



## ORDINANCE NO. 28965

1 BY REQUEST OF COUNCIL MEMBERS BUSHNELL, RUMBAUGH, AND  
WALKER

2 AN ORDINANCE relating to Transportation, amending Chapter 10.28 of the  
3 Municipal Code, relating to the Transportation Benefit District, by  
4 amending Section 10.28.020, entitled "Transportation Benefit District -  
5 Statement of Purpose", and Section 10.28.060, entitled "Use of Funds",  
6 to clarify language to enhance the usage of funds within the benefit  
7 district.

8 WHEREAS Ordinance No. 28099 was passed on November 20, 2012,  
9 which established the transportation benefit district within the City of Tacoma  
10 ("City") jurisdiction and created a new chapter, Chapter 10.28 in the Tacoma  
11 Municipal Code ("TMC"), entitled "Transportation Benefit District", and

12 WHEREAS TMC Section 10.28.020 states that the purpose of the  
13 chapter is to establish a transportation benefit district within the limits of the City  
14 under the authority set forth in the RCW 35.21.225 and RCW 36.73, and

15 WHEREAS currently, the limitations of the Transportation Benefit District  
16 ("TBD") are funded only to provide adequate funding levels to projects set forth  
17 in the City's Capital Improvement Plan, the Transportation Element of the  
18 Comprehensive Plan, and the City's Six-Year Comprehensive Transportation  
19 Improvement Program, and

20 WHEREAS TMC Section 10.28.060 also limits the scope of the usage of  
21 funds to the City's Capital Improvement Plan, the Transportation Element of the  
22 Comprehensive Plan, the Six-Year Comprehensive Transportation  
23 Improvement Program, and investments in bicycle, pedestrian, and freight  
24 mobility, and  
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WHEREAS the proposed changes will clarify the language to enhance the purpose and scope of the TBD to allow funds to be also used for maintenance, preservation, and operations of the City’s street and transportation system; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 10.28 is hereby amended, by amending Section 10.28.020, entitled “Transportation Benefit District - Statement of Purpose”, and Section 10.28.060, entitled “Use of Funds”, as set forth in the attached Exhibit “A.”

Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney



**EXHIBIT "A"**

**CHAPTER 10.28**

**TRANSPORTATION BENEFIT DISTRICT**

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Sections:

- 10.28.010 Short Title.
- 10.28.020 Transportation Benefit District – Statement of Purpose.
- 10.28.030 Transportation Benefit District Established.
- 10.28.040 Governing Board.
- 10.28.050 Authority and Duties of the Transportation Benefit District.
- 10.28.060 Use of Funds.
- 10.28.070 Revenue Sources.
- 10.28.080 Dissolution of District.

**10.28.020 Transportation Benefit District—Statement of Purpose**

The purpose of this chapter is to establish a transportation benefit district within the limits of the City of Tacoma under the authority set forth in RCW 35.21.225 and chapter 36.73 RCW, as the City Council finds it is in the public interest to provide adequate levels of funding for the purposes of implementing and funding the transportation improvements set forth in City’s Capital Improvement Plan, the Transportation Element of the Comprehensive Plan, and the City’s Six-Year Comprehensive Transportation Improvement Program [and to maintain and preserve the City’s street and transportation system.](#)

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**10.28.060 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 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 preserve and maintain transportation infrastructure, improve public safety, implement projects identified in the City’s Capital Improvement Plan, the Transportation Element of the Comprehensive Plan, and the City’s Six-Year Comprehensive Transportation Improvement Program, as well as to invest in bicycle, pedestrian, freight mobility and transit enhancements and provide people with choices to meet their mobility needs. Additional transportation improvement projects of the district may be funded only after compliance with the provisions of RCW 36.73.050(2)(b). [The funds generated by the Transportation Benefit District may also be used for maintenance, preservation, and operations of the City’s street and transportation system.](#)