

CODE

**Attachment A
CITY OF REDMOND
ORDINANCE NO.**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING A NEW CHAPTER 3.93 TO THE REDMOND MUNICIPAL CODE ESTABLISHING A TRANSPORTATION BENEFIT DISTRICT; SPECIFYING THE BOUNDARIES FOR THE TRANSPORTATION BENEFIT DISTRICT; SPECIFYING THE TRANSPORTATION IMPROVEMENTS TO BE FUND BY THE TRANSPORTATION BENEFIT DISTRICT; AND AUTHORIZING THE TRANSPORTATION BENEFIT DISTRICT BOARD TO ESTABLISH A ONE-TENTH OF ONE PERCENT SALES TAX AND OTHER CHARGES AS AUTHORIZED BY CHAPTER 36.73 RCW; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Redmond ("City") has the responsibility, to the extent of its resources, for the improvement, maintenance, and protection of public ways within the corporate limits of the City pursuant to RCW 35A.11.020 and Chapter 35A.47; and

WHEREAS, due to state-wide initiatives that have stripped the ability of local governments to raise necessary revenues, as well as rising annual costs, the City has limited transportation funding to maintain, operate, replace, expand and improve the transportation system; and

WHEREAS, RCW 36.73 provides for the establishment of transportation benefit districts and for the levying of additional revenue sources for transportation improvements within the district that are consistent with existing state, regional, and

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 Transportation Benefit District subject to the provisions of RCW 36.73; and

WHEREAS, the City desires to form a Transportation Benefit District that includes the entire City of Redmond as the boundaries currently exist or are hereafter expanded due to annexation; and

WHEREAS, transportation improvements include transportation related maintenance and improvements to city streets and state highways, high-capacity transportation, public transportation, transportation demand management, parking facilities, and other transportation projects designed to reduce congestion on facilities of regional or statewide significance; and

WHEREAS, the City, after giving proper notice, conducted a public hearing and took public comment regarding the proposed establishment of a Transportation Benefit District in accordance with RCW 36.73.050.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Classification. The new chapter 3.93 adopted in Section 2 of this ordinance is of a general and permanent nature and shall become a part of the Redmond Municipal Code.

Section 2. Transportation Benefit District Established - Governance - Powers. A new chapter 3.93 is hereby added to the Redmond Municipal Code to read as follows:

TRANSPORTATION BENEFIT DISTRICT

3.93.010 Purpose.

3.93.020 Findings.

3.93.030 Transportation benefit district established.

3.93.040 Governing board - Treasurer.

3.93.050 Authority of district.

3.93.060 Use of funds.

3.93.070 Dissolution of district.

3.93.010 Purpose. The purpose of this chapter is to establish a Transportation Benefit District pursuant to Chapter 36.73 RCW.

3.93.020 Findings.

A. The Redmond City Council finds that it is in the public interest to form a Transportation Benefit District to provide adequate levels of funding for transportation improvements that are consistent with existing state, regional, and local transportation plans and are necessitated by existing or reasonably foreseeable congestion levels, as provided in Chapter 36.73 RCW.

B. The Redmond City Council further finds that it is in the public interest to provide for transportation improvements that, without

limitation, improve modal connectivity and address congestion throughout the City and that protect the City's long-term investments in its infrastructure, reduce the risk of transportation facility failure, improve safety, continue optimal performance of the infrastructure over time, and avoid more expensive infrastructure replacements in the future.

C. The Redmond City Council further finds that the City's six-year Transportation Improvement Plan shall be updated every two years to identify projects that constitute transportation improvements that may be funded by the Transportation Benefit District as funding becomes available, or derived from programmatic identification of transportation related needs which support existing transportation infrastructure.

3.93.030 Transportation benefit district established. There is hereby established a transportation benefit district to be known as the Redmond Transportation Benefit District ("the District") with geographical boundaries coextensive with the corporate limits of the City

of Redmond as they now exist or may hereafter be altered by future annexation.

3.93.040 Governing board - Treasurer.

A. The governing board ("the Board") of the District shall consist of the members of the Redmond City Council acting ex officio and independently. The Board shall have all duties, powers, and authority of the governing board set forth in Chapter 36.73 RCW.

B. The City of Redmond Finance Director shall act as the ex officio treasurer of the District.

C. The Board shall develop and adopt a material change policy to address major transportation plan changes that affect project delivery or the ability of the District to finance the transportation plan. The major change policy shall address those matters set forth in RCW 36.73.160(1).

D. The Board shall provide for the issuance of an annual report meeting the requirements of RCW 36.73.160(2).

3.93.050 Authority of the District.

A. The District shall have and may exercise any and all powers and functions provided by Chapter 36.73 RCW to fulfill the purposes for which the District is established as described in this chapter. This chapter shall be liberally construed to permit the accomplishment of the District's purposes.

B. The Board may, by majority vote, (1) impose a vehicle license fees as provided in RCW 36.73.065(4) and 82.80.140; (2) impose a fee or charge on building construction or land development as authorized by RCW 36.73.065(4) and 36.73.120; and (3) impose a one-tenth of one percent sales tax as authorized by RCW 36.73.065 and RCW 82.14.0455.

C. When approved by voters pursuant to chapter 36.73 RCW, the District may assess other taxes, fees, charges and tolls and impose increases in the same for the uses and purposes identified in this chapter.

D. The District may issue general obligation bonds or revenue bonds in accordance with the provisions of RCW 36.73.070.

3.93.060. Use of Funds. The funds generated by the 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 protect the City's long term investments in its infrastructure, to reduce the risk of transportation facility failure, to improve safety, to continue optimal performance of the infrastructure over time, to avoid more expensive infrastructure replacements in the future and to improve multi-modal connectivity within the City of Redmond.

3.93.070. Dissolution of District. The District shall be automatically dissolved, pursuant to the procedures set forth in Chapter 36.73 RCW, when all the indebtedness of the District has been retired and when all the District's anticipated responsibilities have been satisfied.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the

invalidity or unconstitutionality does not affect the valid or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Effective Date. This ordinance shall take effect five days after its publication, or publication of a summary thereof, in the City's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this ____ day of _____, 2023.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, CMC, CITY CLERK

APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY:

JAMES E. HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.