

ORDINANCE NO. 393

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING THE CITY OF WOODINVILLE COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 157 AND AMENDED BY ORDINANCE NOS. 185, 209, 237, 268, 290, 322, 339, AND 365 BY AMENDING THE 2005-2010 CAPITAL IMPROVEMENT PLAN (CIP) AMENDMENTS TO THE CAPITAL & PUBLIC FACILITIES ELEMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Woodinville City Council adopted Ordinance No. 157, adopting the City's GMA Comprehensive Plan on June 24, 1996.

WHEREAS, the Woodinville City Council adopted Ordinance No. 172, establishing a procedure for amending its Comprehensive Plan;

WHEREAS, the City Council adopted and incorporated the 2005-2010 Capital Improvement Program into the Capital and Public Facilities Element of the Comprehensive Plan on October 18, 2004;

WHEREAS, the City Council identified four Capital Improvement Plan investment goals during discussions of the 2005-2010 CIP: 1) Provide flexibility in capital funding and project construction; 2) Relieve traffic congestion choke points; 3) Improve downtown circulation with additional grid roads; and, 4) Preserve neighborhood character and increase non-motorized links to downtown;

WHEREAS, the Woodinville City Council is in the process of accelerating capital project investments in order to achieve Council identified goals and outcomes within the six-year CIP;

WHEREAS, City Council directed staff to recommended changes to the 2005-2010 in order to reflect material changes in certain projects, to leverage existing revenues, and to move toward property acquisition and construction as soon as possible;

WHEREAS, a public hearing was held by the City of Woodinville Planning Commission on May 18, 2004; and

WHEREAS, the Woodinville City Council has reviewed the amendment contained in Attachment A and finds that it meets the required criteria in Ordinance No. 172, as follows:

- A. The proposed amendment is consistent with the Growth Management Act and other applicable state laws;
- B. The proposed amendment is consistent with the applicable Countywide Planning Policies;
- C. The proposed amendment is consistent with the Goals and Policies of the Comprehensive Plan;
- D. The proposed amendment is beneficial to the City as a whole, and to the health, safety, and welfare of its residents;

WHEREAS, the requirements of the State Environmental Policy Act (SEPA) RCW 43.21C have been met.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Revision and incorporation of the 2005-2010 Capital Improvement Program into the Capital and Public Facilities Element of the Comprehensive Plan. The six-year Capital Facilities Plan found in Section 10.3 of the Capital and Public Facilities Element of the City of Woodinville Comprehensive Plan is hereby amended to read as set forth in Attachment A, which is incorporated by this reference as if set forth in full.

Section 2. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance. Provided, however, that if any section, sentence, clause, or phrase of this Ordinance, or any change in a land use designation is held to be invalid by a court of competent jurisdiction, or by the Growth Management Hearings Board, then the section, sentence, clause, phrase, or land use designation in effect prior to the effective date of this ordinance, shall be in full force and effect for that invalidated section, sentence, clause, phrase, or land use designation, as if this ordinance had never been adopted.

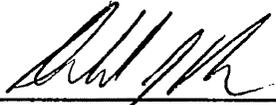
Section 3. Copy to CTED. Pursuant to RCW 36.70A.106 (3), the City Clerk is directed to send a copy of the amendments to the State Department of Community, Trade, and Economic Development for its files within ten (10) days after adoption of this Ordinance.

Section 5. Effective Date. The adoption of this Ordinance, which is a power specifically delegated to the City legislative body, is not subject to referendum. This Ordinance or a summary thereof shall be published in the

official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF WOODINVILLE
THIS 20th DAY OF June, 2005.

APPROVED:



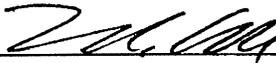
Don Brocha, MAYOR

ATTEST/AUTHENTICATED:



SANDRA PARKER
CITY CLERK/CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____

PASSED BY THE CITY COUNCIL: 6-20-2005
PUBLISHED: 6-27-2005
EFFECTIVE DATE: 7-2-2005
ORDINANCE NO. 393

The following section describes each revenue account supporting the 2005-2010 Capital Improvement Plan.

Real Estate Excise Tax

The Capital Project and Special Capital Project funds will each receive revenue from a 1/4% real estate excise tax (REET). The Revised Code of Washington 82.46 authorizes a real estate excise tax levy of 1/4%. The Growth Management Act authorizes another 1/4% real estate excise tax to be used primarily for financing capital facilities specified in the City's capital facilities plan. Revenues from this tax must be used for financing capital facilities specified in the City's capital facilities plan.

Woodinville has levied two 1/4% real estate excise taxes. Each 1/4% should yield approximately \$275,000 in revenue annually. The revenue is allocated to the Capital Projects Fund and the Special Capital Projects Fund.

Capital Project Fund

REET1 (first 1/4% real estate excise tax revenue) funds may be used for the following:

- 1) The planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation or improvement of: streets, roads, sidewalks, street and road lighting systems, and storm and sanitary sewer systems,
- 2) The planning, acquisition, construction, reconstruction, repair, rehabilitation, or improvement of parks and recreation facilities, and
- 3) The planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of: law enforcement facilities, fire protection facilities, trails, libraries, and administrative and judicial facilities.

Capital Project Fund (REET 1)

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$1212	\$317	\$46	\$(32)	\$100	\$42
Revenue (+)	\$300	\$309	\$318	\$328	\$338	\$348
Total Revenue	\$1512	\$626	\$364	\$328	\$438	\$390
Expenses						
GR-X Grid Roads	\$0	\$530	\$196	\$196	\$196	\$196
PK-3 LBC Park	\$0	\$50	\$200	\$0	\$200	\$0
PK-22 Central Park	\$50	-	-	-	-	-
(FAC-3) Civic Center	\$575	-	-	-	-	-
(RO27-A) SR202/RR						
Trestle	\$370	-	-	-	-	-
(RO27-B) SR202/177 th						
No. Leg	\$200	-	-	-	-	-
Total Expenses	\$1,195	\$580	\$396	\$196	\$396	\$196
Ending Balance	\$317	\$46	\$(32)	\$100	\$42	\$194

Special Capital Project Fund (REET 2)

REET 2 (second 1/4% real estate excise tax revenue) funds may be used for the following:

- 1) The planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation or improvement of: streets, roads, sidewalks, street and road lighting systems, and storm and sanitary sewer systems, and
- 2) The planning, construction, reconstruction, repair, rehabilitation, or improvement of parks and recreation facilities.

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$2,057	\$692	\$254	\$109	\$437	\$51
Revenue (+)	\$300	\$309	\$318	\$328	\$338	\$348
	\$2,357.0					
Total Revenue	0	\$1001.00	\$572.00	\$437.00	\$775.00	\$399.00
Expense (-)						
GR-X Grid Roads	\$1500	-	-	-	-	-
I-8 Hollywood intersection	\$165	\$100	\$400	-	-	-
RO-28 195 th St/SR522	\$0	\$547	-	-	-	-
RO-27B SR202/177 th No.						
Leg	\$0	\$100	\$63	\$0	\$724	
Total Expense	\$1665	\$747	\$463	\$0	\$724	\$0
Ending Balance	\$692	\$254	\$109	\$437	\$51	\$399

Capital Street Reserve Fund

The Capital Street Reserve Fund was established with surplus monies from the General Fund for the planning, acquisition, construction, reconstruction, repair, rehabilitation, or improvement of streets, roads, sidewalks, and lighting systems.

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$2,951	\$426	\$326	\$276	\$100	\$50
Revenue (+)	-	-	-	-	-	-
Total Revenues	\$2,951	\$426	\$326	\$276	\$100	\$50
Expense (-)						
GR-X Grid Road	-	(\$300)	-	-	-	-
SNAP-PW	(\$50)	(\$50)	(\$50)	(\$50)	(\$50)	(\$50)
I-6 SR202/127 th	(\$150)	-	-	-	-	-
RM-12A SR202/175 th St	(\$100)	-	(\$200)	-	-	-
RO-27B SR202/177 th No.	-	-	-	(\$60)	(\$220)	-
Total Expense	\$2551	\$100	\$50	\$176	\$50	\$50
Ending Balance	\$426	\$326	\$276	\$100	\$50	\$0

Surface Water Capital Reserve

The Surface Water Reserve Fund was established with surplus monies from the Surface Water Management Fund for the planning, acquisition, construction, reconstruction, repair, rehabilitation, or improvement of surface water or stormwater facilities

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$2040	\$199	\$49	\$49	\$49	\$49
Revenue (+)	-	-	-	-	-	-
Total Revenue	\$2040	\$199	\$49	\$49	\$49	\$49
Expense (-)						
GR-X Grid Roads	\$1000					
SWM-9B LBC/134th culvert	\$415	-	-	-	-	-
SMW-13 Chateau Reach	\$240	-	-	-	-	-
SWM-21 Wetland Banking	-	\$100	-	-	-	-
SWM-22 WRIA8 Projects (SWM-20) Woodin Crk Sedimentation	\$0	\$50				
	\$200	-	-	-	-	-
Total Expense	\$1855	\$150	-	-	-	-
Ending Balance	\$199	\$49	\$49	\$49	\$49	\$49

General Fund Transfer

The General Fund Transfer account was established for specific capital projects as identified by the City Council. Projects are funded from surplus revenues out of the General Fund. Surplus moneys are available when operating revenues exceed operating expenses.

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$301	-	-	-	-	-
Transfer In (+)	\$2000	-	-	-	-	-
Total Revenues	\$2301	-	-	-	-	-
Expense (-)						
FAC-2C Property Acq.	\$2301	-	-	-	-	-
Total Expenses	\$2301	-	-	-	-	-
Ending Balance	\$0	-	-	-	-	-

Transportation Mitigation

The City collects an assessment through the SEPA environmental review process from developers based on the impact the development will have on roadways surrounding the project. It is estimated approximately \$50,000 will accrue to this account in the first year, with a 5% annual increase over the six-year planning period.

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$404	\$378	\$400	\$308	\$333	\$358
Revenue (+)	\$24	\$22	\$23	\$24	\$26	\$27
Total Revenue	\$428.00	\$400.00	\$423.00	\$332.00	\$359.00	\$385.00
Expense (-)						
(RO-28) NE195th St/SR522 to WS	\$50	-	-	-	-	-
(RM-25) CCRP	-	-	\$115	-	-	-
Total Expense						
Ending Balance	\$378	\$400	\$308	\$333	\$358	\$385

Transportation Impact Fees

The transportation impact fee was implemented on January 1, 2005 to collect fees from developers for transportation construction and engineering costs. The fee based on the number of car trips a development will generate and how those trips will impact areas of the City. The fees are defined in the adopting ordinance. The estimated revenue from this tax is assumed to be \$200,000 each year over the six-year planning period.

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$0	\$200	\$410	\$360	\$1095	\$1867
Revenue (+)	\$200	\$210	\$700	\$735	\$772	\$810
Total Revenue	\$200.00	\$410.00	\$1110.00	\$1095.00	\$1867.00	\$2677.00
Expenses (-)						
(I-8) Hollywood	-	-	(\$750)	-	-	-
Total Expense						
Ending Balance	\$200	\$410	\$360	\$1095	\$1876	\$2457

Park Impact Fees

The park impact fee was established in 2001 to set aside money for park facility planning, land acquisition, site improvements, construction and engineering costs. The fee is \$1,796 per residential and multi-family dwelling unit as defined in the adopting ordinance. The estimated revenue from this tax is assumed to be \$24,00 in the first year with a 5% annual increase over the six-year planning period.

Amount x \$1,000	2005	2006	2007	2008	2009	2010
Year						
Beginning Balance	\$424	\$95	\$68	\$3	\$31	\$11
Revenue (+)	\$71	\$73	\$75	\$78	\$80	\$82
						\$93.0
Total Revenues	\$495.00	\$168.00	\$143.00	\$81.00	\$111.00	0
Expenses (-)						
PK-18 Rotary Community Park	\$300	-	-	-	-	-
PK-3 LBC Linear Park	-	-	\$140	\$50	\$100	\$90
SNAP-PK	\$100	\$100	-	-	-	-
Total Expenses	\$400	\$100	\$140	\$50	\$100	\$90
Ending Balance	\$95	\$68	\$3	\$31	\$11	\$3

Utility Tax

The utility tax was established to set aside money for improvements at the intersection of 131st Ave NE and NE 177th Pl, as well as the necessary improvements, including right-of-way acquisition of NE 177th Pl from 131st Ave NE to 140th Ave NE. The forecast allows for a 3% increase each year.

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$2584	\$1532	\$2067	\$1942	\$2442	\$2967
Revenue (+)	\$907	\$930	\$953	\$977	\$1001	\$1026
Total Revenue	\$3491.00	\$2462.00	\$3020.00	\$2919.00	\$3443.00	\$3993.00
Expense (-)						
FAC-2 Civic Center Acq.	\$1000	-	-	-	-	-
RM16-AE LBCP/Mill PI-190 th	\$50	\$30	\$0	\$238	\$238	\$238
RM-16AW LBCP/132nd - Mill	\$50	\$30	\$500	\$238	\$238	\$238
RM-16D LBC Utilities	\$819	-	-	-	-	-
RM16-AE1 Garden Reach	-	\$235	-	-	-	-
RM16-AW1 Regional Storm	\$40	\$100	\$578	-	-	-
Total Expense	\$1959	\$395	\$1078	\$476	\$476	\$476
Ending Balance	\$1532	\$2067	\$1942	\$2442	\$2967	\$3518

Admissions Tax

The admissions tax was established to set aside money for parks capital projects. The tax is 5% of ticket price for admission to movie theaters, museums, dance halls, auditoriums, etc. Schools, churches, governments and nonprofit organizations are exempt. The estimated revenue from this tax is \$210,000 for the first year, with a 5% annual increase over the six-year planning period.

Year	2005	2006	2007	2008	2009	2010
Beginning Balance	\$270	\$97	\$267	\$324	\$371	\$395
Revenue (+)	\$260	\$270	\$281	\$292	\$304	\$316
Total Revenue	\$530.00	\$367.00	\$548.00	\$616.00	\$675.00	\$711.00
Expenses (-)						
PK-18 Rotary Community Pk	\$183	-	-	-	-	-
Pk-21 Park Land Banking	\$250	\$100	\$100	\$100	\$100	-
PK-22 Central Park	-	-	\$50	\$50	\$30	-
NM-07 Ped Bridge (LBC 136th)	-	-	-	-	\$100	\$200
NM-04 City Hall to 131st	-	-	\$25	\$45	-	-
SNAP	\$0	\$50	\$50	\$50	\$50	\$50
Total Expenses	\$433	\$100	\$225	\$245	\$280	\$250
Ending Balance	\$97	\$267	\$324	\$371	\$395	\$462

Gas Tax

Cities and counties receive 11.53% and 22.78%, respectively, of the motor vehicle fuel tax receipts. Revenues must be spent for highway purposes including the construction, maintenance, and operation of city streets, county roads, and state highways.

Amount x \$1,000						
Year						
Beginning Balance	\$294	\$168	\$242	\$316	\$390	\$464
Revenue (+)	\$74	\$74	\$74	\$74	\$74	\$74
Total Revenue	\$368.00	\$242.00	\$316.00	\$390.00	\$464.00	\$538.00
Expenses (-)	\$0	\$0	\$0	\$0	\$0	\$0
124th Ave Overlay	\$200	-	-	-	-	-
Total Expense	\$200	-	-	-	-	-
Ending Balance	\$168	\$242	\$316	\$390	\$464	\$538

Grants

Each year the City applies for funding from available grants. There are several categories of grants:

TEA-21 (Transportation Efficiency Act): TEA-21 is the federal transportation law that contains federal statutes on planning and funding for transportation projects.

STP (Surface Transportation Program): One of several federal funding sources created by Inter-modal Surface Transportation Efficiency Act to finance transportation projects. STP funds are the most "flexible" funding source since they may be used on transit projects, bicycle and pedestrian, safety, traffic monitoring and management, planning, and the development of management systems, as well as more traditional road or bridge projects. A local match of 13.5 percent is required. For pedestrian and bike facilities a 20 percent local match is required.

TIA (Transportation Improvement Account): The Washington State Transportation Improvement Board manages TIA grants. The purpose of the TIA is to fund transportation projects throughout the state for counties and cities. Projects must give consideration to rapid mass transit and rail. Projects must be necessitated by existing or foreseeable congestion due to economic development or growth.

UATA (Urban Arterial Trust Account Program): The Washington State Transportation Improvement Board manages UATA grants. The purpose of the UATA Program is to

provide financial assistance to local agencies to improve the state's arterial street system by increasing capacity, reducing accident rates, correcting structural deficiencies, and providing adequate widths. The UATA receives eight percent of the gas tax revenue. Funded projects must be listed in the City's six-year Capital Improvement Plan.

IAC (Interagency Committee for Outdoor Recreation): Washington Wildlife and Recreation Program (WWRP) funds managed by the Interagency Committee for Outdoor Recreation (IAC).

Watershed Resource Inventory Area (WRIA8): The King Conservation District (KCD) manages a non-competitive grant program through King County that distributes the three-dollar portion of its fee to the five regional Watershed Forums. The Sammamish Watershed Forum is a coalition of governments working cooperatively on water quality, flooding and fish habitat needs throughout the Sammamish watershed. Projects and programs funded by the KCD grants are consistent with the Regional Water Quality Committee's funding principles.

Amount x \$1,000

Year	2005	2006	2007	2008	2009	2010
I-8 Hollywood Intersection	-	\$1500	-	-	-	-
(SWM-9B) Habitat Enhancements	\$18	\$0	\$0	-	-	-
(RO27-A) SR202/RR Trestle	\$1157	\$726	\$2300	-	-	-
RO-27B1 Transit Flyer Stop	\$650	\$0	\$0			
RO-27B2 BNRP- North Wall	\$726	\$0	\$0	-	-	-
RM-12A SR202/175 th -127 th		\$200	\$1400	\$1156		
Total Secured Grants	\$2551.00	\$2426.00	\$3700.00	\$1156.00	-	-

Loans

Public Works Trust Fund

Public Works Trust Fund (PWTF). This is a low interest loan program managed by the state's Public Works Board (Board) and is authorized under state statute (RCW 43.155) to loan money to cities for the purpose to repair, replace, or create roads, wastewater, and stormwater systems. This is a valuable program for qualifying cities due to its below-market rates.

Amount x \$1,000

Year	2005	2006	2007	2008	2009	2010
GR-X Grid Roads	-	-	\$3334	-	-	-
Little Bear Creek Parkway	-	-	\$1672	-	-	-
Total Loans	-	-	\$5,006	-	-	-

Summary of Funds

Revenues available to fund the 2005-2010 Capital Improvement Plan.

Revenue Source	Forecasted Funds 2005-2010
2004 Beginning Fund Balance	\$1,670,347
Real Estate Excise Tax	
REET I	\$3,153,000
REET II	\$3,998,000
Reserve Funds	
Capital Street	\$2,977,000
Surface Water Capital	\$2,054,000
General Fund Transfer	
Civic Center Fund	\$2,000,000
Mitigation Fund	
Transportation mitigation paid by developers	\$550,000
Other Taxes	
Utility Tax	\$8,378,000
Admissions Tax	\$1,995,000
Gas Tax	\$738,000
Transportation Impact Fee	\$3,427,000
Parks Impact Fee	\$883,000
Grants	
Grants Awarded to date	\$5,675,000
Grant Anticipated	\$4,256,000
Loans	
Public Works Trust Fund	\$9,325,000
Total Gross Revenue	\$51,055,374