

SAMPLE

A RESOLUTION OF THE CITY COUNCIL (BOARD OF COMMISSIONERS) OF _____ WASHINGTON, MAKING A DECLARATION OF SUBSTANTIAL NEED FOR PURPOSES OF THE SETTING THE LIMIT FACTOR FOR THE PROPERTY TAX LEVY FOR 2010

WHEREAS, RCW 84.55.010 provides that a taxing jurisdiction may levy taxes in an amount no more than the limit factor multiplied by the highest levy of the most recent three years plus additional amounts resulting from new construction and improvements to property, newly constructed wind turbines, and any increase in the value of state-assessed utility property;

WHEREAS, under RCW 84.55.005(2)(c), the limit factor for a taxing jurisdiction with a population of 10,000 or over is the lesser of 101 percent or 100 percent plus inflation;

WHEREAS, RCW 84.55.005(1) defines "inflation" as the percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent 12-month period by the Bureau of Economic Analysis of the federal Department of Commerce in September of the year before the taxes are payable;

WHEREAS, "inflation" for July 2009 is -0.848 percent and the limit factor is 99.152 percent, meaning the taxes levied in (name of your city or county) in 2009 for collection in 2010 will decrease except for the amounts resulting from new construction and improvements to property, newly constructed wind turbines, and any increase in the value of state-assessed utility property;

WHEREAS, RCW 84.55.0101 provides for use of a limit factor of 101 percent or less with a finding of substantial need by a majority plus one councilmembers (or two out of three commissioners);

WHEREAS,

Here you should add some recitals (Whereas clauses) documenting your substantial need. "Substantial need" is not defined in the statutes. And, no one is going to give your findings a grade of "pass" or "fail." You should just set forth your reasons by providing information about some of your general fund revenues and expenditures. You might discuss decreases in your sales tax or total revenues. Maybe you have already cut expenditures, making further cuts difficult. Tell your story.

NOW, THEREFORE, THE CITY COUNCIL (BOARD OF COMMISSIONERS) OF _____ WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. A finding is made of substantial need under RCW 84.55.0101, which authorizes the use of a limit factor of _____ (101 percent or less) for the property tax levy for 2010.

ADOPTED this ___ day of _____, 2009.

