

**CITY OF LYNNWOOD  
TRANSPORTATION BENEFIT DISTRICT**

**ORDINANCE NO. 2**

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

---

WHEREAS, Chapter 36.73 RCW and RCW 35.21.225 authorize the City of Lynnwood City Council to establish a Transportation Benefit District within the City's jurisdiction for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district that are consistent with existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

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

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

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

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

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

WHEREAS, the Board of the City of Lynnwood Transportation Benefit District held a public hearing on November 22, 2010 to solicit public comment regarding the proposed vehicle fee and the projects to be funded; and

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

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

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

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

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

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

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

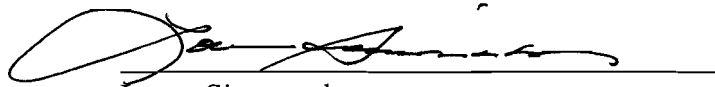
1. City of Lynnwood Street Fund 111, in partnership with the City of Lynnwood.
2. Overlay Program, identified in the City of Lynnwood Six Year Transportation Improvement Plan, in partnership with the City of Lynnwood.
3. Traffic Signal Rebuild Program, identified in the City of Lynnwood Six Year Transportation Improvement Plan, in partnership with the City of Lynnwood.
4. Traffic Signal Reconstruction: Scriber Lake Road at 196<sup>th</sup> Street SW, identified in the City of Lynnwood Six Year Transportation Improvement Plan, in partnership with the City of Lynnwood.

5. 48<sup>th</sup> Avenue W Sidewalk: 183<sup>rd</sup> Place SW to 180<sup>th</sup> Street SW, identified in the City of Lynnwood Six Year Transportation Improvement Plan, in partnership with the City of Lynnwood.

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

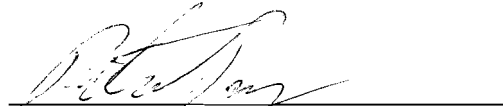
Section 5. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED this 29<sup>th</sup> day of November, 2010 and signed in authentication of its passage this 30<sup>th</sup> day of November, 2010.




Loren Simmonds  
TBD President

ATTEST:



Patrick L. Dugan  
Interim Finance Director, acting as  
Board Treasurer

APPROVED AS TO FORM:



Rosemary Larson  
City Attorney, acting as Board Attorney

PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD: 11-29-10

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

ORDINANCE NUMBER:  2