

**ORDINANCE NO. 1107**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
LAKE FOREST PARK, WASHINGTON, ASSUMING THE  
RIGHTS, POWERS, FUNCTIONS, IMMUNITIES, AND  
OBLIGATIONS OF THE LAKE FOREST PARK  
TRANSPORTATION BENEFIT DISTRICT**

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**WHEREAS**, on October 23, 2008, the City Council adopted Ordinance No. 983 creating the Lake Forest Park Transportation Benefit District ("Lake Forest Park TBD") with the same geographic boundaries as the corporate limits of the City, all in accordance with chapter 36.73 RCW; and

**WHEREAS**, on July 1, 2015, the Washington State Legislature enacted Second Engrossed Substitute Senate Bill 5987 (SESSB 5987) which, at section 301, authorizes the City to assume the rights, powers, functions, and obligations of the existing Lake Forest Park TBD; and

**WHEREAS**, on October 22, 2015, the City Council conducted a public hearing allowing all persons interested in the proposed assumption the opportunity to be heard; and

**WHEREAS**, the City Council has determined that the public interest and welfare will be satisfied by the City assuming the rights, powers, immunities, functions, and obligations of the existing Lake Forest Park TBD.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Assumption of Lake Forest Park Transportation Benefit District. Pursuant to SESSB 5987 Section 301 and Section 303, the City of Lake Forest Park hereby assumes all of the rights, powers, immunities, functions, and obligations of the Lake Forest Park TBD. The City is hereby vested with each and every right, power, immunity, function, and obligation currently granted to or possessed by the Lake Forest Park TBD as of the effective date of this Ordinance. The rights, powers, functions, and obligations previously exercised and/or performed by the governing body of the Lake Forest Park TBD are hereby assumed by and transferred to the Lake Forest Park City Council.

Section 2. No Existing Right Impaired. Pursuant to SESSB 5987 Section 304, this assumption does not impair or alter any existing rights acquired by the Lake Forest Park TBD under chapter 36.73 RCW or any other provision of law relating to transportation benefit districts. Nor does this assumption impair or alter any actions,

activities, or proceedings validated thereunder; any civil or criminal proceedings instituted thereunder; any rule, regulation, or order promulgated thereunder; any administrative action taken thereunder; or the validity of any act performed by the Lake Forest Park TBD or division thereof or any officer thereof prior to the assumption of such rights, powers, functions, and obligations by the City as authorized under the law.

Section 3. AMENDMENT. Lake Forest Park Municipal Code, is hereby amended as follows:

12.35.020 Governing ~~board~~ body. The governing ~~board~~ body of the transportation benefit district shall be the Lake Forest Park city council ~~acting in an ex officio and independent capacity~~, which shall have the authority to exercise the statutory powers set forth in Chapter 36.73 RCW.

B. The treasurer of the transportation benefit district shall be the city finance director.

C. The ~~board~~ governing body shall develop a material change policy to address major plan changes that affect project delivery or the ability to finance the plan, pursuant to the requirements set forth in RCW 36.73.160(1).

D. The ~~board~~ governing body shall issue an annual report, pursuant to the requirements of RCW 36.73.160(2).

Section 4. CORRECTIONS. The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect on January 1, 2016 after passage and publication.

**APPROVED BY A MAJORITY** of the Lake Forest Park City Council this 12<sup>th</sup> day of November, 2015, and signed into authentication this 13<sup>th</sup> day of November, 2015.

APPROVED:

  
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Mary Jane Goss  
Mayor

ATTEST/AUTHENTICATED:



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Evelyn Jahed  
City Clerk

APPROVED AS TO FORM:



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Kim Adams Pratt  
Interim City Attorney

Introduced: October 22, 2015  
Adopted: November 12, 2015  
Posted: November 17, 2015  
Published: November 17, 2015  
Effective: January 1, 2016