

**ORDINANCE NO. 1443**

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON** authorizing an increase in the regular property tax levy for the year 2009 for general City expenditures.

**WHEREAS**, the City Council and the City Manager have considered the anticipated financial requirements of the City of Des Moines for the fiscal year 2009, and

**WHEREAS**, the City Council, after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Des Moines requires a regular levy in an amount not greater than \$4,612,800, which includes an increase in property tax revenue from the previous year, and amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, and amounts above the limit established in RCW 84.55.010 authorized by voters at the May 16, 2006 special election, in order to discharge the expected expenses and obligations of the City and in its best interest, and

**WHEREAS**, pursuant to RCW 84.55.120 the City Council is required to adopt a separate ordinance specifically authorizing an increase in the regular property tax levy in terms of both dollars and percentage increase above the previous year's levy; now therefore,

**THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:**

**Sec. 1.** Consistent with RCW 84.55.120, the City Council of the City of Des Moines hereby authorizes an increase in City property taxes for the 2009 tax levy in an amount not greater than \$257,980, which is five and nine-tenths of one percent (5.9%) above the 2008 tax levy. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made, and inclusive of amounts above the limit established in RCW 84.55.010 authorized by voters at the May 16, 2006 special election.

**Sec. 2.** The actual amounts levied pursuant to the five and nine-tenths of one percent (5.9%) increase set forth in section 1 of this ordinance shall be calculated after the value of state-assessed property (increase in utility value) is provided by King County.

**Sec. 3.** Upon adoption, the City Clerk shall certify and forward a copy of this ordinance to the Metropolitan King County Council and County Assessor for King County, Washington.

**Sec. 4. Severability - Construction.**

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

**Sec. 5. Effective date.** This ordinance shall take effect in full force five (5) days after its passage, approval and publication according to law.

**PASSED BY** a majority of of the City Council of the City of Des Moines this 13th day of November, 2008 and signed in authentication thereof this 13th day of November, 2008.

  
M A Y O R

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Published: 11-26-08

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1443, Adopted November 13, 2008.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance authorizes an increase in the regular property tax levy for the year 2009 for general City expenditures.

The full text of the ordinance will be mailed without cost upon request.

Denis Staab  
City Clerk

Published: November 26, 2008