



SEATTLE CITY COUNCIL

Legislative Summary

CB 118667

Record No.: CB 118667

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125070

In Control: City Clerk

File Created: 04/13/2016

Final Action: 07/08/2016

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.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	04/19/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	04/22/2016	sent for review	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee						
	Notes:						
1	Full Council	05/02/2016	referred	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was referred. to the Sustainability and Transportation Committee						
	Notes:						

- 1 Sustainability and Transportation Committee 06/07/2016 discussed
Action Text: The Council Bill (CB) was discussed in Committee.
- 1 Sustainability and Transportation Committee 06/21/2016 pass Pass
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
Notes:
In Favor: 3 Chair O'Brien, Vice Chair Johnson, Member Sawant
Opposed: 0
- 1 Full Council 06/27/2016 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 7 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Johnson, Councilmember Juarez, Councilmember Sawant
Opposed: 0
- 1 City Clerk 06/29/2016 submitted for Mayor's signature Mayor
Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:
- 1 Mayor 07/08/2016 Signed
Action Text: The Council Bill (CB) was Signed.
Notes:
- 1 Mayor 07/08/2016 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:
- 1 City Clerk 07/08/2016 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
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CITY OF SEATTLE

ORDINANCE 125070

COUNCIL BILL 118667

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.

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:

1 **3.120.020 - ~~((Governing Board.))~~ Assumption of the Seattle Transportation Benefit**

2 **District**

3 ~~((a. The governing board of the Transportation Benefit District shall be the Seattle City~~
4 ~~Council acting in an ex officio and independent capacity, which shall have the authority to~~
5 ~~exercise the statutory powers set forth in Chapter 36.73 RCW.~~

6 ~~b. The treasurer of the Transportation Benefit District shall be the City Director of~~
7 ~~Finance.~~

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

11 ~~d. The Board shall issue an annual report, pursuant to the requirements of RCW~~
12 ~~36.73.160(2).)~~

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

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

18 ~~**((3.120.030 – Authority of the District.**~~

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

21 ~~**3.120.040 – Use of Funds.**~~

22 ~~The funds generated by the Transportation Benefit District may be used for any purpose~~
23 ~~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.

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

4 Passed by the City Council the 27th day of JUNE, 2016, and
5 signed by me in open session in authentication of its passage this
6 27th day of JUNE, 2016.

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8
9 President _____ of the City Council

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Approved by me this 8th day of JULY, 2016.

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14 Edward B. Murray, Mayor

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Filed by me this 8th day of JULY, 2016.

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19 Monica Martinez Simmons, City Clerk

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(Seal)

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Legislative Department	Calvin Chow, x4-4652	n/a

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation 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.

Summary and background of the Legislation:

Under this legislation, the City of Seattle would assume the rights, powers, immunities, functions, and obligations of the Seattle Transportation Benefit District (STBD), pursuant to Chapter 36.74 RCW. Consolidating the STBD into the City of Seattle will simplify administration and governance of the STBD, eliminating the need for separate STBD Board Meetings, STBD budgets, and STBD legislation.

Currently, the City of Seattle provides services, including collection and expenditure of revenues, on behalf of the STBD through an Interlocal Agreement. The STBD revenues are reflected in the City's budget as operating transfers from the STBD, with spending authority in the appropriate Budget Control Levels. If this legislation is approved, the City would continue to account and budget for STBD revenues as a special revenue fund in the City's budget. This legislation does not change the amount of revenue collection or expenditures for the STBD or the City. All existing commitments and obligations of the STBD, including voter-approved measures, remain in effect.

2. CAPITAL IMPROVEMENT PROGRAM

This legislation creates, funds, or amends a CIP Project.

This legislation has no impacts to the CIP.

3. SUMMARY OF FINANCIAL IMPLICATIONS

Please check one:

This legislation has direct financial implications. (If the legislation has direct fiscal impacts (appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the "Other Implications" section.)

This legislation does not have direct financial implications.
(Please skip to "Other Implications" section at the end of the document and answer questions a-i.)

This legislation does not directly affect appropriations, revenues, or positions.

4. OTHER IMPLICATIONS

a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?

Consolidating the STBD into the City of Seattle may provide for efficiencies in administrative services, such as accounting, auditing, etc. As a separate governmental entity, the STBD paid approximately \$600,000 to King County Elections to place the 2014 Proposition 1 measure on the ballot. Election costs for any future ballot measures may be reduced if included in the City of Seattle portion of the ballot.

b) Is there financial cost or other impacts of not implementing the legislation?

If this legislation is not implemented, the STBD would continue to meet as a separate governmental entity.

c) Does this legislation affect any departments besides the originating department?

This legislation would affect SDOT, CBO, and FAS (Accounting).

d) Is a public hearing required for this legislation?

Yes. A public hearing is planned for June 7th, during the City Council Sustainability and Transportation Committee meeting.

e) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes. Notice of the public hearing will be announced by Resolution (separate legislation) and published in the Daily Journal of Commerce and the Seattle Times at least twice in the two weeks prior to the public hearing, as required by RCW 36.74.020.

f) Does this legislation affect a piece of property?

No.

g) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

This legislation has no perceived implications or impacts to vulnerable or historically disadvantaged communities.

h) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

N/A.

i) Other Issues: None

List attachments/exhibits below: None.

STATE OF WASHINGTON -- KING COUNTY

--SS.

337601

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:CB 118667 HEARING


was published on


05/24/16 05/31/16

The amount of the fee charged for the foregoing publication is the sum of \$159.50 which amount has been paid in full.



Affidavit of Publication



Subscribed and sworn to before me on
05/31/2016 

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Notice of Public Hearing on

Council Bill 118667, relating to City of Seattle's intention to assume rights, powers, immunities, functions, and obligations of the Seattle Transportation Benefit District

The Seattle City Council's Sustainability and Transportation Committee will hold a public hearing on Tuesday, June 7, 2016, starting at 2:00 p.m., in the City Council Chambers, Seattle City Hall, Floor 2, 600 Fourth Avenue, Seattle, WA, for the purposes of considering approval of Council Bill 118667, assuming the rights, powers, immunities, functions, and obligations of the Seattle Transportation Benefit District by The City of Seattle.

The public is invited to attend this public hearing to give comments in favor or opposition to the approval of Council Bill 118667. All persons interested may appear and be heard.

The City Council anticipates final voting action to adopt the proposed Council Bill 118667 at the Full Council meeting on June 27, 2016. Public Comment will also be accepted during that meeting.

To access an electronic copy of Council Bill 118667, please visit <https://seattle.legistar.com/Legislation.aspx>. Search for record number CB 118667.

To request a paper copy, contact the City Clerk's Office at (206) 684-8344, clerk@seattle.gov, or visit the City Clerk's office on Floor 3 of City Hall, 600 4th Avenue, Seattle, WA, 98104.

Written public comment regarding Council Bill 118667 will be accepted until 2:00 p.m. on June 7, 2016. Written comments may be submitted to Councilmember O'Brien, Attn: Emilia Sanchez, at P.O. Box 94728, Seattle, WA 98124-4728 or Council@seattle.gov. Comments submitted will be part of the public record.

Publication ordered by Monica Martinez Simmons, City Clerk

Dates of publication in the Seattle Daily Journal of Commerce. May 24 and 31, 2016.
5/31(337601)