

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2021-15

SUBJECT: Establishing a Transportation Benefit District

CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 12/03/21
- ☒ Passed by the City Council: 12/08/21
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 12/13/21
- ☒ Effective: 12/18/21
- ☐ Recorded: _____

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Rhiannon Fernandez
City Clerk

12/09/21
Date

EstORDINANCE NO. 2021-15

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ESTABLISHING A TRANSPORTATION BENEFIT DISTRICT; SPECIFYING THE BOUNDARIES FOR THE TRANSPORTATION BENEFIT DISTRICT; SPECIFYING THE TRANSPORTATION IMPROVEMENTS TO BE FUNDED BY THE TRANSPORTATION BENEFIT DISTRICT; AND AUTHORIZING THE TRANSPORTATION BENEFIT DISTRICT BOARD TO ESTABLISH AN ANNUAL VEHICLE LICENSE FEE AND OTHER CHARGES AS AUTHORIZED BY CHAPTER 36.73 RCW; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Poulsbo ("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 initiatives that have stripped away revenues, as well as rising annual costs, the City has limited transportation funding to maintain, operate, replace, 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 Poulsbo 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 POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **Purpose.** The purpose of this ordinance is to establish a Transportation Benefit District pursuant to Chapter 36.73 RCW.

Section 2. **Findings.**

A. The City Council finds that all the “whereas” recitals above in this ordinance are true and 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 City Council further finds that it is in the public interest to provide for transportation improvements that, without limitation, improve modal connectivity and reduce 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 City Council further finds that the City's six-year Transportation Improvement Plan shall be annually updated to identify projects that constitute transportation improvements that may be funded by the Transportation Benefit District as funding becomes available.

Section 3. Transportation Benefit District Established. There is hereby established a transportation benefit district to be known as the Poulsbo Transportation Benefit District ("the District") with geographical boundaries comprised of the corporate limits of the City of Poulsbo as they now exist or may hereafter be altered by future annexation.

Section 4. Governing Board - Treasurer.

A. The governing board ("the Board") of the District shall consist of the members of the Poulsbo 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 Poulsbo 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).

Section 5. 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

Section 1 of this ordinance. This ordinance shall be liberally construed to permit the accomplishment of the District's purposes.

B. The District may, upon approval by a majority vote of the Board, impose a vehicle license fee of up to \$20 as provided in RCW 82.80.140. The Board may also impose a fee or charge on building construction or land development as authorized by RCW 36.73.120.

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 Section 6 of this Ordinance.

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


Section 6. 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 modal connectivity within the City of Poulsbo.

Section 7. 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 8. 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 9. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary which is hereby approved.

APPROVED:

DocuSigned by:

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MAYOR, BECKY ERICKSON

ATTEST/AUTHENTICATED:

DocuSigned by:

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CITY CLERK, RHIANNON FERNANDEZ, CMC

APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY:

DocuSigned by:

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CITY ATTORNEY, JAMES E. HANEY

FILED WITH THE CITY CLERK: 12/02/2021
PASSED BY THE CITY COUNCIL: 12/08/2021
PUBLISHED: 12/13/2021
EFFECTIVE DATE: 12/18/2021
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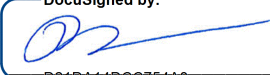
SUMMARY OF ORDINANCE NO. 2021-15
of the City of Poulsbo, Washington

On 12/8/2021 the City Council of the City of Poulsbo, Washington, approved Ordinance No. 2021-15, the main point of which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, 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 AN ANNUAL VEHICLE LICENSE FEE AND OTHER CHARGES AS AUTHORIZED BY CHAPTER 36.73 RCW; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this ordinance will be mailed upon request.

DATED this 8th day of December, 2021

DocuSigned by:

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CITY CLERK, RHIANNON FERNANDEZ, CMC