

ORDINANCE 2019 - 03

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SUNNYSIDE, WASHINGTON, ASSUMING THE RIGHTS, POWERS,  
FUNCTIONS AND OBLIGATIONS OF THE SUNNYSIDE  
TRANSPORTATION BENEFIT DISTRICT, AS ALLOWED BY SSB 5987.**

**WHEREAS**, the City Council of the City of Sunnyside has adopted Ordinance No. 2019-02 creating the Sunnyside Transportation Benefit District with the same boundaries as the City limits of Sunnyside; and,

**WHEREAS**, Second Engrossed Substitute Senate Bill 5987, in Section 302, which took effect on July 15, 2015, 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 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 Sunnyside held a public hearing on the proposed assumption of the rights, powers, functions and obligations of the Sunnyside Transportation Benefit District on March 11, 2019 at the Law & Justice Center located at 401 Homer Street; and

**WHEREAS**, the Sunnyside City Council finds and determines that the assumption of the rights, powers, functions, and obligations of the Sunnyside Transportation District is in the best interest of residents of the City of Sunnyside and will promote the general health, safety and welfare; and

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:**

**Section 1.** Findings. The City Council makes the following findings to support the actions described herein:

**A. BACKGROUND**

1. The 2015 legislature included in its transportation funding bill 2<sup>nd</sup> Engrossed Substitute Senate Bill 5987 the authority to take over and assume the rights, powers, functions and obligations of the Sunnyside Transportation District.
2. This action will significantly simplify the administration and of the funds collected for streets for greater efficiency of government.
3. The Sunnyside Transportation Benefit District has not yet collected any funds, does not have any contracts, has not committed to any projects and has not spent any funds, which simplifies the transfer of authority.
4. The Sunnyside Transportation Benefit District as yet does not have any assets, simplifying the transfer of authority.

**Section 2.** Assumption of the Sunnyside Transportation Benefit District

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

**Section 3.** Severability

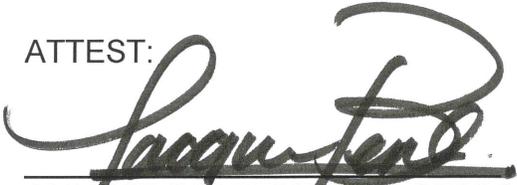
If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 4.** This Ordinance shall be effective five (5) days after passage, approval and publication as required by law, and

**PASSED** this 25<sup>th</sup> day of March, 2019.

  
FRANCISCO GUERRERO, DEPUTY MAYOR

ATTEST:



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JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:



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