

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE related to transportation funding; assuming the rights, powers, immunities, functions, and obligations of the Seattle Transportation Benefit District by The City of Seattle; amending Section 3.120.020 of the Seattle Municipal Code; and repealing Sections 3.120.030, 3.120.040, 3.120.050, and 3.120.060.

..body

WHEREAS, on September 20, 2010, the City Council passed Ordinance 123397, which

established the Seattle Transportation Benefit District (STBD) for preserving and maintaining transportation infrastructure, improving public safety, implementing elements of the 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 pursuant to chapter 36.73 RCW; and

WHEREAS, on October 25, 2010, the STBD adopted Resolution 1, authorizing a \$20 vehicle license fee (VLF) pursuant to RCW 82.80.140; and

WHEREAS, on July 17, 2014, the STBD adopted Resolution 12, submitting a ballot measure (STBD Proposition 1) to the qualified electors of the STBD to authorize a sales and use tax of up to one-tenth of one percent and an annual vehicle license fee of up to an additional \$60 per registered vehicle with a \$20 rebate for low-income individuals, for the purposes of funding Metro Transit service in Seattle; and

WHEREAS, on November 4, 2014, STBD Proposition 1 was approved by a majority of qualified electors of the STBD; and

WHEREAS, on December 1, 2014, the STBD adopted Resolution 14, imposing a sales and use tax of one-tenth of one percent and an annual vehicle license fee of an additional \$60 per registered vehicle as authorized by STBD Proposition 1; and

1 WHEREAS, the STBD relies on an Interlocal Agreement with The City of Seattle to carry out
2 the obligations of the STBD (authorized by Ordinances 123586 and 124721); and

3 WHEREAS, chapter 36.74 RCW establishes the procedures for The City of Seattle to assume the
4 rights, powers, immunities, functions, and obligations of the Seattle Transportation
5 Benefit District; and

6 WHEREAS, The City of Seattle adopted Resolution 31663, declaring The City of Seattle's
7 intention to conduct a public hearing concerning the assumption of the rights, powers,
8 functions, and obligations of the STBD by The City of Seattle; and

9 WHEREAS, the hearing announced by Resolution 31663 was held on June 7, 2016, during the
10 City Council Sustainability and Transportation Committee meeting in the City Council
11 Chambers; and

12 WHEREAS, City Council finds that the public interest and welfare would be satisfied by The
13 City of Seattle assuming the rights, powers, immunities, functions, and obligations of the
14 STBD; NOW, THEREFORE,

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

16 Section 1. In accordance with chapter 36.74 RCW, The City of Seattle assumes the rights,
17 powers, immunities, functions, and obligations of the Seattle Transportation Benefit District.

18 Section 2. Section 3.120.020 of the Seattle Municipal Code, enacted by Ordinance
19 123397, is amended as follows:

3.120.020 - ((Governing Board.)) Assumption of the Seattle Transportation Benefit District

~~((a. The governing board of the Transportation Benefit District shall be the Seattle 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 Director of Finance.~~

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

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

The City of Seattle assumes the rights, powers, immunities, functions, and obligations of the Seattle Transportation Benefit District. The City may exercise any powers that chapter 36.73 RCW grants to a transportation benefit district.

Section 3. Sections 3.120.030, 3.120.040, 3.120.050, and 3.120.060 of the Seattle Municipal Code, enacted by Ordinance 123397 and that currently read as follows, are repealed:

~~((3.120.030 – Authority of the District.~~

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

~~3.120.040 – Use of Funds.~~

~~The funds generated by the Transportation Benefit District may be used for any purpose allowed by law including to operate the District and to make transportation improvements that~~

1 ~~are consistent with existing state, regional, and local transportation plans and necessitated by~~
2 ~~existing or reasonably foreseeable congestion levels pursuant to Chapter 36.73 RCW. The~~
3 ~~transportation improvements funded by the district shall be made in an effort to preserve and~~
4 ~~maintain transportation infrastructure, improve public safety, implement projects identified in the~~
5 ~~Seattle Department of Transportation's (SDOT) planning documents and Capital Improvement~~
6 ~~Program (CIP), invest in bicycle, pedestrian, freight mobility and transit enhancements and~~
7 ~~provide people with choices to meet their mobility needs. Additional transportation improvement~~
8 ~~projects of the district may be funded only after compliance with the provisions of RCW~~
9 ~~36.73.050(b).~~

10 **~~3.120.050 – Revenue Sources.~~**

11 ~~The Board shall have the authority to establish fees and other revenue sources consistent~~
12 ~~with RCW 36.73.065.~~

13 **~~3.120.060 – Dissolution of District.~~**

14 ~~The Transportation Benefit District shall be dissolved when all indebtedness of the~~
15 ~~district has been retired and when all of the District's anticipated responsibilities have been~~
16 ~~satisfied.))~~

17 Section 4. The City ratifies and adopts all prior resolutions of the Seattle Transportation
18 Benefit District. This ordinance does not affect any existing right acquired or liability or
19 obligation incurred under the sections amended or repealed in this ordinance or under any rule or
20 order adopted under those sections, nor does it affect any proceeding instituted under those
21 sections.

Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2016, and signed by me in open session in authentication of its passage this ____ day of _____, 2016.

President _____ of the City Council

Approved by me this ____ day of _____, 2016.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2016.

Monica Martinez Simmons, City Clerk

(Seal)