

**ORDINANCE NO. 297
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE,
WASHINGTON, ESTABLISHING THE CITY OF LIBERTY LAKE
TRANSPORTATION BENEFIT DISTRICT; ESTABLISHING
BOUNDARIES AND AUTHORITY OF THE DISTRICT; AND
IMPROVEMENTS AND OPERATIONS TO BE FUNDED BY THE
DISTRICT**

WHEREAS, RCW 35.21.225 authorizes the legislative authority of a city to establish a transportation benefit district ("TBD"), for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the TBD, subject to the provisions of Chapter 36.73 RCW; and

WHEREAS, transportation improvements are defined in RCW 36.73.015 to include projects contained in the transportation plan of a city, and which also includes investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management as well as the operation, preservation, and maintenance of these facilities or programs; and

WHEREAS, the City of Liberty Lake ("City") Capital Facilities Plan ("CFP"), as now existing and as it may exist in the future, constitutes and will constitute a "transportation plan" as contemplated by RCW 36.73.015; and

WHEREAS, on September 5, 2023, the City Council conducted a public hearing in accordance with RCW 36.73.050, after giving proper notice describing the operations and activities to be funded by the TBD; and

WHEREAS, the City Council finds it to be in the best interest of the City to establish a citywide TBD to fund and implement TBD operations and activities consistent with Chapter 36.73 RCW and the City's CFP; and

WHEREAS, the governing board of the district (the "board") shall be the Liberty Lake City Council acting in an ex officio and independent capacity, which shall have the authority to exercise the statutory powers set forth in Chapter 36.73 RCW.

NOW THEREFORE, the City Council of the City of Liberty Lake Washington, does hereby ordain as follows:

Section 1. The City Council finds it is in the public interest to help provide an adequate and

equitable level of funding for transportation operations, maintenance, preservation and improvements through the establishment of a Transportation Benefit District.

Section 2. The City, pursuant to RCW 35.21.225 and Chapter 36.73 RCW, hereby establishes and creates a TBD to be known and referred to as the City of Liberty Lake Transportation Benefit District, subject to the following:

1. Establishment of the City of Liberty Lake Transportation Benefit District - General Authority. There is hereby created the City of Liberty Lake TBD with geographical boundaries comprised of the corporate limits of the City as they currently exist or as they may exist following future annexations. The governing board of the transportation benefit district shall be the Liberty Lake City Council acting in an ex officio and independent capacity, which shall have the authority to exercise the statutory powers set forth in RCW 36.73.

2. Powers and Operations

a. The City of Liberty Lake TBD shall possess all of the powers of a transportation benefit district authorized pursuant to RCW 36.73, including without limitation, the power to fund the district via sales and use tax in an amount not to exceed one-tenth of one percent (0.1%) for a period of 10 years upon a majority vote of the governing board as provided for in RCW 36.73.065 and in accordance RCW 82.14.0455.

b. Consistent with RCW 36.73.020 the treasurer of the City of Liberty Lake TBD shall be the City Finance Director. Additionally, the City Attorney shall serve as legal advisor and other city employees shall carry out the operations of the City of Liberty Lake TBD.

Section 3. Transportation Improvements Funded. The funds generated by the transportation benefit district shall be used for transportation operations, maintenance, preservation and improvements as defined in RCW 36.73.015(6) and including projects contained in City of Liberty Lake's Capital Facilities Plan.

Section 4. Severability. If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 19th day of September, 2023.

Cris Kaminskas

MAYOR CRIS KAMINSKAS

ATTEST:

Kelsey Hardy

KELSEY HARDY, CITY CLERK

APPROVED AS TO FORM:

SEAN P. BOUTZ

SEAN P. BOUTZ, CITY ATTORNEY

Publication Date: 10/13/2023
Effective Date: 10/18/2023