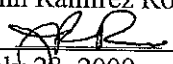


**TRANSPORTATION BENEFIT DISTRICT (TBD No. 1) BOARD
AGENDA BILL**

Agenda Subject: Motion to adopt Proposed Resolution No. 1, Requesting the King County Director of Elections hold a Special Election in conjunction with the General Election on November 3, 2009 for the Purpose of Placing on the Ballot a \$25 Annual License Fee Measure.		Meeting Date: August 3, 2009
Department: City Manager	Attachments: 1. <u>Proposed Resolution No. 1</u> 2. <u>Exhibit A of Ordinance No. 516</u>	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Jenn Ramirez Robson, Management Analyst		
Telephone: (206) 439-3165		
PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for the Board to adopt proposed Resolution No.1, requesting the King County Director of Elections hold a special election in conjunction with the general election on November 3, 2009 to submit to the qualified electors of the District a proposition authorizing the District to impose a vehicle license fee in the amount of twenty-five dollars for the projects identified in Exhibit A of City of Burien Ordinance No. 516.		
BACKGROUND (Include prior Council action & discussion): RCW Chapter 36.73 authorizes establishment of transportation benefit districts and for the levying of additional revenue sources for transportation improvements. The City of Burien, pursuant to City Ordinance No. 516, authorized creation of Transportation Benefit District No. 1 to provide funding for transportation improvements as described therein. This ordinance empowered the District to place on the ballot at the next general election, a proposition for approval by the voters of an annual vehicle license fee in the amount of twenty-five dollars (\$25) for the transportation improvement projects described therein and in the manner set forth in RCW 82.80.140 and Chapters 36.73 and 46.16 RCW. This resolution is now necessary in order for the Board to request that the King County Director of elections hold a special election to be held in conjunction with the general election on November 3, 2009 and to submit the question of whether or not the City of Burien Transportation Benefit District No. 1 should impose a vehicle license fee in the amount of twenty-five dollars for two years, as a ballot question as authorized by RCW 82.80.140 and Chapters 36.73 and 46.16 RCW. The resolution must be approved at the August 2, 3009 meeting in order to place the proposition on the ballot at the next general election. The cost estimated for the general election is \$21,000.		
OPTIONS (including fiscal impacts): 1. Adopt proposed Resolution No. 1 2. Do not adopt proposed Resolution No. 1		
Administrative Recommendation: Adopt Resolution No. 1.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: Move to adopt Resolution No. 1 requesting the King County Director of Elections hold a Special Election in conjunction with the General Election on November 3, 2009 on the question of whether or not Transportation Benefit District No. 1 should impose an annual vehicle license fee in the District in the amount of twenty-five dollars to fund the transportation improvements description in City of Burien Ordinance No. 516.		
Submitted by: Jenn Ramirez Robson Administration 		
Today's Date: July 28, 2009	File Code: R:\CC\Agenda Bill 2009\TBD - 2009\080309 license fee measure reso.doc	

**TRANSPORTATION BENEFIT DISTRICT NO. 1
BURIEN, WASHINGTON
RESOLUTION NO. 1**



A RESOLUTION OF THE BURIEN TRANSPORTATION BENEFIT DISTRICT NO. 1 REQUESTING THE KING COUNTY DIRECTOR OF ELECTIONS TO HOLD A SPECIAL ELECTION AND PLACE A PROPOSITION ON THE BALLOT AT THE NEXT GENERAL ELCTION AUTHORIZING IMPOSITION OF A VEHICLE LICENSE FEE TO FUND TRANSPORTATION IMPROVEMENTS DESCRIBED IN CITY OF BURIEN ORDINANCE NO. 516

WHEREAS, Chapter 36.73 RCW 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, after a properly noticed public hearing, the City of Burien pursuant to City Ordinance No. 516, authorized creation of Transportation Benefit District No. 1 to provide adequate funding for transportation improvements as described therein; and

WHEREAS, pursuant to City of Burien Resolution No. 298, the City of Burien and TBD No. 1 entered into an interlocal agreement to coordinate their efforts in order to pursue their individual, joint and mutual rights and obligations to construct such transportation improvements;

WHEREAS, pursuant Ordinance No. 516, TBD No. 1 was empowered to do all things necessary to place on the ballot at the next general election, a proposition for approval by the voters of an annual vehicle license fee in the amount of twenty-five dollars (\$25) for the transportation improvement projects described therein and in the manner set forth in RCW 82.80.140 and Chapters 36.73 and 46.16 RCW; and

WHEREAS, the Transportation Benefit District No. 1 Board (the "Board") has found, consistent with the findings of the City of Burien City Council, that the two local mobility improvement projects identified in Exhibit "A" to City Ordinance No. 516 fit within and are consistent with transportation demand management and the regional plan and program for bicycle and pedestrian transportation, and are necessitated by existing and reasonably foreseeable congestion levels, and

WHEREAS, the Board now desires to call for a special election to be held in conjunction with the general election on November 3, 2009 and to submit the question of whether or not the Burien Transportation Benefit District No. 1 should impose a vehicle license fee in the amount of twenty-five dollars, as a ballot question as authorized by RCW 82.80.140 and Chapters 36.73 and 46.16 RCW;

NOW, THEREFORE, THE BOARD OF TRANSPORTATION BENEFIT DISTRICT NO. 1 DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Transportation Benefit District No. 1 Board hereby requests the King County Director of Elections to find an emergency and hold a special election in conjunction with the general election on November 3, 2009 and to submit to the qualified electors of the District a proposition authorizing Transportation Benefit District No. 1 to impose a vehicle license fee in the amount of twenty-five dollars for the projects identified in Exhibit A to City of Burien Ordinance No. 516.

Section 2. The ballot title shall read as follows:

TBD NO. 1 VEHICLE LICENSE FEE

The Burien City Council passed Ordinance No. 516 authorizing creation of Transportation Benefit District No. 1 to provide funding for two transportation improvements described in the Ordinance. Shall Transportation Benefit District No. 1 impose an annual vehicle license fee within the District in the amount of twenty-five dollars for the sole purpose of funding the costs of the bicycle and pedestrian improvements as described in Exhibit A to City of Burien Ordinance 516?

- For imposition of vehicle license fee.
- Against imposition of vehicle license fee.

Section 3. A certified copy of this resolution shall be transmitted by the City Clerk to the King County Department of Records and Elections upon passage.

ADOPTED BY THE BURIEN TRANSPORTATION BENEFIT DISTRICT OF BURIEN, WASHINGTON, AT A MEETING THEREOF THIS ____TH DAY OF _____, 2009.

BURIEN TRANSPORTATION BENEFIT DISTRICT

, Chair

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Christopher D. Bacha, Interim City Attorney
Kenyon Disend, PLLC

Filed with the City Clerk: July 29, 2009
Passed by the TBD No. 1 Board:
Resolution No. 1

ORDINANCE NO. 516
EXHIBIT A
(Description of Transportation Improvements)

1. **8th Avenue South (S 128th Street to S. 136th Street)** - Construct a minimum 8-foot wide multi-purpose facility on one side of 8th Avenue South to provide safe access to Cedarhurst Elementary School.
2. **SW and S 136th Street (from Ambaum Boulevard to 1st Ave S and 1st Ave S to Des Moines Memorial Drive)** - Enhance east-west connectivity and mobility by filling in missing gaps, repair damaged sidewalk, and installing ADA improvements.

