

RESOLUTION NO. 639

A RESOLUTION of the City Council of the City of Kalama, Washington, establishing a hearing date on July 6, 2016 at 7pm at 216 Elm Street to consider and take public comment on an ordinance to authorize the City to assume the rights, powers, functions, and obligations of the City of Kalama Transportation Benefit District.

WHEREAS, Chapter 36.73 RCW and RCW 35.21.225 authorize cities 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

WHEREAS, the City Council of the City of Kalama passed Ordinance No. 1299, establishing a Transportation Benefit District as authorized by RCW 35.21.225 and subject to the provisions of RCW 36.73; and

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

WHEREAS, pursuant to RCW 36.73.030(3), the members of the City Council, acting ex officio and independently, constitute the governing body of the Transportation Benefit District; and

WHEREAS, the State Legislature passed Second Engrossed Substitute Bill 5987, Chapter 44, Laws of 2015 ("Senate Bill 5987"), effective July 15, 2015, now codified as Chapter 36.74 RCW, which authorizes a city to assume the rights, powers, functions, and obligations of a transportation benefit district established by a city; and

WHEREAS, in order to assume the rights, powers, functions, and obligations of a transportation benefit district established by a city, the city legislative authority must adopt an ordinance or resolution indicating its intention to conduct a hearing concerning the assumption of such rights, powers, functions, and obligations; and

WHEREAS, If the city legislative authority adopts such an ordinance or a resolution of intention, the ordinance or resolution must set a time and place at which the city authority will consider the proposed assumption of the rights, powers, functions, and obligations of the transportation benefit district, and must state that all persons interested may appear and be heard; and

WHEREAS, the ordinance or resolution of intention *must be published at least two times during the two weeks preceding the scheduled hearing* in newspapers of daily general circulation printed or published in the city in which the transportation benefit district is to be located; and

WHEREAS, as authorized by RCW 36.74.020, the City Council desires to schedule a hearing to consider an ordinance authorizing the City to assume the rights, powers, functions, and obligations of the Kalama Transportation Benefit; **NOW THEREFORE**,

THE CITY COUNCIL OF THE CITY OF KALAMA, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. A public hearing will be held on July 6, 2016, at 7:00 p.m. at the Kalama Community Building, 216 Elm Street, Kalama, Washington, to consider and take public testimony on the proposed ordinance to authorize the City to assume the rights, powers, functions, and obligations of the City of Kalama Transportation Benefit District pursuant to Chapter 36.74 RCW, and that all persons interested may appear and be heard at the hearing.

SECTION 2. Severability. If any one or more sections, subsections, or sentences of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

SECTION 3. This Resolution shall take effect and be in force immediately upon its passage.

PASSED by the City Council of the City of Kalama, Washington this 15th day of June, 2016.

Pete Poulsen, Mayor

ATTEST:

Coni McMaster, Clerk/Treasurer

Approved as to Form

Erin Hillier, City Attorney