

ORDINANCE NO. 3682

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON ASSUMING THE RIGHTS, POWERS, FUNCTIONS AND OBLIGATIONS OF THE MOUNT VERNON, WA TRANSPORTATION BENEFIT DISTRICT

WHEREAS, the City Council of the City of Mount Vernon, WA has adopted Ordinance No. 3679 creating the Mount Vernon Transportation Benefit District with the same boundaries as the City limits; and

WHEREAS, RCW 36.74.020 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 a 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 Mount Vernon held a public hearing on the proposed assumption of the rights, powers, function and obligations of the Mount Vernon Transportation Benefit District on July 6th, 2016 at the City Council Chambers located at 1805 Cleveland Place, Mount Vernon, WA 98273; and

WHEREAS, after the public hearing, the City Council voted to assume the rights, powers, functions and obligation of the Mount Vernon Transportation Benefit District.

NOW THEREFORE, THE CITY OF MOUNT VERNON DOES ORDAIN:

Section 1: Findings. The City Council makes the following findings:

1. That the recitals above shall be incorporated herein as findings.
2. That assumption of the rights, powers, functions and obligations of the Mount Vernon Transportation Benefit District shall significantly simplify the administration of the District in its internal affairs, the funds collected for transportation, and for greater efficiency and economy of government.
3. The Mount Vernon Transportation Benefit District has not yet collected any funds, has not entered into any contracts, has not committed to any transportation projects, and has not spent funds which simplifies the assumption of authority.
4. The Mount Vernon Transportation Benefit District does not yet own or have interest in any assets which simplifies the assumption of authority.
5. That the public interest or welfare will be satisfied by the City of Mount Vernon assuming the rights, powers, immunities, functions, and obligations of the Mount Vernon Transportation Benefit District and it declares that it be its intent to assume such rights, powers, immunity, function, and obligation currently granted to or possessed by the Mount Vernon Transportation Benefit District.

Section 2: Assumption of the Mount Vernon Transportation Benefit District.

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

Section 3: TBD Governing Body Abolished.

Immediately following the assumption of the rights, powers, immunities, functions, and obligations of the Mount Vernon Transportation Benefit District by the City, the governing board (the "MVTBD Board") established under Ordinance 3679 is abolished and the Mount Vernon City Council is vested with all rights, powers, immunities, functions, and obligations otherwise vested by law in the governing board.

Section 3. Severability; Construction.

If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with the provisions of the Mount Vernon Municipal Code, this ordinance is deemed to control.

Section 4. Effective Date. This ordinance shall become effective five (5) days after publication of a summary thereof.

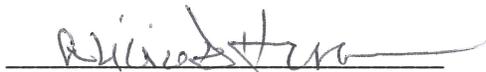
PASSED by the Mount Vernon City Council at its regular meeting held on July 6, 2016.

City of Mount Vernon



Jill Boudreau, Mayor

ATTEST:



Alicia D. Huschka, City Finance Director

Approved as to Form:



Kevin Rogerson, City Attorney

Date of Publication: July 14, 2016

The Mount Vernon City Council adopted Ordinance 3682 on July 6, 2016. An Ordinance of the City of Mount Vernon, Washington, assuming the rights, powers, functions and obligations of the Mount Vernon, WA Transportation Benefit District. Anyone wishing to view or receive the ordinance in its entirety should contact the Mount Vernon Finance Office, 910 Cleveland, Mount Vernon WA 98273.

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