

ORDINANCE NO. 3872

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING EDMONDS CITY CODE CHAPTER 3.65; DESIGNATING THE CITY CLERK AS THE PUBLIC RECORDS OFFICER FOR THE TRANSPORTATION BENEFIT DISTRICT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Edmonds transportation benefit district or “district” was created by ordinance in 2008; and

WHEREAS, the governing board of the district is the Edmonds city council acting in an ex officio and independent capacity, which shall have the authority to exercise the statutory powers set forth in chapter 36.73 RCW; and

WHEREAS, the state legislature amended the public records statutes during the 2005 legislative session and subsequently re-codified the Public Disclosure Act at chapter 42.56 RCW, now referred to as the Public Records Act (the “Act”); and

WHEREAS, the Act mandates that local government agencies designate a public records officer whose responsibility it is to serve as the “point of contact” for members of the public seeking public records; and

WHEREAS, the district is a local governmental entity subject to the Act; and

WHEREAS, the district resolved to designate the city clerk as the public records officer; and

WHEREAS, the ordinance governing the district, chapter 3.65 of the Edmonds City Code, should be amended by City Council to incorporate the city clerk as the public records officer so that the district can comply with the Act; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Amendment to Transportation Benefit District Ordinance. Section 3.65.020 of the Edmonds City Code, entitled "Governing board," is hereby amended to read as follows (new text is shown in underline; deleted text is shown as strike-through).

3.65.020 Governing board.

A. The governing board of the transportation benefit district shall be the Edmonds city council acting in an ex officio and independent capacity, which shall have the authority to exercise the statutory powers set forth in Chapter 36.73 RCW.

B. The treasurer of the transportation benefit district shall be the city finance director.

C. The public records officer of the transportation benefit district shall be the city clerk.

~~C.D.~~ The board shall develop a material change policy to address major plan changes that affect project delivery or the ability to plan, pursuant to the requirements set forth in RCW 36.73.160(1). At a minimum, if a transportation improvement exceeds its cost by more than 20 percent, as identified in the district's original plan, a public hearing shall be held to solicit public comment regarding how the cost change should be resolved.

~~D.E.~~ The board shall issue an annual report, pursuant to the requirements of RCW 36.73.160(2) [Ord. 3707 S 2, 2008].

Section 2. Severability. If any section, subsection, clause, sentence or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

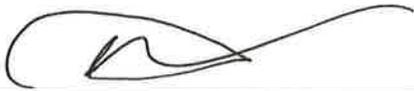
APPROVED:


MAYOR DAVID O. EARLING

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
CITY ATTORNEY, JEFF TARADAY

FILED WITH THE CITY CLERK:	02-03-2012
PASSED BY THE CITY COUNCIL:	02-07-2012
PUBLISHED:	02-12-2012
EFFECTIVE DATE:	02-17-2012
ORDINANCE NO. 3872	

SUMMARY OF ORDINANCE NO. 3872

of the City of Edmonds, Washington

On the 7th day of February, 2012, the City Council of the City of Edmonds, passed Ordinance No. 3872. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING EDMONDS CITY CODE CHAPTER 3.65; DESIGNATING THE CITY CLERK AS THE PUBLIC RECORDS OFFICER FOR THE TRANSPORTATION BENEFIT DISTRICT; AND ESTABLISHING AN EFFECITVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 8th day of February, 2012.


CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.

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The full text of this Ordinance will be mailed upon request.
DATED this 8th day of February, 2012.
CITY CLERK, SANDRA S. CHASE
Published: February 12, 2012.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance _____

No. 3872 _____

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

February 12, 2012 _____

and that said newspaper was regularly distributed to its subscribers during all of said period.

Karen E. Zornier _____
Principal Clerk

Subscribed and sworn to before me this 13th

day of February, 2012

[Signature] _____

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

