

RESOLUTION NO. 812

**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 councilmember (or two out of three commissioners);

WHEREAS, revenues for the City of Lynden have been reduced by current economic conditions, especially in the areas of sales tax and development related fees;

WHEREAS, the balancing of the 2010 budget for Lynden has required the use of reserve funds, and has required reducing the expenditure budgets of operating departments;

WHEREAS, the departments funded from property taxes cannot be further reduced without creating a reduction of services to the community;

NOW, THEREFORE, BE IT RESOLVED, by the Lynden City Council Section 1. A finding is made of substantial need under RCW 84.55.0101, which authorizes the use of a limit factor of One Hundred One percent (101%) for the property tax levy for 2010.

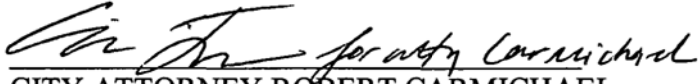
PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, 7 IN FAVOR 0 AGAINST, AND SIGNED BY THE MAYOR THIS 16 DAY OF NOVEMBER, 2009.


MAYOR JACK LOUWS

ATTEST:


CITY CLERK WILLIAM VERWOLF

APPROVED AS TO FORM:


CITY ATTORNEY ROBERT CARMICHAEL