ORDINANCE NO. 3430

AN ORDINANCE of the City Council of the City of Kent, Washington, authorizing a one hundred six percent (106%) property tax levy limit factor for 1999 to protect the City's future property tax levy capacity.

WHEREAS, pursuant to RCW 84.55.120 and after providing all appropriate notice, the City Council held a public hearing on November 17, 1998, to consider the City of Kent's current expense budget for the 1999 calendar year; and

WHEREAS, after this hearing and after duly considering all relevant evidence and testimony presented, the City Council determined that the City of Kent requires an increase in property tax revenue from the previous year's revenues, in addition to the increase resulting from the addition of new construction and improvements to property, annexations and any increase in the value of state-assessed property and the refund fund levy, in order to discharge the expected expenses and obligations of the City and to protect the best interests of the citizenry; and

WHEREAS, the City intends to establish its actual 1999 property tax levy increase, in addition to the increase resulting from the addition of new construction and improvements to property, annexations and any increase in the value of state-assessed property and the refund fund levy, to one hundred percent (100%) plus the percentage change in inflation as measured by the implicit price deflator for personal consumption, which for 1999 taxes will be a .85 percent increase from the previous year's property tax levy; however, the level of services provided by the city have been impacted by recent
growth and annexations and may be further impacted by a slowing of the economy in the region, therefore, the City finds a substantial need exists to preserve its tax levy limit factor to preserve its future property tax levy capacity; and

WHEREAS, upon a finding of a "substantial need" and the vote of a majority plus one of the council, the City can adopt an ordinance protecting its future tax levy capacity; and

WHEREAS, to best preserve the public health, safety and welfare, to best protect the City’s future property tax levy capacity, and to best serve the citizens of Kent by maintaining an appropriate level of service throughout the City, an increase in the regular property tax levy limit factor, in addition to the increase resulting from the addition of new construction and improvements to property, annexations and any increase in the value of state-assessed property and the refund fund levy, should be authorized to one hundred six percent (106%) which would allow an increase from the previous year's highest allowable property tax levy in an amount currently estimated to be approximately $911,457.00, NOW, THEREFORE.

THE CITY COUNCIL OF THE CITY OF KENT DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings. The foregoing recitals are incorporated as if fully set forth in the body of this ordinance;

SECTION 2. Property Tax Levy Limit Factor Authorized. Based on the foregoing findings that a substantial need exists to increase the regular property tax levy limit factor and to best protect the City’s future property tax levy capacity, in addition to the increase resulting from the addition of new construction and improvements to property, annexations and any increase in the value of state-assessed property and the refund fund

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levy, the regular property tax levy limit factor for 1999 is authorized to one hundred six percent (106%) which would allow a six (6) increase from the previous year's highest allowable property tax levy in an amount currently estimated to be approximately $911,457.00.

SECTION 3. Severability. If any section, sentence, clause or phrase of this ordinance should 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 4. Effective Date. This ordinance shall take effect and be in force five (5) days from and after the date of publication of this ordinance.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY
PASSED: 8th day of December, 1998.
APPROVED: 9th day of December, 1998.
PUBLISHED: 11th day of December, 1998.

I hereby certify that this is a true copy of Ordinance No. 3430, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER (SEAL)
BRENDA JACOBER, CITY CLERK