

# ORIGINAL

## ORDINANCE NO. 550

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ESTABLISHING A TRANSPORTATION BENEFIT DISTRICT COTERMINOUS WITH THE SHORELINE CITY LIMITS TO PROVIDE ADDITIONAL FUNDING FOR THE MAINTENANCE AND PRESERVATION OF EXISTING CITY TRANSPORTATION IMPROVEMENTS; AND ENACTING A NEW CHAPTER 3.60 *SHORELINE TRANSPORTATION BENEFIT DISTRICT* IN THE SHORELINE MUNICIPAL CODE**

WHEREAS, the limited transportation funding for preservation and maintenance of its public streets was dramatically reduced with the passage of State Initiative 695 in 1999 and Initiative 776 in 2002, which reduced the Motor Vehicle Excise Taxes and King County Vehicle License Fees available for Shoreline transportation funding; and

WHEREAS, funding for annual maintenance of Shoreline's transportation infrastructure continues to rise, exacerbating the inadequacy of funding sources available to the City for this program; and

WHEREAS, the State Legislature recognized local governments could not increasingly rely on unrestricted funds to support transportation systems, and, through recent amendments to transportation benefit district laws, provided a dedicated revenue source for transportation improvements needed to address existing and future congestion that are consistent with existing state, regional and local transportation plans; and

WHEREAS, the "Washington Transportation Plan for 2007-2026" adopted by the Washington Transportation Commission ("State Transportation Plan") identifies as the highest priority the preservation, operation and extension of prior investments in existing transportation facilities to keep these facilities safe and efficient; and

WHEREAS, the first priority identified in the Puget Sound Regional Council's (PSRC) "Destination 2030 Metropolitan Transportation Plan for the Central Puget Sound Region" is to preserve, maintain, make safe, and optimize existing transportation infrastructure and services and this priority is reflected in PSRC Regional Transportation Policy 8.3; and

WHEREAS, the Shoreline "2009-2014 Capital Improvement Plan" Policy J states it is the City's policy to ensure adequate resources are allocated to preserve the City's existing infrastructure before building new facilities in order to protect past investments;

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WHEREAS, a public hearing was held on June 22, 2009 following publication of a notice of hearing to take public comment concerning the formation of a Transportation Benefit District and the functions and activities proposed to be funded by the District; and

WHEREAS, the Council considered comments presented and evaluated the public transportation improvements proposed to be funded under the criteria for selecting improvements under RCW 36.73.020; and

WHEREAS, preservation of existing transportation infrastructure is necessitated by existing and foreseeable congestion levels, and meeting this need through the formation of a Transportation Benefit District is in the public interest in that it reduces the risk of transportation facility failure; is a cost-effective investment that reduces more expensive facility replacement in the future; optimizes performance of the transportation system; and improves traffic safety and travel time; now therefore

## THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1. Findings of Fact.** The recitals set forth above are hereby adopted as findings of the City Council.

**Section 2. New Chapter.** A new chapter 3.60 *Shoreline Transportation Benefit District* is added to the Shoreline Municipal Code to read as follows:

### 3.60.010 Transportation Benefit District established

There is created a Transportation Benefit District to be known as the Shoreline Transportation Benefit District with boundaries comprised of the corporate limits of the City, including changes to boundaries from future City annexations.

### 3.60.020 Use of funds

A. The funds generated by the District may be used for transportation improvements that preserve, maintain and operate the existing transportation infrastructure of the City, consistent with the requirements of Chapter 36.73 RCW, as amended. In addition to these improvements, the funds generated may be used for any other 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 District shall select projects for funding that best reduce the risk of transportation facility failure, improve safety, decrease travel time, increase daily and peak period trip capacity, improve modal connectivity, and preserve and maintain

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optimal performance of the infrastructure over time to avoid expensive infrastructure replacement in the future.

B. In addition to the foregoing the funds generated may be used for any purpose allowed by law to operate the district.

## 3.60.030 Functions and powers of the District.

- A. The District, by a majority vote of its governing board, may authorize a motor vehicle license fee of up to \$20 as provided in RCW 82.80.140 for the purposes set forth in this chapter and as may be subsequently authorized according to law.
- B. The District may impose additional taxes, fees, or charges authorized by RCW 36.73.040 or ad valorem property taxes authorized by RCW 36.73.060 only if approved by District voters pursuant to RCW 36.73.065.
- C. The District shall have all powers and functions provided by Chapter 36.73 to fulfill the functions of the District including the power to issue general obligation bonds and revenue bonds.

## 3.60.040 Governing Board and officers

- A. The governing board of the District shall be the Shoreline City Council acting in an ex officio capacity and independently of its council responsibilities. The Board shall have those powers set forth in Chapter 36.73 RCW.
- B. The Board shall develop a policy to address major changes to project delivery or financing plans as required by RCW 36.73.160(1). The policy shall include a public hearing to take comment on proposals to resolve transportation improvement project costs that exceed the District's original capital project estimates by twenty percent.
- C. The Board shall issue an annual report as required by RCW 36.73.160(2).
- D. The City Manager shall be the Chief Executive Officer and City Finance Director shall serve as the Treasurer of the District.


## 3.60.050 Dissolution

The District shall automatically dissolve upon completion of the transportation improvements authorized in this chapter or as modified under section .020, or if there is outstanding debt or obligations then in effect, it shall reduce its day-to-day activities to the collection of revenue and payment of debt service, and automatically dissolve thirty days after all debt has been retired and responsibilities satisfied. Notice of dissolution shall be published at least three times in a period of thirty days.

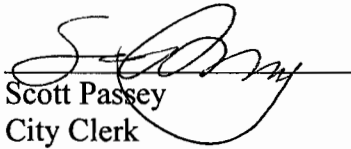
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**Section 3. Publication, Effective Date.** This ordinance shall take effect five days after publication of a summary consisting of the title in the official newspaper of the City.

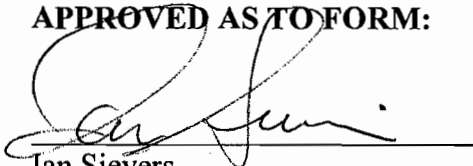
**PASSED BY THE CITY COUNCIL ON JUNE 22, 2009.**

  
\_\_\_\_\_  
Mayor Cindy Ryu

**ATTEST:**

  
\_\_\_\_\_  
Scott Passey  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Ian Sievers  
City Attorney

Date of Publication: June 25, 2009  
Effective Date: June 30, 2009