

RESOLUTION NO. 1370

**A RESOLUTION OF THE CITY OF EDMONDS,
WASHINGTON, SETTING A PUBLIC HEARING TO
CONSIDER THE ASSUMPTION OF THE RIGHTS,
POWERS, FUNCTIONS AND OBLIGATIONS OF
THE EDMONDS TRANSPORTATION BENEFIT
DISTRICT**

WHEREAS, the 2015 Legislature adopted Second Engrossed Substitute Senate Bill (2ESSB) 5987, the majority of which became effective on July 15, 2015; and

WHEREAS, Section 301 of 2ESSB 5987 authorizes any city in which a transportation benefit district (“TBD”) has been established pursuant to Chapter 36.73 RCW within boundaries coterminous with the boundaries of the city, to assume the rights, powers, functions, and obligations of the TBD, by way of adoption of an ordinance or resolution of the city legislative authority; and

WHEREAS, pursuant to Ordinance and codified in Chapter 3.65 of the Edmonds Municipal Code, the City of Edmonds City Council established a transportation benefit district to be known as the Edmonds Transportation Benefit District, with geographical boundaries comprised of the corporate limits of the City of Edmonds at the time the ordinance was adopted or as they may exist after future annexations; and

WHEREAS, Section 302 of 2ESSB 5987 provides that the assumption of the rights, powers, functions, and obligations of a transportation benefit district may be initiated by the adoption of an ordinance or resolution by the city legislative authority indicating its intention to conduct a hearing concerning the assumption of such rights, powers, functions, and obligations, setting a time and place at which the city legislative authority will consider the proposed assumption of the rights, powers, functions and

obligations of the transportation benefit district, and stating that all persons interested may appear and be heard; and

WHEREAS, section 302 of 2ESSB 5987 provides that the ordinance or resolution of intention must be published at least two times during the two weeks preceding the scheduled hearing in newspapers of daily general circulation printed or published in the city in which the transportation benefit district is located; and

WHEREAS, Section 303 of ESSB 5987 provides that if, after receiving testimony, the city legislative authority determines that the public interest or welfare would be satisfied by the city assuming the rights, powers, immunities, functions, and obligations of the TBD, the city legislative authority may declare that to be its intent and assume such rights, powers, immunities, functions, and obligations by ordinance or resolution, providing that the city is vested with every right, power, immunity, function and obligation currently granted to or possessed by the TBD; and

WHEREAS, upon assumption of the rights, powers, immunities, functions, and obligations of the TBD by the City, the governing body established by RCW 36.73.020 must be abolished; and

WHEREAS, it is the intent of the City Council of Edmonds to consider the assumption of rights, powers, functions, and obligations of the Edmonds TBD, and

WHEREAS, the City Council desires to set a public hearing as required by Section 302 of 2ESSB 5987;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDMONDS, AS FOLLOWS:

1. The City of Edmonds intends to consider the assumption of the rights, powers, functions, and obligations of the Edmonds TBD.

2. A public hearing concerning the assumption of the rights, powers, functions and obligations of the Edmonds TBD shall be held on October 4th, 2016.

3. All persons interested, including those with protests and objections to the assumption of rights, powers, functions, and obligations of the TBD, may appear and be heard at said public hearing.

4. At the conclusion of the public hearing, if the City Council determines that the public interest or welfare would be satisfied by the City assuming the rights, powers, immunities, functions, and obligations of the TBD, the City Council may declare that to be its intent, and assume such rights, powers, immunities, functions and obligations by way of ordinance or resolution, providing that the City is vested with every rights, power, immunity, function and obligation currently granted to or possessed by the TBD.

5. The City Clerk shall give notice of the public hearing set herein in the manner so required by Section 302 of 2ESSB 5987.

RESOLVED this 20th day of September, 2016.

APPROVED:


MAYOR, DAVE O. EARLING

ATTEST/AUTHENTICATED:


CITY CLERK, SCOTT PASSEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO.

September 16, 2016
September 20, 2016
1370