

ORDINANCE NO. 2015-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON, ASSUMING ALL RIGHTS, POWERS, IMMUNITIES, FUNCTIONS AND OBLIGATIONS OF THE GRANDVIEW TRANSPORTATION BENEFIT DISTRICT PURSUANT TO THE AUTHORITY OF SECOND ENGROSSED SUBSTITUTE SENATE BILL 5987 (2ESSB 5987), ABOLISHING THE GRANDVIEW TRANSPORTATION BENEFIT DISTRICT AND REPEALING SECTION 2 OF ORDINANCE NO. 2011-9

WHEREAS, Chapter 36.73 RCW provides for the establishment of Transportation Benefit Districts (TBD) and the levying of additional revenue sources for transportation improvements within such districts; and

WHEREAS, the City of Grandview adopted Ordinance No. 2011-9 on March 8, 2011, creating Grandview Municipal Code Chapter 12.30 entitled "TRANSPORTATION BENEFIT DISTRICT"; forming the Grandview Transportation Benefit District entirely within the geographical boundaries comprised of the corporate city limits of the City of Grandview Washington; and

WHEREAS, the State adopted 2ESSB 5987 that, effective July 15, 2015, authorizes a city or county that has established a TBD with the same boundaries as the city or county to absorb the TBD and assume all of the TBD's "rights, powers, functions and obligations" with the result that the TBD would cease to exist as a separate municipal entity; and

WHEREAS, the City of Grandview passed Resolution No. 2015-47 on November 9, 2015, setting a public hearing for 7:00 P.M. on November 24, 2015, at City Council Chambers, for the purpose of considering the assumption of the Grandview Transportation Benefit District coexistent with the City's boundaries and to exercise all rights, powers, functions and obligations of the Grandview Transportation Benefit District; and

WHEREAS, Resolution No. 2015-47 was published at least two times during the two weeks preceding the November 24, 2015, public hearing in a newspaper of daily general circulation printed or published in the City of Grandview or Yakima County; and

WHEREAS, a public hearing occurred on November 24, 2015, at City Council Chambers, during which the City Council considered the assumption of rights, powers, functions, and obligations of the Grandview Transportation Benefit District, and also heard those appearing and all protests and objections to same;

WHEREAS, having received testimony, the City Council has determined that the public interest and welfare would be satisfied by the City of Grandview assuming the rights, powers, immunities, functions, and obligations of the Grandview Transportation Benefit District;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Intent. It is the intention of the City of Grandview to assume all rights, powers, immunities, functions and obligations of the Grandview Transportation Benefit District.

Section 2. Assumption.

A. The City of Grandview hereby assumes all rights, powers, immunities, functions and obligations of the Grandview Transportation Benefit District. The City of Grandview is hereby vested with every right, power, immunity, function and obligation currently granted to or possessed by the Grandview Transportation Benefit District.

B. All rules and regulations and all pending business before the Grandview Transportation Benefit District shall be continued and acted upon by the City of Grandview.

C. All existing contracts and obligations of the Grandview Transportation Benefit District shall remain in full force and effect and shall be performed by the City of Grandview.

D. All reports, documents, surveys, books, records, files, papers, or other writings relating to the administration of powers, duties and functions transferred pursuant to this chapter and available to the Grandview Transportation Benefit District shall be made available to the City of Grandview.

E. All funds, credits, or other assets held in connection with powers, duties, and functions transferred pursuant to this ordinance shall be assigned to the City of Grandview.

F. Any appropriations or federal grants made out to the Grandview Transportation Benefit District for the purpose of carrying out the rights, powers, functions and obligations authorized to be assumed by the City of Grandview pursuant to this ordinance, on the effective date of this ordinance, shall be credited to the City of Grandview for the purpose of carrying out such transferred rights, powers, functions and obligations.

G. The City of Grandview hereby assumes and agrees to provide for the payment of all indebtedness of the Grandview Transportation Benefit District, including the payment and retirement of outstanding general obligation and revenue bonds issued by the Grandview Transportation Benefit District.

Section 3. TBD abolished. The Grandview Transportation Benefit District is hereby abolished.

Section 4. Repeal. Section 2 of Ordinance No. 2011-9 (and by virtue thereof Ch. 12.30 of the Grandview Municipal Code) is hereby repealed.

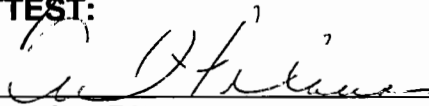
Section 5. Effective Date. This Ordinance shall be in full force and effect five (5) day after its passage and publication as required by law.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on November 24, 2015.

MAYOR

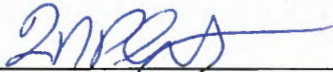


ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PUBLICATION: 11/25/15

EFFECTIVE: 11/30/15