

1 Sponsored by: Councilmembers Stan Flemming, Connie Ladenburg, and Douglas G. Richardson
2 Requested by: Executive/Public Works and Utilities

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ORDINANCE NO. 2014-28

An Ordinance of the Pierce County Council Establishing a Transportation Benefit District within Unincorporated Pierce County, Providing for Transportation Improvements within the District; and Adopting a New Chapter 2.102 of the Pierce County Code, "Transportation Benefit District."

Whereas, in response to national, statewide, and local economic factors that have limited and reduced availability of transportation funding, Pierce County has focused its expenditures of transportation funding on roadway safety and on maintaining and preserving valued roadway and bridge infrastructure; and

Whereas, there is a strong need to better understand and respond to the challenging transportation funding landscape along with current and future transportation needs; and

Whereas, the formation of a Transportation Benefit District (TBD) would be a means to better understand the short and intermediate transportation needs of the County and develop an effective financial strategy for addressing the same; and

Whereas, the County desires to continue to work toward making its roadways safer for motor vehicles and nonmotorized travel; and

Whereas, the County subscribes to Washington State's Target Zero goal of zero traffic fatalities by 2030; and

1 **Whereas**, improving the engineering and construction of roadway facilities has
2 shown to have a significant role in reducing pedestrian and motor vehicle injuries and
3 deaths; and

4
5 **Whereas**, the County will have difficulty in further reducing injury and fatal motor
6 vehicular conflicts without increasing investments in improving roadways and
7 operations; and

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9 **Whereas**, the quality of our transportation network is vital to attracting additional
10 employers to the County and increasing the number of jobs in Pierce County; and

11
12 **Whereas**, the quality of the connectivity and capacity of our roadways has a
13 direct impact on freight mobility and strongly influences the County's ability to attract
14 new businesses and to retain existing businesses; and

15
16 **Whereas**, it is anticipated that the increased growth in population within the
17 larger region will worsen the roadway congestion found on County roadways; and

18
19 **Whereas**, Pierce County recognizes walking and bicycling as essential elements
20 to sustainable and livable communities; and

21
22 **Whereas**, there is a continuing need to safely and effectively accommodate
23 bicyclists and pedestrians; and

24
25 **Whereas**, Pierce County strives to offer an integrated transportation system that
26 supports the current high quality of life of the public; and

27
28 **Whereas**, Chapter 36.73 of the Revised Code of Washington (RCW) allows
29 counties to form TBDs and in turn authorizes these districts to establish revenue
30 sources that fund certain categories of transportation improvements and maintenance;
31 and

32
33 **Whereas**, the Pierce County Council passed Resolution No. R2013-127 stating
34 the Council's intent to consider the formation of a TBD for the unincorporated areas of
35 Pierce County; and

36
37 **Whereas**, the Pierce County Council intends to form a TBD comprised of the
38 current areas of unincorporated Pierce County; and



1 **Whereas**, the TBD would allow the County to examine, evaluate, and enact the
2 potential revenue sources available to such districts; and

3
4 **Whereas**, the County's Environmental Official issued a Determination of
5 Nonsignificance on February 27, 2014; and

6
7 **Whereas**, pursuant to RCW 36.73.050, the County Council conducted a public
8 hearing on December 2, 2014, providing proper notice describing the function and
9 purpose of the proposed TBD; **Now Therefore**,

10
11 **BE IT ORDAINED by the Council of Pierce County:**

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13 Section 1. The Pierce County Council hereby establishes a TBD subject to the
14 provisions of RCW 37.70.050 with geographic boundaries comprised of the
15 unincorporated limits of the County existing at the time of district formation.

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17 Section 2. The TBD is authorized to develop and approve the listing of
18 transportation projects eligible pursuant to criteria established in RCW 36.73.020.

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20 Section 3. The TBD shall consider the implementation of the various revenue
21 sources provided in RCW 37.73.040.

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23 Section 4. The TBD shall especially consider projects that will decrease traffic
24 congestion, and also enhance traffic safety, economic development, and nonmotorized
25 travel.

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27 Section 5. This TBD will be dissolved when all of the indebtedness of this district
28 is retired and all responsibilities satisfied.

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30

1 Section 6. A new Chapter 2.102 of the Pierce County Code, "Transportation
2 Benefit District," is hereby adopted as shown in Exhibit A, which is attached hereto and
3 incorporated herein by reference.

4 PASSED this 2nd day of December, 2014.
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9 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

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12 Patricia L. Force, for
13
14 **Denise D. Johnson**
15 Clerk of the Council

Dan Roach
Dan Roach
Council Chair

16
17
18 Pat McCarthy
19 **Pat McCarthy**
20 Pierce County Executive
21 Approved Vetoed , this
22 15 day of December,
23 2014.
24

25
26
27 Date of Publication of
28 Notice of Public Hearing: November 12, 2014
29
30 Effective Date of Ordinance: December 25, 2014
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1
2 "New Chapter"

3
4
5 **Chapter 2.102**

6
7 **TRANSPORTATION BENEFIT DISTRICT**

8
9 **Sections:**

10 **2.102.010 Transportation Benefit District Created.**

11 **2.102.020 Governing Board.**

12 **2.102.030 Authority of the District.**

13 **2.102.040 Use of Funds.**

14 **2.102.050 Dissolution of District.**

15 **2.102.060 Liberal Construction.**

16
17 **2.102.010 Transportation Benefit District Created.**

18 There is created a Transportation Benefit District with geographical boundaries comprised of
19 the unincorporated limits of the county, which shall have the authority to exercise the statutory
20 powers in Chapter 36.73 RCW.

21
22 **2.102.020 Governing Board.**

- 23 A. The governing board of the Transportation Benefit District shall be the members of the
- 24 Pierce County Council acting in an ex officio and independent capacity, which shall
- 25 have the authority to exercise the statutory powers set forth in Chapter 36.73 RCW.
- 26 B. The treasurer of the Transportation Benefit District shall be the Pierce County Assessor-
- 27 Treasurer.

28
29 **2.102.030 Authority of the District.**

30 The Board shall have and may exercise any powers provided by law to fulfill the purpose of
31 the District.

32
33 **2.102.040 Use of Funds.**

34 Funds available to the Transportation Benefit District may be used for any purpose allowed
35 by law including to operate the District and to make transportation improvements that are
36 consistent with existing state, regional, and local transportation plans and necessitated by
37 existing or reasonably foreseeable congestion levels pursuant to Chapter 36.73 RCW. The
38 transportation improvements funded by the District shall be made in an effort to reduce risk of
39 transportation facility failure and improve safety, decrease travel time, increase daily and peak
40 period trip capacity, improve modal connectivity, and preserve and maintain optimal
41 performance of the infrastructure over time to avoid expensive infrastructure replacement in the
42 future.

43
44 **2.102.050 Dissolution of District.**

45 The Transportation Benefit District shall be dissolved when all indebtedness of the District
46 has been retired and when all of the District’s anticipated responsibilities have been satisfied.

1 **2.102.060 Liberal Construction.**

2 This chapter is to be liberally construed to accomplish the purpose of establishing a
3 Transportation Benefit District.
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