

CITY OF DUVALL
WASHINGTON
ORDINANCE NO. 1191

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUVALL, WASHINGTON, ASSUMING THE RIGHTS, POWERS, FUNCTIONS AND OBLIGATIONS OF THE DUVALL TRANSPORTATION BENEFIT DISTRICT, AS ALLOWED BY SSB 5987 AND AMENDING DUVALL MUNICIPAL CODE SECTION 8.14.020(A).

WHEREAS, the City Council of the City of Duvall has, pursuant to Ordinance No. 1186 creating the Duvall Transportation Benefit District with the same boundaries as the City corporate boundaries as they exist or may exist following future annexations; and

WHEREAS, Second Engrossed Substitute Senate Bill 5987, in Section 302, which took effect on July 15, 2015, provides that "the assumption of the rights, powers, functions and obligations of a transportation benefit district may be initiated by the adoption of an ordinance or resolution by the city or county legislative authority indicating its intention to conduct a hearing concerning the assumption of such rights, powers, functions and obligations"; and

WHEREAS, the City of Duvall held a public hearing on the proposed assumption of the rights, powers, functions and obligations of the Duvall Transportation Benefit District on January 19, 2016; and

WHEREAS, after the public hearing, the City Council voted to assume the rights, powers, functions and obligations of the Duvall Transportation Benefit District;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF DUVALL, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council makes the following findings to support the actions described herein:

A. BACKGROUND

1. The 2015 legislature included in its transportation funding bill, 2nd Engrossed Substitute Senate Bill 5987, providing the authority to take over and assume the rights, powers, functions and obligations of the Duvall Transportation Benefit District.

2. The City Council's assumption of the rights, powers, functions and obligations of a transportation benefit district will significantly simplify the administration, collection and accounting of the funds collected through the Duvall Transportation Benefit District.

3. The Duvall Transportation Benefit District has not yet collected any funds, does not have any contracts, has not committed to any projects and has not spent any funds, which simplifies the transfer of authority.

4. The Duvall Transportation Benefit District as yet does not have any assets, simplifying the transfer of authority.

5. The City Council of Duvall, Washington did, after holding its duly noticed public hearing on January 19, 2016 determine that the interest or welfare of the general public would be satisfied by the City assuming the rights, powers, immunities, functions, and obligations of the transportation benefit district.

Section 2. Assumption of the Duvall Transportation Benefit District

The City hereby assumes all the rights, powers, functions and obligations of the Duvall Transportation Benefit District and by this action the Duvall Transportation Benefit District will cease to exist as a separate entity.

Meetings for Duvall Transportation District Business will occur at the regularly scheduled meetings of the Duvall City Council as they occur now or may be rescheduled in the future.

Section 3. Duvall Municipal Code Amendment

Section 8.14.020(A) shall be amended to read as follows;

A. Pursuant to RCW 36.74.010 the governing board of the Duvall Transportation Benefit District shall be the Duvall City Council. The City hereby assumes all the rights, powers, functions and obligations of the Duvall Transportation Benefit District.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 of this Ordinance.

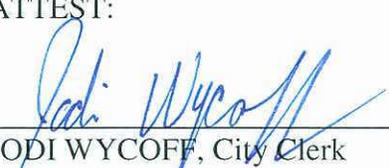
Section 5. Publication and Effective Date. This ordinance shall be published by an approved summary consisting of the title. This ordinance shall be effective five days after publication, as provided by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 19th DAY OF JANUARY, 2016.



WILL IBERSHOF, Mayor

ATTEST:



JODI WYCOFF, City Clerk

APPROVED AS TO FORM:



RACHEL TURPIN, City Attorney

Passed by the City Council: 1/19/16
Ordinance No: 1191
Date of Publication: 1/22/16