

ORDINANCE NO. 2193 (2016)

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF BOTHELL AT AN ELECTION TO BE HELD ON NOVEMBER 8, 2016, OF A PROPOSITION AUTHORIZING AN INCREASE TO THE CITY'S REGULAR PROPERTY TAX LEVY AND THE CITY'S PROPERTY TAX LEVY BASE OF \$.50 PER \$1,000 OF ASSESSED VALUATION IN ORDER TO PAY COSTS OF STREET AND SIDEWALK MAINTENANCE AND OPERATIONS AND FUND THE IMPROVEMENT AND DEVELOPMENT OF STREETS AND SIDEWALKS.

WHEREAS, the City Council of the City of Bothell has the responsibility under the Constitution of the State of Washington for the improvement, maintenance, protection and operation of public ways within the corporate limits of the City pursuant to RCW 35A.11.020 and Chapter 35A.47 RCW; and

WHEREAS, the improvement, maintenance, and protection of public ways requires building sufficient capacity to adequately accommodate existing congestion and anticipate future congestion, and also requires maintaining and preserving existing transportation improvements to avoid catastrophic failure of the improvements which would require significant additional funds to reconstruct; and

WHEREAS, one of the key findings of the Washington Transportation Plan 2030 adopted by the Washington State Transportation Commission was that the mobility of people and goods is fundamental to the functioning of society and that investment must shift from moving vehicles to moving people and products; and

WHEREAS, the Puget Sound Regional Council, a regional planning agency, has adopted its long-range strategy, VISION 2040, and its metropolitan transportation plan, Transportation 2040, both of which call for the development of a transportation system that includes bicycle and pedestrian transportation improvements; and

WHEREAS, Transportation 2040 calls for maintenance, preservation and operation of the transportation system as its highest priority; and

WHEREAS, the funding dedicated for the preservation, maintenance and improvement of the City's transportation infrastructure has been dramatically reduced due to factors such as the passage of Initiative 695 in 1999 and Initiative 776 in 2002; and

WHEREAS, while dedicated revenues have decreased, the ongoing annual costs to preserve, maintain and improve the City's transportation infrastructure continue to rise,

leaving the City unable to continue to adequately preserve and maintain the City's transportation infrastructure; and

WHEREAS, preventive pavement maintenance is prudent public policy because it costs significantly less overall than repairs or replacement that are delayed into the future; and

WHEREAS, safe walking is dependent upon the presence of a complete pedestrian network and crosswalks equipped with modern safety features; and

WHEREAS, safe routes to school prevent accidents and allow children to receive the many health benefits of walking to school; and

WHEREAS, RCW 84.55.050 authorizes the voters of a City to permit the levy of taxes in excess of the levy limitations established in RCW 84.55.010 pursuant to a "levy lid lift"; and

WHEREAS, the City Council finds that establishing a stable local funding mechanism for funding a portion of transportation improvements is essential to the continued mobility and the economic health and quality of life of Bothell; and

WHEREAS, to fund all or a portion of the cost of street and sidewalk maintenance and safety projects as identified in Section 1 hereof for a period of nine (9) years, the City Council proposes to present a ballot proposition to the City's voters to increase the City's regular property tax levy in an amount of \$0.50 per \$1,000 for collection in 2017 and to provide that the dollar amount of such levy be used for the purpose of computing the limitations for subsequent levies provided for in RCW ch. 84.55;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City is in need of funds in order to provide safe and accessible roads and transportation that support the City's land use plan, to create a transportation system which allows the mobility of people and goods. The nine-year levy shall provide for street maintenance and safety improvements for City streets, including resurfacing, school walk routes, sidewalks/walkways and crosswalks. The initial goal for the levy shall be to:

- Fund street maintenance and operations, including in-house asphalt patching and sidewalk repair/replacement;
- Resurface, restore or replace arterial streets to attain an average pavement condition index rating of 80 for arterials by 2025 when combined with existing funding;
- Install an average of a quarter-mile of high-priority sidewalk/walkway projects including American with Disabilities Act wheel chair ramps per year, when combined with existing funding, with a focus on safe routes to schools;
- Install and improve high priority crosswalks; and,

- Produce an annual accountability report documenting actions and program status.

Section 2. It is hereby found that the best interests of the inhabitants of the City require the submission to the qualified electors of the City of a proposition whether the City shall levy regular property taxes above the limitations established in RCW 84.55.010 for approval or rejection at the general election to be held on November 8, 2016, a proposition to increase the City's regular property tax levy by \$0.50 per \$1,000 of assessed valuation for collection beginning in 2017 (with an estimated total annual collection amount of \$4,000,000 based on current estimates of assessed valuation) for the street purposes described herein. The dollar amount of such increased levy shall be used for the purpose of computing the limitations for subsequent levies provided for in RCW ch. 84.55.

Section 3. Ballot Proposition. The City Clerk of the City is authorized and directed to certify, no later than August 2, 2016, both to the Auditor of Snohomish County, Washington, as *ex officio* Supervisor of Elections, and to the Director of Records and Elections of King County Washington, a copy of this ordinance and the proposition to be submitted at that election in the form of ballot title prepared pursuant to RCW 29A.32.280, as follows:

PROPOSITION 1

CITY OF BOTHELL
LEVY FOR SAFE STREETS AND SIDEWALKS

The Bothell City Council passed Ordinance No. 2193 concerning a proposition for a street improvement levy rate increase. To fund street maintenance and safety improvements for neighborhood streets and arterials, including resurfacing, school walk routes, sidewalks and crosswalks, the City's regular property tax levy shall be increased for a period of nine years by \$0.50 per \$1,000 of assessed value for collection beginning in 2017 and such amount shall be used for the purpose of computing the limitations for subsequent levies provided under RCW ch. 84.55. Should this proposition be:

APPROVED.....
REJECTED.....

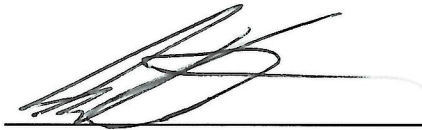
For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the City hereby designates its City Attorney, 425-806-6222, paul.byrne@bothellwa.gov, as the person to whom such notice shall be provided.

Section 4. Authorization of Local Voters' Pamphlet. The City authorizes preparation and distribution of a local voters' pamphlet, including an explanatory statement and statements in favor of and in opposition to the ballot measure, if any. The preparation of explanatory statement, the appointment of pro/con committees and the preparation of statements in favor or and in opposition to the ballot title shall be in accordance with chapter 29A.32 RCW and the rules and guidelines of the Director of Elections.

Section 5. Severability. If any provision of this ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this ordinance, and shall in no way affect the validity of the other provisions of this ordinance or of any other ordinance or resolution.

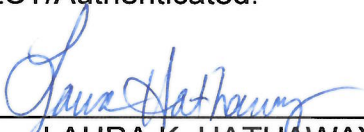
Section 6. Effective Date. This ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law.

PASSED by the City Council of the City of Bothell, Washington, at an open public meeting thereof, this 28th day of June, 2016, and signed in authentication of its passage this 28th day of June, 2016.



ANDREW J. RHEAUME
MAYOR

ATTEST/Authenticated:



LAURA K. HATHAWAY
CITY CLERK

APPROVED AS TO FORM:



City Attorney

FILED WITH THE CITY CLERK: 06/18/2016
PASSED BY THE CITY COUNCIL: 06/28/2016
PUBLISHED: 07/01/2016
EFFECTIVE DATE: 07/06/2016
ORDINANCE NO. 2193 (2016)

CERTIFICATION

I, the undersigned, City Clerk of the City of Bothell, Washington (the "City"), hereby certify as follows:

1. The attached copy of Ordinance No. 2193 (the "Ordinance") is a full, true and correct copy of an ordinance duly passed at a regular meeting of the City Council of the City held at the regular meeting place thereof on June 28, 2016, as that ordinance appears on the minute book of the City.

2. The Ordinance will be in full force and effect five days after publication in the City's official newspaper, which publication date is July 1, 2016.

3. A quorum of the members of the City Council was present throughout the meeting and a majority of those members present voted in the proper manner for the passage of the Ordinance.

Dated June 28, 2016.

CITY OF BOTHELL, WASHINGTON



Laura K. Hathaway, City Clerk