

ORDINANCE 123397

AN ORDINANCE relating to transportation funding; establishing a Transportation Benefit District within the corporate limits of the City of Seattle, specifying the maintenance and preservation of existing transportation improvements, providing for additional transportation improvements and adding a new Chapter 3.120.

WHEREAS, the City of Seattle (City) has the responsibility under the Constitution of the State of Washington for the improvement, maintenance, and protection of public ways within the corporate limits of the City pursuant to Chapter 35.22 RCW; and

WHEREAS, the City is steward to over 1,500 lane-miles of arterial streets, 150 bridges, 22 miles of retaining walls, 480 stairways, 1,000 signalized intersections, 120,000 signs, 2,000 miles of sidewalks, and 30,000 street trees representing an economic asset of over \$8 billion; and

WHEREAS, the cost of the estimated backlog of transportation maintenance work in 2004 was estimated at over \$500 million; and

WHEREAS, the City's Transportation Strategic Plan, Bicycle Master Plan, Pedestrian Master Plan, Freight Mobility Action Plan and soon to be developed Transit Master Plan outlines key strategies, objectives and investments for improving safety, mobility, modal connectivity, and access through providing effective transportation choices; and

WHEREAS, the City has limited funding and declining revenue sources to pay for necessary preservation and maintenance of its transportation infrastructure and to make targeted investments toward creating a more effective and efficient transportation system; and

WHEREAS, Chapter 36.73 RCW provides for the establishment of Transportation Benefit Districts (TBD) by cities and counties and to levy and impose various taxes and fees to generate revenues to support transportation improvements within the district that are consistent with state, regional or local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

WHEREAS, RCW 35.21.225 authorizes the City Council to establish a TBD subject to the provisions of Chapter 36.73 RCW; and

WHEREAS, the City desires to form a TBD which includes the entire City of Seattle as the boundaries currently exist or are hereafter expanded due to annexation; and



1 WHEREAS, prior to establishing a TBD, the City Council is required to conduct a public  
2 hearing upon proper notice to describe the function and purposes of the proposed TBD;  
and

3 WHEREAS, the City provided proper notice, conducted a public hearing and took public  
4 comment regarding the proposed establishment of a TBD in accordance with RCW  
36.73.050; and

5 WHEREAS, the City Council of the City of Seattle finds it to be in the interest of the City and its  
6 residents and businesses to establish a citywide TBD for preserving and maintaining  
7 transportation infrastructure, improving public safety, implementing elements of the  
8 Seattle Transportation Strategic Plan and other planning documents, investing in bicycle,  
pedestrian, freight mobility and transit enhancements and providing people with choices  
to meet their mobility needs; and

9 WHEREAS, the City Council of the City of Seattle shall establish a governing body for the TBD  
10 comprised of the City Council acting in an ex officio and independent capacity; NOW,  
11 THEREFORE,

12 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

13 Section 1. A new chapter is added to the Seattle Municipal Code as follows:

14 Chapter 3.120 Transportation Benefit District.

15 3.120.010 Transportation Benefit District Established.

16 There is created a transportation benefit district to be known as the Seattle Transportation  
17 Benefit District with geographical boundaries comprised of the corporate limits of the City as  
18 they currently exist or as they may exist following future annexations.  
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20 3.120.020 Governing Board.

21 a. The governing board of the Transportation Benefit District shall be the Seattle City  
22 Council acting in an ex officio and independent capacity, which shall have the authority to  
23 exercise the statutory powers set forth in Chapter 36.73 RCW.  
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1           b. The treasurer of the Transportation Benefit District shall be the City Director of  
2 Finance.

3           c. The Board shall develop a material change policy to address major plan changes that  
4 affect project delivery or the ability to finance the plan, pursuant to the requirements set forth in  
5 RCW 36.73.160(1).

6           d. The Board shall issue an annual report, pursuant to the requirements of RCW  
7 36.73.160(2).

8           3.120.030 Authority of the District.

9           The Board shall have and may exercise any powers provided by law to fulfill the purpose  
10 of the Seattle Transportation Benefit District.

11           3.120.040 Use of Funds.

12           The funds generated by the Transportation Benefit District may be used for any purpose  
13 allowed by law including to operate the District and to make transportation improvements that  
14 are consistent with existing state, regional, and local transportation plans and necessitated by  
15 existing or reasonably foreseeable congestion levels pursuant to Chapter 36.73 RCW. The  
16 transportation improvements funded by the district shall be made in an effort to preserve and  
17 maintain transportation infrastructure, improve public safety, implement projects identified in the  
18 Seattle Department of Transportation's (SDOT) planning documents and Capital Improvement  
19 Program (CIP), invest in bicycle, pedestrian, freight mobility and transit enhancements and  
20 provide people with choices to meet their mobility needs. Additional transportation  
21 improvement projects of the district may be funded only after compliance with the provisions of  
22 RCW 36.73.050(b).  
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1           3.120.050 Revenue Sources.

2           The Board shall have the authority to establish fees and other revenue sources consistent  
3 with RCW 36.73.065.

4           3.120.060 Dissolution of District.

5           The Transportation Benefit District shall be dissolved when all indebtedness of the  
6 district has been retired and when all of the District's anticipated responsibilities have been  
7 satisfied.  
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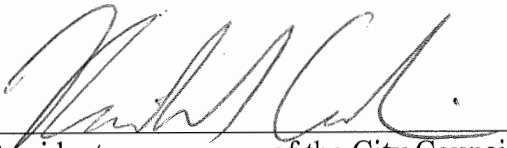
9           Section 2. The provisions of this ordinance are declared to be separate and severable.  
10 The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this  
11 ordinance, or the invalidity of its application to any person or circumstance, shall not affect the  
12 validity of the remainder of this ordinance, or the validity of its application to other persons or  
13 circumstances.  
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15           Section 3. This ordinance shall take effect and be in force 30 days from and after its  
16 approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
17 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.  
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Passed by the City Council the 20<sup>th</sup> day of September, 2010, and  
signed by me in open session in authentication of its passage this  
20<sup>th</sup> day of September, 2010.

  
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President \_\_\_\_\_ of the City Council

Approved by me this 28<sup>th</sup> day of Sept, 2010.

  
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Michael McGinn, Mayor

Filed by me this 29<sup>th</sup> day of September, 2010.

  
\_\_\_\_\_  
City Clerk

(Seal)

