

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 382

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, DECLARING THE CITY'S INTENTION TO ASSUME THE BURIEN TRANSPORTATION BENEFIT DISTRICT AND SETTING A PUBLIC HEARING FOR NOVEMBER 7, 2016 AT 7:00 P.M. REGARDING THE SAME

WHEREAS, the City of Burien has the responsibility for the improvement of maintenance, protection and operation of public streets and ways within the corporate limits of the City; and

WHEREAS, on July 20, 2009, the City Council adopted Ordinance No. 516 establishing a city-wide transportation benefit district pursuant to Chapter 36.73 RCW for the improvement, preservation, maintenance and operation of the City's transportation infrastructure, to reduce the risk of transportation facility failure, to improve safety, to avoid more expensive infrastructure replacements in the future, and to reduce congestion or stem the expected increase in congestion created by failing roads (Burien Transportation Benefit District" or the "TBD"); and

WHEREAS, on July 1, 2015, the State Legislature passed Second Engrossed Substitute Senate Bill 5987, amending Chapter 36.73 RCW and authorizing cities to assume the rights, powers, functions, and obligations of transportation benefit districts with the same boundaries as the establishing city; and

WHEREAS, the City Council believes that the public interest and welfare will be satisfied by the City assuming the rights, powers, immunities, functions, and obligations of the TBD and hereby declares its intent to do the same; and

WHEREAS, the new legislation requires that the City Council declare its intent to and subsequently hold a public hearing to consider the proposed assumption of the rights, powers, functions, and obligations of the TBD;

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

Section 1. Intent to Hold a Public Hearing. The City Council of the City of Burien will hold a public hearing on November 7, 2016 at 7:00 p.m. in the City Hall Council Chambers to consider the City's proposed assumption of the rights, powers, immunities, functions, and obligations of the Burien Transportation Benefit District, and all persons interested may appear and be heard.

Section 2. Publication. This Resolution shall be published at least two times during the two weeks preceding the scheduled public hearing in newspapers of general circulation printed or published in the City.

Section 3. 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.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT
A REGULAR MEETING THEREOF THIS 17TH DAY OF OCTOBER, 2016.

CITY OF BURIEN

/s/ Lucy Krakowiak, Mayor

ATTEST/AUTHENTICATED:

/s/ Monica Lusk, City Clerk

Approved as to form:

/s/ Lisa Marshall, City Attorney

Filed with the City Clerk: October 17, 2016

Passed by the City Council: October 17, 2016

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