

**CITY OF ORTING  
WASHINGTON**

**RESOLUTION NO. 2014-9**

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**A RESOLUTION OF THE CITY OF ORTING,  
WASHINGTON, APPROVING MODIFICATION OF THE  
LIST OF APPROVED TRANSPORTATION  
IMPROVEMENT PROJECTS TO BE FUNDED BY THE  
ORTING TRANSPORTATION BENEFIT DISTRICT AND  
RECOMMENDING CONTINUED COLLECTION OF AN  
ANNUAL TWENTY-DOLLAR VEHICLE LICENSE FEE  
EXCLUSIVELY FOR APPROVED TRANSPORTATION  
IMPROVEMENT PROJECTS**

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**WHEREAS**, Chapter 36.73 RCW provides for the establishment of transportation benefit districts and for the levying of additional revenue sources for 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**, 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**, after a properly noticed public hearing held on November 29<sup>th</sup>, 2011 and after taking public testimony regarding the list of transportation improvement projects set forth in the public hearing notice, the Orting City Council pursuant to City Ordinance No. 920, authorized creation of the Orting Transportation Benefit District (the "**TBD**") to provide adequate funding for the transportation improvements set forth in the notice of public hearing; and

**WHEREAS**, pursuant City Council Ordinance No. 920, the TBD was empowered to do all things necessary to impose an annual vehicle license fee in the amount of up to twenty dollars (\$20.00) for the transportation improvement projects described in the notice of public hearing; and

**WHEREAS**, following a hearing on July 11, 2012, the City Council passed Resolution No. 2012-8 authorizing an amendment to the approved transportation projects to be funded and finding that it was essential to the public interest that the imposition of the vehicle license fees be limited to a period of no more than twenty-four (24) months following commencement of collection; and

**WHEREAS**, on July 11, 2012, the TBD Board convened and approved amended TBD Resolution No. 2012-9 authorizing imposition of a twenty dollar (\$20.00) vehicle license fee pursuant to RCW 36.73.065 and 82.80.140 for no longer than a two (2) year period commencing upon collection; and

**WHEREAS**, TBD No. 1 has successfully funded many of the projects authorized to be funded by TBD No. 1; however, the authorization to impose and collect vehicle license fees will terminate before the end of the year resulting in a loss of all revenue to the TBD to fund the remaining transportation improvement projects and any additional transportation improvement projects; and

**WHEREAS**, on May 14 2014, the City Council conducted a public hearing to take public testimony regarding whether or not the list of TBD transportation improvement projects previously approved for funding by the TBD should be modified as set forth in the published notice and Exhibit "A" attached hereto, and whether or not the authorization to impose vehicle license fees to fund approved transportations improvement projects should continue beyond the initial 24 month period; and

**WHEREAS**, upon consideration of the recommendation of the City staff and the public comment taken during the public hearing, and being in all matters fully advised, the City Council finds that, the transportation improvement projects authorized to be funded by the TBD should be modified to include those projects set forth in Exhibit "A", and that, such transportation improvement projects are consistent with the Cities Transportation Improvement Program, will provide for the operation, preservation, maintenance and improvement of existing transportation infrastructure, will reduce the risk of transportation failure, will improve public safety, will improve optimal performance of transportation infrastructure over time, will avoid more expensive infrastructure improvements in the future, will facilitate preservation of planned traffic patterns and reduce overuse and congestion of other City streets, and are necessitated by existing and reasonably foreseeable congestion levels, and

**WHEREAS**, the City Council, further finds that it is in the public interest for the TBD to approve funding of such projects through continued imposition of an annual twenty dollar (\$20.00) vehicle license fee; and that it is in the public interest that the imposition of the vehicle license fees be reviewed periodically, but no less than every two years, to ensure that the license fees continue to be necessary to fund the approved transportation improvements;

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ORTING, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. Modification of Approved Transportation Improvement Projects. Consistent with the findings hereinabove stated, the list of transportation improvement projects approved for funding by the Orting Transportation Benefit District is modified to include those projects as set forth in attached Exhibit "A", incorporated herein by this reference, which projects are limited to the project descriptions set forth in the 2015 – 2020 Transportation Improvement Plan with an emphasis on preservation.

Section 2. Implementation of Annual Vehicle License Fee. The City Council recommends that the Orting Transportation Benefit District Board; (a) remove the time limitation upon collection the twenty-dollar (\$20.00) annual vehicle license fee previously imposed

pursuant to TBD Resolution No. 2012-1; (b) approve funding of the amended list of transportation improvement projects; and (c) periodically, but no less than every two years, review the necessity of the vehicle license fees to fund the approved transportation improvement projects.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 14<sup>th</sup> DAY OF MAY, 2014.


**CITY OF ORTING:**

  
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JOACHIM PESTINGER, MAYOR

**ATTEST/AUTHENTICATED:**

  
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Mark Bethune, City Clerk/Treasurer

Approved as to form:

  
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Chris Bacha  
Kenyon Disend, PLLC,  
City Attorney

Passed by the City Council: 5/14/14  
Resolution No.: 2014-9

## ATTACHMENT A

### (List of Additionally Approved Transportation Improvement Projects)

- Belfair Ct SW
- Belfair St. SW
- Bridge St. SW
- Bridge St. SE
- Calistoga Ct. SW
- Corrin Ave. SW
- Deeded Lane SW
- Fairlane St. SW
- Ford Lane SW
- Grinnell Ave. SW
- Leber Ct. NW
- Leber St. NW
- River Ave. NE
- River Ave. SE
- Skinner Way SW
- Tacoma Ave. SW
- Tacoma Ave. NW
- Taylor St. SW
- Train Ave. SE
- Van Scoyoc Ave. SW
- Varner Ave SE
- Whitesell St. NE
- Whitesell Court NW