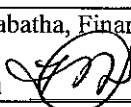
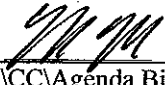


**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Motion to Adopt Ordinance No. 499, Setting the 2009 Property Tax Levy Rate		Meeting Date: November 17, 2008										
Department: Finance	Attachments: <u>\\File01\records\Ordinances - Preliminary\ORD499 Prop tax levy for 2009.docx</u>	Fund Source: N/A										
Contact: Tabatha Miller, Finance Director		Activity Cost: N/A										
Telephone: (206) 439-3150		Amount Budgeted: N/A										
		Unencumbered Budget Authority: N/A										
Adopted Work Plan Priority: Yes X No	Work Plan Item Description: Present the 2009-2010 Preliminary Budget to Council											
PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for Council to consider adopting proposed Ordinance No. 499, setting the 2009 Property Tax Levy.												
BACKGROUND (Include prior Council action & discussion): In November, 2007, the state legislature met in an emergency session to amend the RCWs (Revised Code of Washington) to limit property tax levy increases to 1% consistent with Initiative 747. This action was in response to our State Supreme Court upholding a ruling from a lower court finding that the Initiative was unconstitutional. The result is that the 1% levy limitation remains in place. Based on the most current data provided by the King County Assessor's office, Staff's 2009 property tax levy recommendation will be based on the following calculation:												
<table> <tr> <td>2008 Property Tax levy:</td> <td align="right">\$5,271,702</td> </tr> <tr> <td>Plus one percent:</td> <td align="right">\$52,717</td> </tr> <tr> <td>Plus 2008 levy rate on new construction:</td> <td align="right">\$62,873</td> </tr> <tr> <td>Plus relevel for prior year refunds:</td> <td align="right">\$12,507</td> </tr> <tr> <td>2009 Property Tax levy:</td> <td align="right">\$5,399,799</td> </tr> </table>			2008 Property Tax levy:	\$5,271,702	Plus one percent:	\$52,717	Plus 2008 levy rate on new construction:	\$62,873	Plus relevel for prior year refunds:	\$12,507	2009 Property Tax levy:	\$5,399,799
2008 Property Tax levy:	\$5,271,702											
Plus one percent:	\$52,717											
Plus 2008 levy rate on new construction:	\$62,873											
Plus relevel for prior year refunds:	\$12,507											
2009 Property Tax levy:	\$5,399,799											
Levy rate based on allowable levy: 1.26351.												
OPTIONS (Including fiscal impacts):												
<ol style="list-style-type: none"> 1. Approve adoption of proposed Ordinance No. 499, setting the 2009 Property Tax Levy, including a 1% allowable increase. 2. Do not approve adoption of the proposed Ordinance No. 499, setting the 2009 Property Tax Levy, in which case the levy will remain at the 2008 level. 												
Administrative Recommendation: Adopt proposed Ordinance No. 499, setting the 2009 Property Tax Levy.												
Committee Recommendation: N/A												
Advisory Board Recommendation: N/A												
Suggested Motion: Move to adopt proposed Ordinance No. 499, setting the 2009 Property Tax Levy.												
Submitted by: Tabatha Miller, Finance Director												
Administration 	City Manager 											
Today's Date: November 12, 2008		File Code: R:\CC\Agenda Bill 2008\111708ad-3 Prop Tax Levy.doc										

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 499

A ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, LEVYING THE GENERAL TAXES FOR THE CITY OF BURIEN IN KING COUNTY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2009, ON ALL PROPERTY BOTH REAL AND PERSONAL, IN SAID CITY WHICH IS SUBJECT TO TAXATION FOR THE PURPOSE OF PAYING SUFFICIENT REVENUE TO CARRY ON THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE ENSUING YEAR AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Burien has met and considered its budget for the 2009 and 2010 calendar years; and,

WHEREAS, the City Council held a final public hearing on November 3, 2008, to consider revenue sources and expenditures for the 2009-2010 biennial budget; and,

WHEREAS, the City of Burien's actual levy amount from the previous year was \$5,271,702; and,

WHEREAS, the population of the City of Burien is more than 10,000; and,

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. 2009 Levy Rate. There shall be and hereby is levied on all real, personal, and utility property in the City of Burien, in King County, current taxes for the year commencing January 2009, in the amount specified below:

Regular Tax Levy of \$5,500,000

The dollar amount of the increase over the actual levy amount from the previous year shall be \$52,717 which is a percentage increase of 1% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

The said taxes herein provided for are levied for the purpose of payment upon the general bonded indebtedness of the City of Burien, for the construction of a new Sr. Center, Town Square and for the maintenance of the departments of the municipal government of the City of Burien for the fiscal year beginning January 1, 2009.

Section 2. Notice to King County. This ordinance shall be certified to the proper County officials, as provided by law, and taxes herein levied shall be collected to pay to the Finance Director of the City of Burien at the time and in the manner provided by the laws of the State of Washington for the collection of taxes for noncharter code cities.

Section 3. Effective Date. This ordinance shall be in full force five days after publication of this ordinance or a summary thereof in the official newspaper of the City, as provided by law.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 17th DAY OF NOVEMBER 2008, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 17th DAY OF NOVEMBER 2008.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Christopher D. Bacha, Interim City Attorney

Filed with the City Clerk:

Passed by the City Council:

Ordinance No. 499

Date of Publication: