Improvements, Official Ballot Title: The City Council of the City of Tacoma adopted Substitute Resolution No. 38700 concerning an additional 2% earnings tax on utility companies for streets. If passed, Proposition No. 1 would authorize the City to levy an additional 2% earnings tax on natural gas, electric, and phone companies for the sole purpose of funding basic maintenance and safety upgrades City-wide, for roads, arterials, and bridges; permanent pothole repairs; pedestrian safety improvement to crosswalks near schools, sidewalks and intersections; repaving neighborhood streets; and improved signal timing, all as provided in Substitute Resolution No. 38700.

WHEREAS, the Tacoma City Council has placed a Tacoma Special Election, Proposition No. 1 on the ballot for Tacoma voters in the November 5, 2013, election; and

WHEREAS, Tacoma's Special Election Proposition No. 1 would, if approved, increase Tacoma's utility tax on the earnings of telephone, natural gas, and electric utilities, including the City of Tacoma-owned Tacoma Power, which provides electric service to customers in Lakewood; and

WHEREAS, only Tacoma residents will vote on Tacoma's Special Election Proposition No. 1; and

WHEREAS, if Tacoma's Special Election Proposition No. 1 is approved, the Tacoma City Council proposes to use the increased tax revenue to repair only Tacoma streets; and

WHEREAS, if Tacoma's Special Election Proposition No. 1 is approved, the Tacoma City Council could, by separate action, pass the 2% increase on to Tacoma Power customers both inside and outside Tacoma through a rate increase, including Tacoma Power customers in Lakewood; and

WHEREAS, though a rate increase cannot be classified as a tax, the practical effect would be to pass the cost of the 2% Tacoma tax increase on to Lakewood and other non-residents; and

WHEREAS, in the event that a 2% Tacoma Power rate increase is adopted by the Tacoma City Council to pass through a new Tacoma utility tax to customers, Tacoma Power customers Lakewood would in effect be paying to repair Tacoma's streets, with no benefit to Lakewood streets or any other benefit within Lakewood; and

WHEREAS, the Lakewood City Council desires to express its opposition to any action by the Tacoma City Council that results in Lakewood residents in effect paying an increased Tacoma utility tax to repair Tacoma streets, without the affirmative vote of a majority of Lakewood residents;

WHEREAS, pursuant to RCW 42.17A.555(1) the City Council, as a legislative body, is authorized to express a collective decision, or to actually vote upon a resolution to support or

oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body and members of the public are afforded an approximately equal opportunity for the expression of an opposing view; and

WHEREAS, the City has properly noticed the meeting of October 21, 2013 and afforded equal opportunity for expression of viewpoints concerning Tacoma's Special Election Proposition No. 1 as required by state law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, as Follows:

Section 1. Expression of Opposition. The City Council of the City of Lakewood expresses its opposition to the City of Tacoma Special Election, Proposition No. 1, 2% Utility Company Earnings Tax For Tacoma Street Improvements, Official Ballot Title: The City Council of the City of Tacoma adopted Substitute Resolution No. 38700 concerning an additional 2% earnings tax on utility companies for streets. If passed, Proposition No. 1 would authorize the City to levy an additional 2% earnings tax on natural gas, electric, and phone companies for the sole purpose of funding basic maintenance and safety upgrades City-wide, for roads, arterials, and bridges; permanent pothole repairs; pedestrian safety improvement to crosswalks near schools, sidewalks and intersections; repaving neighborhood streets; and improved signal timing, all as provided in Substitute Resolution No. 38700; and any related action by the Tacoma City Council to the extent that such action results in Lakewood residents subsidizing, to any degree, street maintenance for the City of Tacoma.

Section 2. Effective Date. This resolution shall take effect immediately upon its adoption.

PASSED by the City Council this 21st day of October, 2013.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Wachter, City Attorney