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**CITY OF LYNNWOOD
TRANSPORTATION BENEFIT DISTRICT**

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ORDINANCE NO. 10

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AN ORDINANCE OF THE CITY OF LYNNWOOD,
WASHINGTON, TRANSPORTATION BENEFIT DISTRICT,
INCREASING THE VEHICLE LICENSE FEE
ESTABLISHED IN ORDINANCE NO. 2 AND
AUTHORIZING CERTAIN PROJECTS TO BE FUNDED;
AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE
DATE, AND SUMMARY PUBLICATION.

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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

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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

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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

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

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WHEREAS, RCW 36.73.065 authorizes a Transportation Benefit District to impose,
by majority vote of the district's governing board, up to forty dollars (\$40) of the vehicle
license fee authorized in RCW 82.80.140, provided an annual vehicle license fee of twenty
dollars (\$20.00) has been imposed for at least twenty-four months; and

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WHEREAS, in Ordinance No. 2 passed on November 30, 2010, the Lynnwood
Transportation Benefit District Board established an annual vehicle license fee in the amount
of twenty dollars (\$20.00); and

1 WHEREAS, on July 27, 2016, the Lynnwood Transportation Benefit District Board
2 held a public hearing to solicit public comment regarding a proposal to increase the annual
3 vehicle license fee to forty dollars (\$40.00), among other funding options, and the projects to
4 be funded with those revenues; and
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6 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District finds
7 it in the best interests of the District to increase the annual vehicle fee from twenty dollars
8 (\$20.00) to forty dollars (\$40.00) for the purpose of making transportation improvements that
9 preserve, maintain, and improve the transportation infrastructure of the City of Lynnwood,
10 consistent with Chapter 36.73 RCW; and
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12 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District has
13 determined that fee increase shall begin as of February 1, 2017; and,
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15 WHEREAS, the Board of the City of Lynnwood Transportation Benefit District finds
16 it in the best interest of the District to fund Street Fund 111 and various projects/programs in
17 the City of Lynnwood Capital Facilities Plan, as stated in Section 3 below; NOW,
18 THEREFORE,
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20 THE BOARD OF THE CITY OF LYNNWOOD, WASHINGTON,
21 TRANSPORTATION BENEFIT DISTRICT, DO ORDAIN AS FOLLOWS:
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23 Section 1. Increase of the Annual Vehicle Fee. The annual vehicle license fee established in
24 Ordinance No. 2 in the amount of twenty dollars (\$20.00), is increased to forty dollars
25 (\$40.00), consistent with RCW 36.73.065, to be collected by the Washington Department of
26 Licensing on qualifying vehicles as set forth in RCW 82.80.140 and Chapters 36.73 and 46.16
27 RCW.
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29 Section 2. Effective Date of Fee Collection. The increased vehicle license fee shall take
30 effect for vehicle license renewals due on or after February 1, 2017, or as soon thereafter as
31 the Washington Department of Licensing is reasonably able to incorporate collection of the
32 \$40 fee. The increased vehicle license fees will not be collected sooner than six months after
33 approval as provided in RCW 82.80.140. The existing annual vehicle license fee established
34 by Ordinance No. 2 in the amount of twenty dollars (\$20.00) shall remain in effect and be
35 collected by the Department of Licensing until the effective date of the increased vehicle
36 license fee established by this Ordinance.
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38 Section 3. Projects. Funding shall be used for the following transportation improvements:
39 preventative and routine pavement maintenance and reconstruction, street and traffic
40 maintenance and operations, and other capital project as identified in the City's
41 Transportation Plan.
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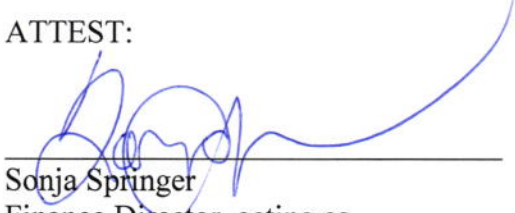
43 Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be
44 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
45 unconstitutionality shall not affect the validity or constitutionality of any other section,
46 sentence, clause or phrase or word of this ordinance.
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1 Section 5. Effective Date. This ordinance shall take effect five (5) days after passage and
2 publication of an approved summary thereof consisting of the title.
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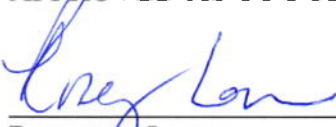
4 PASSED this 27th day of July, 2016 and signed in authentication of its passage this 1st
5 day of August, 2016.
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10 Ian Cotton
TBD President

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12 ATTEST:

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16 Sonja Springer
17 Finance Director, acting as
18 Board Treasurer
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22 APPROVED AS TO FORM:

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24 Rosemary Larson
25 City Attorney, acting as Board Attorney
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28 FILED WITH ADMINISTRATIVE SERVICES: 8/2/2016

29 PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD: 7/27/2016

30 PUBLISHED: 8/27/2016

31 EFFECTIVE DATE: 9/1/2016

32 ORDINANCE NUMBER: 10