

1
2
3 **CITY OF LYNNWOOD**
4 **TRANSPORTATION BENEFIT DISTRICT**

5
6 **ORDINANCE NO. 1**
7

8
9 AN ORDINANCE OF THE CITY OF LYNNWOOD,
10 WASHINGTON, TRANSPORTATION BENEFIT DISTRICT
11 AUTHORIZING A VEHICLE LICENSE FEE AND
12 AUTHORIZING CERTAIN PROJECTS TO BE FUNDED; AND
13 PROVIDING FOR SEVERABILITY, ESTABLISHING AN
14 EFFECTIVE DATE, AND PROVIDING FOR SUMMARY
15 PUBLICATION.

16
17
18 WHEREAS, Chapter 36.73 RCW and RCW 35.21.255 authorize the City of
19 Lynnwood City Council to establish a Transportation Benefit District within the City's
20 jurisdiction for the purpose of acquiring, constructing, improving, providing, and funding
21 transportation improvements within the district that are consistent with existing state, regional,
22 and local transportation plans and necessitated by existing or reasonably foreseeable congestion
23 levels; and

24
25 WHEREAS, the City Council of the City of Lynnwood found it to be in the best
26 interests of the City to establish a citywide Transportation Benefit District consistent with
27 Chapter 36.73 RCW, to protect the City's long term investments in that infrastructure, to reduce
28 the risk of transportation facility failures and improve safety, to continue optimal performance of
29 the infrastructure over time, and to avoid more expensive infrastructure replacements in the
30 future; and

31
32 WHEREAS, in Ordinance No. 2837, the City Council of the City of Lynnwood
33 established a Transportation Benefit District as authorized by RCW 35.21.225 and subject to the
34 provisions of RCW 36.73; and

35
36 WHEREAS, the Transportation Benefit District includes the entire City of
37 Lynnwood as the boundaries currently exist or as they are expanded upon annexation; and

38
39 WHEREAS, pursuant to RCW 36.73.030(3), the members of the City Council,
40 acting ex officio and independently, constitute the governing body of the Transportation Benefit
41 District; and
42

1 WHEREAS, RCW 36.73.065 authorizes a Transportation Benefit District to
2 impose, by majority vote of the district's governing board, up to \$20 of the vehicle fee
3 authorized in RCW 82.80.140; and
4

5 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District
6 held public hearings on July 12, 2010 and August 9, 2010 to solicit public comment regarding
7 the proposed vehicle fee and the projects to be funded; and
8

9 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District
10 finds it in the best interests of the District to establish an annual vehicle fee in the amount of \$20
11 for the purpose of making transportation improvements that preserve, maintain, and improve the
12 transportation infrastructure of the City of Lynnwood, consistent with Chapter 36.73 RCW; and,
13

14 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District
15 has determined that fee collection shall begin as of March 1, 2011; and,
16

17 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District
18 finds it in the best interest of the District to fund Street Fund 111 and four projects/programs in
19 the City of Lynnwood Capital Facilities Plan, as stated in Section 3 below; NOW,
20 THEREFORE,
21

22 THE BOARD OF THE CITY OF LYNNWOOD, WASHINGTON,
23 TRANSPORTATION BENEFIT DISTRICT, DO ORDAIN AS FOLLOWS:
24

25 Section 1. Establishment of Annual Vehicle Fee. An annual vehicle fee in the amount of \$20 is
26 hereby established, consistent with RCW 36.73.065, to be collected by the Washington
27 Department of Licensing on qualifying vehicles as set forth in RCW 82.80.140 and Chapters
28 36.73 and 46.16 RCW.
29

30 Section 2. Effective Date of Fee Collection. The vehicle license fee shall take effect for vehicle
31 license renewals due on or after March 1, 2011, or as soon thereafter as the Washington
32 Department of Licensing is reasonably able to incorporate collection of the \$20 fee. Vehicle
33 license fees will not be collected sooner than six months after approval as provided in RCW
34 82.80.140.
35

36 Section 3. Projects. The projects listed herein shall be funded:
37

- 38 1. City of Lynnwood Street Fund 111, in partnership with the City of Lynnwood.
- 39
- 40 2. Overlay Program, identified in the City of Lynnwood Six Year Transportation
41 Improvement Plan, in partnership with the City of Lynnwood.
42
- 43 3. Traffic Signal Rebuild Program, identified in the City of Lynnwood Six Year
44 Transportation Improvement Plan, in partnership with the City of Lynnwood.
45

- 1 4. Traffic Signal Reconstruction: Scriber Lake Road at 196th Street SW, identified in the
2 City of Lynnwood Six Year Transportation Improvement Plan as project "G", in
3 partnership with the City of Lynnwood.
4
5 5. 48th Avenue W Sidewalk: 183rd Place SW to 180th Street SW, identified in the City of
6 Lynnwood Six Year Transportation Improvement Plan as project "4", in partnership with
7 the City of Lynnwood.
8

9 Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be
10 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
11 unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,
12 clause or phrase or word of this ordinance.
13

14 Section 5. Effective Date. This ordinance shall take effect five (5) days after passage and
15 publication of an approved summary thereof consisting of the title.
16

17 PASSED this ____ day of _____, 2010 and signed in authentication of its passage this
18 ____ day of _____, 2010.
19
20
21

22 _____
23 Loren Simmonds
TBD President

24
25 ATTEST:

APPROVED AS TO FORM:

26
27
28 _____
29 Patrick L. Dugan
30 Interim Finance Director, acting as
31 Board Treasurer
32
33
34

Rosemary Larson
City Attorney, acting as Board Attorney

35 FILED WITH ADMINISTRATIVE SERVICES: _____
36 PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD: _____
37 PUBLISHED: _____
38 EFFECTIVE DATE: _____
39 ORDINANCE NUMBER: _____