

## Chapter 3.23

### TRANSPORTATION BENEFIT DISTRICT

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#### 3.23.010 Assumption of powers and functions of Ttransportation benefit district established.

As authorized by Chapter 36.74.030 of the Revised Code of Washington, the City of Auburn assumes all rights, powers, immunities, functions, and obligations that were possessed and exercised by the There is created a transportation benefit district to be known as the Auburn tTransportation bBenefit dDistrict, or “district” with geographical boundaries comprised of the corporate limits of the city as they currently exist or as they may exist following future annexations. All actions of the city taken under the authority conferred on a transportation benefit district will be specifically identified. (Ord. 6377 § 3, 2011.)

#### 3.23.020 Governing board.

~~A.—The governing board of the transportation benefit district shall be the Auburn 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.

~~B.—Meetings of the TBD board shall be governed by the procedural rules applicable to meetings of the city council, as these rules may be amended by the city council from time to time. TBD board actions shall be taken in the same manner and follow the same procedure as for the adoption of city council resolutions. Meetings of the TBD board shall, whenever possible, take place on the same dates scheduled for city council meetings.~~

~~C. The mayor shall serve as the chair of the TBD board and shall preside over all meetings of the TBD board.~~

~~D. Auburn city attorney will serve as legal advisor to the TBD board, except where separate counsel is engaged by the TBD or the city attorney has a conflict of interest.~~

~~E. The treasurer of the transportation benefit district shall be the city finance director.~~

~~F. The board shall develop a material change policy to address major plan changes that affect project delivery or the ability to finance the plan, pursuant to the requirements set forth in RCW 36.73.160(1).~~

~~G. The board shall issue an annual report, pursuant to the requirements of RCW 36.73.160(2).~~

~~H. The board may authorize an advisory committee, consisting of up to seven city residents who are stakeholders in the city's arterial system, to advise the board as requested on matters relating to project priorities and material changes. Advisory member candidates shall be nominated by the mayor and confirmed by the board.~~ (Ord. 6377 § 3, 2011.)

### 3.23.030 Authority ~~of the district~~.

The ~~board-city~~ shall have and may exercise any powers provided by law to fulfill the purpose of the district. (Ord. 6377 § 3, 2011.)

### 3.23.040 Use of funds.

The funds generated under the authority granted to a ~~by the~~ transportation benefit district may be used for any purpose allowed by law including ~~to operate the district and to making~~ e-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 under~~ the authority of a district shall be made in an effort to protect the city's long-term investments in its infrastructure, to reduce the risk of transportation facility failure, to improve safety, to continue optimal performance of the infrastructure over time, to avoid more expensive infrastructure replacements in the future and to improve modal connectivity within the city of Auburn. Additional transportation improvement projects ~~of the district~~ may be funded only after compliance with the provisions of RCW 36.73.050(2). (Ord. 6377 § 3, 2011.)

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~~3.23.050 — Dissolution of district.~~

~~The transportation benefit district shall be automatically dissolved, pursuant to the procedures set forth in Chapter 36.73 RCW, when all indebtedness of the district has been retired and when all of the district's anticipated responsibilities have been satisfied. (Ord. 6377 § 3, 2011.)~~

3.23.0650 Liberal construction.

As authorized pursuant to Chapter 36.73 RCW, this chapter shall be liberally construed to permit the accomplishment of its purposes. (Ord. 6377 § 3, 2011.)

~~The Auburn City Code is current through Ordinance 6719, and legislation passed through June 17, 2019.~~

~~Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.~~

~~City Website: [www.auburnwa.gov](http://www.auburnwa.gov)~~

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