

ORTING TRANSPORTATION BENEFIT DISTRICT

WASHINGTON

TBD RESOLUTION NO. 2014-1

A RESOLUTION OF THE ORTING TRANSPORTATION BENEFIT DISTRICT; AMENDING TBD RESOLUTION NO. 2012-1; AUTHORIZING CONTINUED COLLECTION OF THE TWENTY DOLLAR (\$20.00) VEHICLE LICENSE FEE; AUTHORIZING FUNDING OF TRANSPORTATION IMPROVEMENT PROJECTS APPROVED BY THE CITY COUNCIL PURSUANT TO RESOLUTION NO. 2014-9; REQUESTING THE ORTING CITY ADMINISTRATOR TO NOTIFY THE WASHINGTON STATE DEPARTMENT OF LICENSING OF THE AMENDMENTS HEREIN; PROVIDING FOR SEVERABILITY; AND, ESTABLISHING AN EFFECTIVE DATE

WHEREAS, RCW 36.73.065 authorizes transportation benefits districts to impose, by majority vote of the transportation benefit district Board, an annual vehicle license fee of up to twenty dollars (\$20.00) as authorized in RCW 82.80.140 and Ch. 46.16 RCW; and

WHEREAS, pursuant to TBD No. 1 Resolution No. 2012-1, the TBD No. 1 approved imposition of an annual vehicle license fees of twenty dollars (\$20.00) for a limited period of twenty-four (24) months to fund approved transportation improvement projects; and

WHEREAS, following a properly noticed public hearing on May 14, 2014, the Orting City Council pursuant to Resolution No. 2014-9, authorized an amendment to the projects approved for funding by TBD No. 1 as set forth in Exhibit "A" and further recommended that the TBD Board extend imposition of the \$20.00 vehicle license fee for the purpose of continued funding of approved transportation improvement projects; and

WHEREAS, upon recommendation of the City Council and after consideration of all relevant matters and having been in all other matters fully advised, the TBD No. 1 Board finds that the list of projects to be funded by the TBD No. 1 should be amended as set forth in Exhibit "A" to City Council Resolution No. 2014-9 and that the time limitation upon imposition of vehicle license fees should be removed in order to provide funding for the approved transportation improvement projects and that the TBD No. 1 Board should periodically, but no less than every two (2) years, review the necessity of continued imposition of vehicle license fees to fund the approved transportation improvement projects;

NOW, THEREFORE, THE BOARD OF THE ORTING TRANSPORTATION BENEFIT DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Amendment of Section 3 of TBD Resolution No 2012-1. Section 3 of TBD Resolution No. 2012-1 is hereby amended as follows:

Section 3. Transportation Improvements Funded. The funds collected from the vehicle license fees shall be used exclusively to fund those transportation improvement projects as set forth in City Council Resolution No. 2012-8 and City Council Resolution No. 2014-9, and consistent with Chapter 36.73 RCW; provided that, the DOL shall deduct a percentage amount, as provided by contract, not to exceed one percent of the fees collected, for administration and collection expenses incurred by it.

Section 2. Amendment of Section 4 of TBD Resolution No 2012-1. Section 4 of TBD Resolution No. 2012-1 is hereby amended as follows:

Section 4. Monitoring of Expenditures. The TBD Board further requests that the City cause its City Administrator, or designee, to monitor the collection of the annual vehicle license fees and the progress of the approved transportation improvements, and work cooperatively with DOL to ensure ~~that~~ the collection of the annual vehicle license fees that are timely paid does not exceed the ~~twenty-four (24) month time period estimated to be~~ the time-period necessary to fund completion of the approved transportation improvements; provided that, the vehicle license fee shall cease no later than dissolution of the TBD.

Section 3. Effect of Amendments. The TBD Board intends that the effect of this amendment to TBD Resolution No. 2012-1 is to remove the time-limitation upon collection of the annual vehicle license fee in the amount of twenty dollars (\$20.00) imposed pursuant to TBD Resolution No. 2012-1 and to authorize use of the collected vehicle license fees to fund the projects approved pursuant to City Council Resolution No. 2012-8 and City Council Resolution No. 2014-9.

Section 4. Notification to the Department of Licensing. The TBD Board requests that the City cause its City Administrator, or designee, to notify the Department of Licensing as soon as practical of the amendments herein that remove the time limit imposed upon the collection of the annual vehicle license fee in the amount of twenty dollars (\$20.00) imposed pursuant to TBD Resolution No. 2012-1.

Section 5. Periodic Review. The TBD Board shall periodically, but no less than every two (2) years, review the necessity of continued imposition of vehicle license fees to fund the approved transportation improvement projects.

Section 6. Severability. If a section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution.

Section 7. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

PASSED BY THE BOARD AT A REGULAR MEETING THEREOF ON THE 14th DAY OF MAY, 2014.

PORTING TRANSPORTATION BENEFIT
DISTRICT:


Graham Hunt, Chair

ATTEST/AUTHENTICATED:


Mark Bethune, District Treasurer

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Passed by the City Council: 5/14/14