ORDINANCE NO. 2014-28

An Ordinance of the Pierce County Council Establishing a Transportation Benefit District within Unincorporated Pierce County, Providing for Transportation Improvements within the District; and Adopting a New Chapter 2.102 of the Pierce County Code, “Transportation Benefit District.”

Whereas, in response to national, statewide, and local economic factors that have limited and reduced availability of transportation funding, Pierce County has focused its expenditures of transportation funding on roadway safety and on maintaining and preserving valued roadway and bridge infrastructure; and

Whereas, there is a strong need to better understand and respond to the challenging transportation funding landscape along with current and future transportation needs; and

Whereas, the formation of a Transportation Benefit District (TBD) would be a means to better understand the short and intermediate transportation needs of the County and develop an effective financial strategy for addressing the same; and

Whereas, the County desires to continue to work toward making its roadways safer for motor vehicles and nonmotorized travel; and

Whereas, the County subscribes to Washington State’s Target Zero goal of zero traffic fatalities by 2030; and
Whereas, improving the engineering and construction of roadway facilities has shown to have a significant role in reducing pedestrian and motor vehicle injuries and deaths; and

Whereas, the County will have difficulty in further reducing injury and fatal motor vehicular conflicts without increasing investments in improving roadways and operations; and

Whereas, the quality of our transportation network is vital to attracting additional employers to the County and increasing the number of jobs in Pierce County; and

Whereas, the quality of the connectivity and capacity of our roadways has a direct impact on freight mobility and strongly influences the County's ability to attract new businesses and to retain existing businesses; and

Whereas, it is anticipated that the increased growth in population within the larger region will worsen the roadway congestion found on County roadways; and

Whereas, Pierce County recognizes walking and bicycling as essential elements to sustainable and livable communities; and

Whereas, there is a continuing need to safely and effectively accommodate bicyclists and pedestrians; and

Whereas, Pierce County strives to offer an integrated transportation system that supports the current high quality of life of the public; and

Whereas, Chapter 36.73 of the Revised Code of Washington (RCW) allows counties to form TBDs and in turn authorizes these districts to establish revenue sources that fund certain categories of transportation improvements and maintenance; and

Whereas, the Pierce County Council passed Resolution No. R2013-127 stating the Council's intent to consider the formation of a TBD for the unincorporated areas of Pierce County; and

Whereas, the Pierce County Council intends to form a TBD comprised of the current areas of unincorporated Pierce County; and

Whereas, Pierce County recognizes walking and bicycling as essential elements to sustainable and livable communities; and

Whereas, there is a continuing need to safely and effectively accommodate bicyclists and pedestrians; and

Whereas, Pierce County strives to offer an integrated transportation system that supports the current high quality of life of the public; and

Whereas, Chapter 36.73 of the Revised Code of Washington (RCW) allows counties to form TBDs and in turn authorizes these districts to establish revenue sources that fund certain categories of transportation improvements and maintenance; and

Whereas, the Pierce County Council passed Resolution No. R2013-127 stating the Council's intent to consider the formation of a TBD for the unincorporated areas of Pierce County; and

Whereas, the Pierce County Council intends to form a TBD comprised of the current areas of unincorporated Pierce County; and
Whereas, the TBD would allow the County to examine, evaluate, and enact the potential revenue sources available to such districts; and

Whereas, the County's Environmental Official issued a Determination of Nonsignificance on February 27, 2014; and

Whereas, pursuant to RCW 36.73.050, the County Council conducted a public hearing on December 2, 2014, providing proper notice describing the function and purpose of the proposed TBD; Now Therefore,

BE IT ORDAINED by the Council of Pierce County:

Section 1. The Pierce County Council hereby establishes a TBD subject to the provisions of RCW 37.70.050 with geographic boundaries comprised of the unincorporated limits of the County existing at the time of district formation.

Section 2. The TBD is authorized to develop and approve the listing of transportation projects eligible pursuant to criteria established in RCW 36.73.020.

Section 3. The TBD shall consider the implementation of the various revenue sources provided in RCW 37.73.040.

Section 4. The TBD shall especially consider projects that will decrease traffic congestion, and also enhance traffic safety, economic development, and nonmotorized travel.

Section 5. This TBD will be dissolved when all of the indebtedness of this district is retired and all responsibilities satisfied.
Section 6. A new Chapter 2.102 of the Pierce County Code, "Transportation Benefit District," is hereby adopted as shown in Exhibit A, which is attached hereto and incorporated herein by reference.

PASSED this 23rd day of December, 2014.

ATTEST:

Denise D. Johnson
Clerk of the Council

PIERCE COUNTY COUNCIL
Pierce County, Washington

Dan Roach
Council Chair

Pat McCarthy
Pierce County Executive

Approved 15th day of December, 2014.

Date of Publication of Notice of Public Hearing: November 12, 2014

Effective Date of Ordinance: December 25, 2014
"New Chapter"

Chapter 2.102

TRANSPORTATION BENEFIT DISTRICT

Sections:
2.102.010 Transportation Benefit District Created.
2.102.020 Governing Board.
2.102.030 Authority of the District.
2.102.040 Use of Funds.
2.102.050 Dissolution of District.
2.102.060 Liberal Construction.

2.102.010 Transportation Benefit District Created.
The there is created a Transportation Benefit District with geographical boundaries comprised of
the unincorporated limits of the county, which shall have the authority to exercise the statutory
powers in Chapter 36.73 RCW.

2.102.020 Governing Board.
A. The governing board of the Transportation Benefit District shall be the members of the
Pierce County 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 Pierce County Assessor-
Treasurer.

2.102.030 Authority of the District.
The Board shall have and may exercise any powers provided by law to fulfill the purpose of
the District.

2.102.040 Use of Funds.
Funds available to the Transportation Benefit District may be used for any purpose allowed
by law including to operate the District and to make transportation improvements that are
consistent with existing state, regional, and local transportation plans and necessitated by
existing or reasonably foreseeable congestion levels pursuant to Chapter 36.73 RCW. The
transportation improvements funded by the District shall be made in an effort to reduce risk of
transportation facility failure and improve safety, decrease travel time, increase daily and peak
period trip capacity, improve modal connectivity, and preserve and maintain optimal
performance of the infrastructure over time to avoid expensive infrastructure replacement in the
future.

2.102.050 Dissolution of District.
The Transportation Benefit District shall be dissolved when all indebtedness of the District
has been retired and when all of the District's anticipated responsibilities have been satisfied.
2.102.060 Liberal Construction.

This chapter is to be liberally construed to accomplish the purpose of establishing a Transportation Benefit District.