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## ORDINANCE NO. 2

A ORDINANCE OF THE EDMONDS TRANSPORTATION BENEFIT DISTRICT, PROVIDING FOR THE SUBMISSION OF A PROPOSITION TO THE QUALIFIED VOTERS OF THE EDMONDS TRANSPORTATION BENEFIT DISTRICT AT THE NOVEMBER ELECTION FOR THEIR APPROVAL OR REJECTION OF A PROPOSED INCREASE IN VEHICLE FEES OF FORTY DOLLARS (\$40) FOR THE PURPOSE OF FUNDING TRANSPORTATION IMPROVEMENTS WITHIN THE EDMONDS TRANSPORTATION BENEFIT DISTRICT, DESCRIBING SAID IMPROVEMENTS, SETTING FORTH THE BALLOT PROPOSITION, DIRECTING THE CITY CLERK TO PROVIDE A CERTIFIED COPY OF THIS RESOLUTION TO THE SNOHOMISH COUNTY AUDITORS; AND REQUESTING THAT THE SNOHOMISH COUNTY AUDITOR PLACE THE PROPOSITION ON THE BALLOT.

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WHEREAS, the City of Edmonds has established the Edmonds Transportation Benefit District (TBD) under the provisions of Chapter 36.73 RCW in order to acquire, construct, improve, provide and fund transportation improvements within the District, whose boundaries are contemporaneous with those of the City, and,

WHEREAS, the Board of the Edmonds Transportation Benefit District has previously approved a Twenty Dollar (\$20) vehicle fee to provide for the ongoing maintenance of City streets in accordance with state, regional and legal transportation plans; and

WHEREAS, the Board has identified an additional 37 projects which it finds should be planned and built in order to:

1. Reduce the risk of transportation facility failure and to improve the safety to the traveling public;

2. Improve travel time;
3. Improve air quality;
4. Address increases in daily and peak period trip capacity;
5. Improve modal connectivity;
6. Improve the optimal performance of the system through time; and
7. Achieve or maintain concurrency in accordance with the Growth

Management Act, the City's Comprehensive Plan and the City's Transportation Improvement Plan; and

WHEREAS, RCW 36.73.065 and 82.80.140 authorize the TBD to impose vehicle fees in excess of Twenty Dollars (\$20) and up to One Hundred Dollars (\$100) per vehicle in order to fund certain specified improvements by submitting such additional vehicle fees to the voters for their approval; and

WHEREAS, the Board deems it to be in the public interest to submit a funding measure to the voters at the November election requesting approval of the additional Forty Dollars (\$40) vehicle license fee to fund the improvements listed herein; now, therefore,

THE BOARD OF THE EDMONDS TRANSPORTATION BENEFIT DISTRICT  
HEREBY RESOLVES AS FOLLOWS:

Section 1. A special election is hereby requested to be conducted within the Edmonds Transportation Benefit District (TBD), whose boundaries are contemporaneous with the City of Edmonds, Washington, on Tuesday, November 2, 2010, for the purpose of submitting to the qualified voters of TBD for their approval or rejection a proposition to raise vehicle tax fees within TBD by Forty Dollars (\$40) per vehicle to a total of Sixty Dollars (\$60) for the purpose of funding public transportation improvements within the TBD. A list of the specific

projects to be improved with the proceeds of the vehicle tax are shown on the attached Exhibit A, incorporated by this reference as fully as if herein set forth. The improvements shall be addressed in the priority shown on said exhibit, provided, however, that the Board may, at its discretion and in conjunction with its annual report and its material change policy:

1. Adjust the ranking of any project on the list based on the availability of grant or other funding;
2. Defer any project whose cost, scope or schedule has materially changed in a way which lowers it's utility to the City;
3. Adjust its priorities based upon material changes in the cost, scope or schedule of any project in accordance with its material change policy and the requirements of Chapter 36.73 RCW; and
4. Utilize general obligation revenue bonds as provided in RCW 36.73.070 to construct all or any part of the improvements and to adjust the priority of any individual project based upon the use of such bond proceeds.
5. Other lawful considerations permitted pursuant to Chapter 36.73 RCW.

Section 2. The proposition to be submitted to the voters of the Edmonds Transportation Benefit District shall read substantially as follows:

#### **Edmonds Transportation Benefit District**

The Board of Directors of the Edmonds Transportation Benefit District adopted Ordinance No. 2 concerning a proposition to finance specified transportation improvements by an increase in vehicle fee. This proposition would authorize an additional vehicle fee under RCW 82.80.140 of \$40, for a total of \$60 per vehicle, in order to fund transportation improvements specifically described and prioritized in the ordinance. The improvements include walkways, bicycle loop signage, signalization, intersection improvements, lighting, corridor enhancements, and roadway improvements all as provided in Ordinance No. 2.

Should this proposition be approved?

Approved  
Rejected

Section 3. The City Clerk shall provide a certified copy of this resolution to the Snohomish County Auditor.

Section 4. Consistent with statutory requirements, the Snohomish County Auditor shall cause the proposition identified to be submitted on the November ballot, shall conduct the election, canvas the vote and certify the results.

Section 5. In the event of voter approval, the Transportation Benefit District shall take measures to levy the additional \$40 license fee in accordance with the provisions of RCW 36.73.065 and RCW 82.80.140 and expend such funds for the improvements listed on Exhibit A in accordance with its charter, annual plan, material change policy and this ordinance as necessary to reflect such voter approval.

RESOLVED this 3rd day of August, 2010.

EDMONDS TRANSPORTATION BENEFIT  
DISTRICT

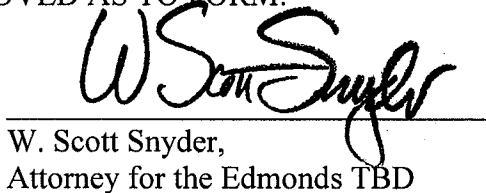
By:



Steve Bernheim, President

APPROVED AS TO FORM:

By



W. Scott Snyder,  
Attorney for the Edmonds TBD