

ORDINANCE NO. 1135

**AN ORDINANCE OF THE CITY OF SNOQUALMIE,
WASHINGTON, REPEALING SECTIONS
5.06.080(D) AND 5.06.120(C) OF THE SNOQUALMIE
MUNICIPAL CODE, PROVIDING FOR
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, on January 24, 2011, the Snoqualmie City Council adopted Ordinance No. 1076; and

WHEREAS, Ordinance No. 1076 increased utility taxes on solid waste and City water and sewer utility charges by 3%, from 6% to 9%, to provide additional revenue to pay for general obligation bonded indebtedness for the Snoqualmie City Hall; and

WHEREAS, because the bonds for the City Hall are anticipated to be fully retired by March, 2021, Ordinance No. 1076 also provided that the 3% utility tax increase authorized therein would expire, and the applicable utility rate return to 6%, effective March 1, 2021; and

WHEREAS, the City of Snoqualmie currently has certain unfunded projects in its Capital Improvement plan; and

WHEREAS, certain street projects do not qualify for federal or state grant programs because they are residential or collector streets; and

WHEREAS, the City desires to establish a plan to fund these improvements; and

WHEREAS, on June 9, 2014 the City Council adopted Resolution No. 1255, which created the Street Overlay Reserve Fund, whose purpose is to accumulate resources to pay for street overlay projects, as well as such other projects as may be needed from time to time and as may be approved by the City Council; and

WHEREAS, Section 2(B)(3) of Resolution No. 1255 provided that, beginning in 2020 or as soon as the City Hall debt is discharged, and subject to SMC Section 5.06.080.D, SMC 5.06.120.C and any future City Council decision taken pursuant to Section 5 of Ordinance No. 1076 concerning whether or not to allow the 3% utility tax increase to expire, the Finance Officer shall annually transfer the incremental 3% utility tax increase proceeds into the Street Overlay Reserve Fund; and

WHEREAS, the City Council desires to repeal the expiration of the 3% tax increase provided for in Snoqualmie Municipal Code (“SMC”) Sections 5.06.080(D) and 5.06.120(C), so that the proceeds of the 3% tax increase may be transferred to the Street Overlay Reserve fund after the City Hall bonded indebtedness is fully retired;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Snoqualmie, Washington as follows:

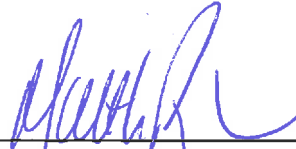
Section 1. – 3% Utility Tax Expiration Repealed. Sections 5.06.080(D) and 5.06.120(C) are repealed in their entirety.

Section 2. – Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 3. – Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 4. – Effective Date. This Ordinance shall become effective five (5) days after passage and publication, as provided by law.

PASSED by the City Council of the City of Snoqualmie, Washington, on this 28th day of July, 2014.



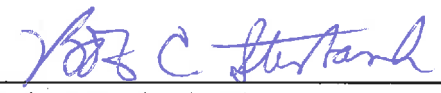
Matthew R. Larson, Mayor

Attest:



Jodi Warren, MMC City Clerk

Approved as to form:



Bob C. Sterbank, City Attorney