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February 17, 2011

City Clerk File No.:
TBD – RES 2011-0001

ACTION MEMORANDUM OF THE TBD GOVERNING BOARD

RE: RESOLUTION 2011-01 ESTABLISHING A TWENTY-DOLLAR ANNUAL VEHICLE FEE

During its Special Meeting held Monday, February 14, 2011, the Transportation Benefit District Governing Board considered Resolution 2011-01 of the City of Spokane Transportation Benefit District Governing Board establishing a twenty-dollar annual vehicle fee pursuant to RCW 36.73.065 and RCW 82.80.140. Subsequent to public testimony and deliberations by the TBD Governing Board, the following action was taken:

Upon 4-3 Roll Call Vote (Council Members Apple, Corker, and McLaughlin voting “no”), the TBD Governing Board adopted Resolution 2011-01 of the City of Spokane Transportation Benefit District Governing Board establishing a twenty-dollar annual vehicle fee pursuant to RCW 36.73.065 and RCW 82.80.140.


Terri L. Pfister, MMC
Spokane City Clerk



Agenda Sheet for TBD Governing Board Meeting of:

02/14/2011

Status: CLERK REVIEW

Date Rec'd (Clerk use only) 02/01/2011

Clerk's File # TBD-RES 2011-0001

Renews #

Submitting Dept*: TBD GOVERNING BOARD

Cross Ref #

Contact Name & Phone*: JOE SHOGAN 625.6255

Project #

Contact E-Mail*: JSHOGAN@SPOKANECITY.ORG

Bid #

Add'l Docs Attached? Resolutions

Requisition #

Agenda Item Name: Begin with Dept # 0320 TBD ANNUAL VEHICLE FEE

Agenda Wording*: 74 character max) Additional attached?

A resolution of the City of Spokane Transportation Benefit District Governing Board establishing a twenty-dollar annual vehicle fee pursuant to RCW 36.73.065 and RCW 82.80.140.

Summary (Background)*: 8 character max) Additional attached?

On October 11, 2010, the City Council adopted Ordinance No. C34648 creating the City of Spokane Transportation Benefit District (TBD) pursuant to Chapter 36.73 RCW. The City Council, acting in their ex officio capacity as the governing board of the TBD, has authroity to establish a twenty-dollar annual vehicle fee pursuant to RCW 36.73.065 and RCW 82.80.140. Pursuant to this resolution, the TBD Governing Board is authorizing the twenty-dollar per vehicle fee to be collected by the State.

Fiscal Impact Budget Account Additional attached?

Table with 4 rows for fiscal impact and budget account, each with a 'Select' dropdown, a '\$' field, and a '#' field.

Approvals Notifications (Date)

Table for approvals and notifications. Approvals: Dept Head (SHOGAN, JOE), Division Director, Finance (LESESNE, MICHELE), Legal (BURNS, BARBARA), For the Mayor (FEIST, MARLENE). Notifications: Study Session, Other, Distribution List (TBD Board, MICE PICCOLO).

Additional Approvals

Table for additional approvals with columns for department and date, including rows for Purchasing and three 'Select Dept' rows.

RESOLUTION NO. 2011-0001

A resolution of the City of Spokane Transportation Benefit District Governing Board establishing a twenty-dollar annual vehicle fee pursuant to RCW 36.73.065 and RCW 82.80.140.

WHEREAS, the State Legislature enacted Chapter 36.73 RCW to authorize cities to establish a transportation benefit district for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the city that are consistent with any existing state, regional, or local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

WHEREAS, pursuant to Chapter 36.73 RCW and RCW 35.21.225, which authorize cities to establish transportation benefit districts, the City of Spokane enacted Ordinance No. C- 34648 establishing the City of Spokane Transportation Benefit District codified in Chapter 8.16 of the Spokane Municipal Code (SMC); and

WHEREAS, consistent with RCW 36.73.020 (3), SMC 8.16.040 establishes the City of Spokane City Council, acting ex officio and independently, as the governing board of the City of Spokane Transportation Benefit District; and

WHEREAS, the transportation benefit district includes the entire City of Spokane as the boundaries currently exist or as expanded upon annexation; and

WHEREAS, consistent with RCW 36.73.015, SMC 8.16.060 established that the funds generated by the Transportation Benefit District shall be used specifically for annual improvements for the operation, preservation and maintenance of the City's existing transportation improvements, facilities and programs set forth in the six-year pavement maintenance program and the pedestrian program of the City's 2012-2017 six-year comprehensive street program; and

WHEREAS, RCW 36.73.040 authorizes a transportation benefit district to establish various taxes, fees, charges and tolls; and

WHEREAS, RCW 36.73.065 authorizes the transportation benefit district to impose, by a majority vote of the district's governing body, up to a twenty-dollar annual vehicle fee authorized by RCW 82.80.140; and

WHEREAS, the City of Spokane Transportation Benefit District Governing Board hereby finds it to be in the best interest of the District to establish an annual vehicle fee in the amount of twenty dollars for the purpose of making annual transportation improvements that preserve, maintain and improve the transportation infrastructure of the City of Spokane as set forth in the six-year pavement maintenance program and the pedestrian program of the 2012-2017 six-year comprehensive street program, consistent with Chapter 36.73 RCW; and

WHEREAS, the Governing Board of the City of Spokane Transportation Benefit District held a public hearing on February 14, 2011 to solicit public comment regarding the proposed vehicle fee.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPOKANE TRANSPORTATION BENEFIT DISTRICT that:

Section 1. Establishment of Annual Vehicle Fee. An annual vehicle fee in the amount of twenty dollars is hereby established, consistent with RCW 36.73.065 to be collected by the Washington Department of Licensing on qualifying vehicles as set forth in RCW 82.80.140 and Chapters 36.73 RCW and 46.16 RCW.

Section 2. Effective Date of Fee Collection. The annual vehicle fee shall take effect as authorized by law for notices mailed in 2011 for vehicle license renewals due on or after January 1, 2011, or as soon thereafter as the Washington State Department of Licensing is reasonably able to incorporate collection of the twenty-dollar fee. Vehicle fees will not be collected sooner than six months after approval as provided in RCW 82.80.140.

Section 3. Approved Projects. The revenue from the twenty-dollar vehicle fee shall only be expended on transportation projects that are consistent with existing state, regional, or local transportation plans and necessitated by existing or reasonably foreseeable congestion levels pursuant to chapter 36.73 RCW. The funds shall be used specifically for the annual improvements for the operation, preservation and maintenance of the City's existing transportation improvements, facilities and programs set forth in the six-year pavement maintenance program and the pedestrian program of the City' 2012-2017 six-year comprehensive street program as set forth in Chapter 8.16 SMC.

Section 4. Effective Date. This resolution shall be effective immediately upon its adoption by the Governing Board of the City of Spokane Transportation Benefit District.

PASSED BY THE GOVERNING BOARD OF THE CITY OF SPOKANE TRANSPORTATION BENEFIT DISTRICT ON February 14, 2011.

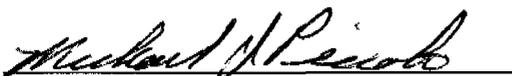


Attest:


City Clerk


Chairperson

Approved as to form:


Assistant City Attorney