

ORDINANCE NO. 423

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 2007-2012 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; and

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

WHEREAS, the Woodinville City Council has determined that certain amendments to text and tables of the Plan are necessary to keep the Comprehensive Plan updated and to accommodate the needs of its citizens; and

WHEREAS, the Woodinville City Council has reviewed the amendment contained in Exhibit 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, a public hearing was held by the City of Woodinville Planning Commission on October 18, 2006; and

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. Adoption and incorporation of the 2007-2012 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 Exhibit 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.

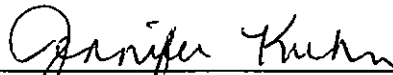
Section 4. Effective Date. The adoption of this Ordinance, which is a power specifically delegated to the City legislative body, is not subject to referendum. This Ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 13TH DAY OF NOVEMBER 2006.

APPROVED:


Cathy VonWald, Mayor


ATTEST/AUTHENTICATED:



Jennifer Kuhn
City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By: 

J. Zachary Lell
City Attorney

PASSED BY THE CITY COUNCIL: 11-13-2006
PUBLISHED: 11-20-2006
EFFECTIVE DATE: 11-25-2006
ORDINANCE NO. 423

The following is a description of each revenue option along with assumptions used in the forecasts.

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 \$600,000 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 (1st Qtr REET)

Amounts x \$1,000

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$714	\$944	\$22	\$328	\$65	\$433
Revenue (+)	\$550	\$578	\$606	\$637	\$669	\$702
Total Revenue	\$1,264	\$1,522	\$628	\$965	\$734	\$1,135
Expenses (-)						
(R-1) Pavement Overlay	(\$300)	(\$300)	(\$300)	(\$300)	(\$300)	(\$300)
(FAC-3) Maint. Shop	(\$20)	(\$1,200)	-	(\$600)	-	(\$750)
Total Expenses	(\$320)	(\$1,500)	(\$300)	(\$900)	(\$300)	(\$1,050)
Ending Balance	\$944	\$22	\$328	\$65	\$434	\$85

10.3.3.1 Revenue Options and Forecasts (2007-2012)

Exhibit A

Special Capital Project Fund

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.

Special Capital Project (2nd Qtr REET)

Amount x \$1,000

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$2,890	\$801	\$129	\$85	\$172	\$240
Revenue (+)	\$550	\$578	\$606	\$637	\$669	\$702
Total Revenue	\$3,440	\$1,379	\$735	\$722	\$841	\$942
Expense (-)						
(FAC-2) Carol Edwards Center	(\$2,639)	-	-	-	-	-
(PK-10) Sports Fields	-	(\$1,250)	(\$650)	-	-	-
(FAC-3) Maint. Shop	-	-	-	(\$550)	(\$600)	(\$750)
Total Expense	(\$2,639)	(\$1,250)	(\$650)	(\$550)	(\$600)	(\$750)
Ending Balance	\$801	\$129	\$85	\$172	\$240	\$192

Capital Reserve Funds

Capital Street Reserves and Surface Water Capital Reserve Funds do not have a dedicated funding source and require transfers from other sources for new revenues.

Capital Street Reserve

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.

**Capital Street Reserve
Amount x \$1,000**

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$2,778	\$923	\$773	\$198	\$148	\$98
Revenue (+)	-	-	-	-	-	-
Total Revenue	\$2,778	\$923	\$773	\$198	\$148	\$98
Expense (-)	-	-	-	-	-	-
(I-6A) SR202/127 th Pl	(\$516)	-	-	-	-	-
(RO-27B3) SR202/NE 177 th No. leg	(\$100)	-	-	-	-	-
(RO-27C) SR202/NE 175 th So. leg	(\$1,169)	-	-	-	-	-
(RO-28) 195 th St/Wood-Sno Rd	(\$20)	(\$100)	(\$525)	-	-	-
(SNAP-PW) SNAP	(\$50)	(\$50)	(\$50)	(\$50)	(\$50)	(\$50)
Total Expenses	(\$1,855)	(\$150)	(\$575)	(\$50)	(\$50)	(\$50)
Ending Balance	\$923	\$773	\$198	\$148	\$98	\$48

10.3.3.1 Revenue Options and Forecasts (2007-2012)

Exhibit A

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.

**Surface Water Capital Reserve
Amount x \$1,000**

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$2,149	\$836	\$771	\$521	\$321	\$271
Revenue (+)	-	-	-	-	-	-
Total Revenue	\$2,149	\$836	\$771	\$521	\$321	\$271
Expense (-)						
(SWM-9A) LBC/132 nd culvert removal	-	-	-	-	(\$50)	(\$200)
(SWM-9B) LBC/134 th culvert removal	-	-	(\$50)	(\$200)	-	-
(SMW-13) Chateau Reach	(\$385)	(\$15)	-	-	-	-
(SWM-20) Woodin Crk Sedimentation	(\$8)	(\$50)	(\$200)	-	-	-
(SWM-) NE 171 st St storm drain	(\$920)	-	-	-	-	-
Total Expenses	(\$1,313)	(\$65)	(\$250)	(\$200)	(\$50)	(\$200)
Ending Balance	\$836	\$771	\$521	\$321	\$271	\$71

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. Since the City adopted Transportation Impact Fees, it is estimated this fund will increase less than 1% annually over the six-year planning period.

Transportation Mitigation
Amount x \$1,000

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$265	\$228	\$166	\$144	\$149	\$155
Revenue (+)	\$5	\$5	\$5	\$5	\$5	\$5
Total Revenue	\$270	\$233	\$171	\$149	\$154	\$160
Expense (-)	-	-	-	-	-	-
(RM3/RM5) Wood-Sno Rd/140 th -205 th	(\$42)	(\$12)	(\$14)	-	-	-
(RM-15A) SR522/195th	-	(\$11)	(\$2)	-	-	-
(RM-25) CCRP (RM-27)	-	(\$44)	-	-	-	-
Wood-Sno Rd/175 th -140 th	-	-	(\$11)	-	-	-
Total Expense	(\$42)	(\$67)	(\$27)	-	-	-
Ending Balance	\$228	\$166	\$144	\$149	\$155	\$160

Transportation Impact Fees

The Transportation Impact Fee was effective January 1, 2005 to collect fees from developers for transportation construction and engineering costs. The fee is based on the number of car trips a development will generate and how those trips will impact areas of the City. Impact fee revenue is dependent on the types and level of development within the City. The fees are defined in the adopting ordinance. The estimated revenue from this tax is assumed to be \$250,000 in 2006 and \$500,000 for 2007 and 2008 dropping back to \$225,000 in 2009 with a 2% increase over the six-year planning period.

Transportation Impact Fees
Amount x \$1,000

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$378	\$884	\$1,390	\$1,515	\$960	\$319
Revenue (+)	\$506	\$506	\$225	\$230	\$234	\$239
Total Revenue	\$884	\$1,390	\$1,615	\$1,745	\$1,194	\$558
Expenses (-)						
(I-6B) SR202/127 th PI	-	-	-	(\$200)	-	-
(RM-16) LBC Parkway	-	-	(\$50)	(\$375)	(\$375)	-
(RM-25) CCPR	-	-	-	(\$100)	(\$100)	-
(RM-27)						
Wood-Sno Rd/140 th -175 th	-	-	(\$50)	(\$110)	-	-
(RM-11) SR202/145 th -127 th	-	-	-	-	(\$400)	(\$200)
(RO-27D) SR202/SR522	-	-	-	-	-	(\$200)
(RM-3)						
Wood-Sno Rd/SR522-205 th	-	-	-	-	-	(\$100)
Total Expenses	-	-	(\$100)	(\$785)	(\$875)	(\$500)
Ending Balance	\$884	\$1,390	\$1,515	\$960	\$319	\$58

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 was increased to \$3,175 per residential and multi-family dwelling unit in October 2005. The estimated revenue from this tax is expected to be \$200,000 in 2006 and \$500,000 in 2007 and 2008 and dropping back to \$200,000 in 2009 with a 2% annual increase over the six-year planning period.

Park Impact Fees
Amount x \$1,000

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$438	\$887	\$1,212	\$942	\$556	\$419
Revenue (+)	\$510	\$505	\$200	\$204	\$208	\$212
Total Revenue	\$948	\$1,392	\$1,412	\$1,146	\$764	\$631
Expenses (-)						
(NM-5) 135 th Ave (LBC Pkwy to S. Lumpkin)	-	-	(\$25)	(\$45)	-	-
(NM-8) Ped Bridge (West industrial to Woodin)	-	-	(\$100)	(\$200)	-	-
(PK-10) Sports Fields	-	(\$180)	(\$345)	(\$345)	(\$345)	(\$630)
(FAC-2) Carol Edwards Center	(\$61)	-	-	-	-	-
Total Expense	(\$61)	(\$180)	(\$470)	(\$590)	(\$345)	(\$630)
Ending Balance	\$887	\$1,212	\$942	\$556	\$419	\$1

TaxesUtility Tax

The utility tax was established in 1998 to set aside money for improvements at the intersection of SR202 and NE 177th Pl, and Little Bear Creek Parkway. In 2005, the City Council expanded the use of the utility tax to fund any transportation project identified in the CIP.

Woodinville's utility tax rates are at 2% for electricity and natural gas and 4% for solid waste and telephone. The utility tax generates approximately \$1 million per year. The average Woodinville household pays approximately \$16.50/mo in utility taxes. The forecast assumes over \$1,000,000 in 2006 with a 3.5% increase in total revenues each year.

**Utility Tax
Amount x \$1,000**

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$3,402	\$2,221	\$1,425	\$725	\$559	\$714
Revenue (+)	\$1,119	\$1,054	\$1,067	\$1,084	\$1,105	\$1,129
Total Revenue	\$4,521	\$3,275	\$2,492	\$1,809	\$1,664	\$1,843
Expense (-)	-	-	-	-	-	-
(GR-X) Grid Roads	(\$50)	(\$600)	(\$400)	(\$50)	(\$600)	(\$900)
(I-8) SR202/NE 145 th	(\$2,000)	(\$100)	-	-	-	-
(RM-5) Wood-Sno. Rd/195 th -185 th	-	-	-	(\$200)	(\$350)	(\$800)
(RM-12) SR202/127 th - 131 st SBRP	-	-	(\$1,247)	(\$1,000)	-	-
(RM-15A/B) SR522/195 th St.	(\$250)	(\$1,150)	(\$120)	-	-	-
Total Expenses	(\$2,300)	(\$1,850)	(\$1,767)	(\$1,250)	(\$950)	(\$1,700)
Ending Balance	(\$2,221)	(\$1,425)	(\$725)	(\$559)	(\$714)	(\$143)

10.3.3.1 Revenue Options and Forecasts (2007-2012)

Exhibit A

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 \$190,000 in 2006, with a 1% annual increase over the six-year planning period.

Admissions Tax Amount x \$1,000

Year	2007	2008	2009	2010	2011	2012
Beginning Balance	\$448	\$515	\$380	\$242	\$106	\$7
Revenue (+)	\$195	\$195	\$197	\$199	\$201	\$203
Total Revenues	\$643	\$710	\$577	\$441	\$307	\$210
Expenses (-)						
(NM-28) Bike/boat rental facility	(\$13)	(\$45)	-	-	-	-
(PED-3) Derby Ped Path	(\$50)	(\$200)	-	-	-	-
(PK-10) Sports Fields	-	-	(\$300)	(\$300)	(\$300)	-
(SNAP-PK) Small Neighborhood	(\$65)	(\$85)	(\$35)	(\$35)	-	(\$80)
Total Expenses	(\$128)	(\$330)	(\$335)	(\$335)	(\$300)	(\$80)
Ending Balance	(\$515)	(\$380)	(\$242)	(\$106)	(\$7)	(\$130)

Grants

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

SAFETEA-LU 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 Forums: 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 Watershed Forum is a coalition of governments working cooperatively on water quality and fish habitat needs throughout the Lake Washington watershed. Projects and programs funded by the KCD grants are consistent with the WRIA8 Salmon Conservation Plan.

10.3.3.1 Revenue Options and Forecasts (2007-2012)

Exhibit A

SECURED GRANTS

Amount x \$1,000

Year	2007	2008	2009	2010	2011	2012
(I-8) Hollywood School Inter.	(\$2,000)	(\$100)	-	-	-	-
(RO-27B3) BNRP SR202/177 th No. leg	(\$200)	-	-	-	-	-
(RO-27C) BNRP SR202/175 th So. Leg	(\$2,000)	-	-	-	-	-
(RM-12) SR202/175 th -127 th FMSIB Grant	(\$750)	(\$1,000)	(\$750)	-	-	-
(RM-12) SR202/175 th -127 th SAFETEA-LU	(\$274)	(\$274)	(\$274)	-	-	-
Total Secured Grants	\$5,224	\$1,374	\$1,024	-	-	-

UNSECURED GRANTS/DONATIONS

Amount x \$1,000

Year	2007	2008	2009	2010	2011	2012
(PK-10) Sports Fields Grant	-	\$375	\$200	-	-	-
(PK-10) Sports Fields Donation	-	\$530	-	-	-	-
(FAC-02) Carol Edwards Cntr Donation	\$150	-	-	-	-	-
Total Unsecured Grants	\$150	\$905	\$200	-	-	-

Councilmanic Debt

General obligation (GO) bonds are backed by the full faith and credit of the City of Woodinville. In essence, the City pledges all assets and income sources toward their repayment. LTGO (limited tax general obligation) also called councilmanic bonds, are not voted on, and are paid from existing revenue sources. The City's debt policies allow the City to issue up to 2.5% of assessed valuation for general purposes debt, 2.5% for utility debt, 2.5% for parks and open spaces, and 1.5% of assessed valuation for councilmanic (non-voted) debt. The City of Woodinville has an assessed valuation of \$1,891,695,658.

Councilmanic Debt

Amount x \$1,000

<u>Year</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
Beginning Balance	\$0	\$0	\$0	\$0	\$0	\$0
Transfer In (+)	-	-	\$3,315	-	-	-
(PK-10) Sports Fields	-	-	(\$3,315)	-	-	-
Ending Balance	\$0	\$0	\$0	\$0	\$0	\$0

10.3.3.1 Revenue Options and Forecasts (2007-2012)

Exhibit A

Summary of Funds
2007-2012 Capital Improvement Plan

Revenue Source	2007-2012 CIP - Forecasted Annual Revenues and Expenditures							
	2006 Beginning Balance	2006	2007	2008	2009	2010	2011	2012
Beginning Balance	\$0	\$14,596,384	\$15,496,384	\$9,158,484	\$7,186,134	\$7,303,763	\$6,186,566	\$6,354,608
Real Estate Excise Tax								
REET I	\$622,222	\$600,000	\$550,000	\$577,500	\$606,375	\$636,694	\$668,528	\$701,955
REET II	\$2,736,969	\$600,000	\$550,000	\$577,500	\$606,375	\$636,694	\$668,528	\$701,955
Reserve Funds								
Capital Street	\$2,831,796	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Surface Water Capital	\$2,113,996	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Mitigation Fund								
Transportation mitigation paid by developers	\$267,249	\$22,000	\$5,000	\$5,050	\$5,101	\$5,152	\$5,203	\$5,255
Other Taxes and Fees								
Utility Tax	\$3,181,921	\$1,038,000	\$1,119,100	\$1,053,600	\$1,066,828	\$1,083,845	\$1,104,703	\$1,129,462
Admissions Tax	\$349,203	\$190,000	\$195,000	\$195,000	\$196,950	\$198,920	\$200,909	\$202,918
Transportation Impact Fee	\$174,330	\$250,000	\$506,000	\$506,000	\$225,000	\$229,500	\$234,090	\$238,772
Park Impact Fee	\$439,698	\$200,000	\$510,000	\$505,000	\$200,000	\$204,000	\$208,080	\$212,242
Grants								
Grants Awarded to date	\$1,879,000	-	\$5,224,000	\$1,374,000	\$1,024,000	-	-	-
Grant Anticipated	\$0	-	-	\$375,000	\$200,000	-	-	-
Donations	\$0		\$150,000	\$530,000	\$290,000			
Debt Financing/Loans								
Councilmanic Debt	\$0		\$0	\$-	\$3,315,000			
Public Works Trust Fund			\$0	\$-	\$-			
Total Revenue	\$14,596,384	\$17,496,384	\$24,305,484	\$14,857,134	\$14,921,763	\$10,298,566	\$9,276,608	\$9,547,166
Expenses (acquisition, design, construction)	\$-	\$(2,000,000)	\$(15,147,000)	\$(7,671,000)	\$(7,618,000)	\$(4,112,000)	\$(2,922,000)	\$(4,427,000)
Ending Balance	\$14,596,384	\$15,496,384	\$9,158,484	\$7,186,134	\$7,303,763	\$6,186,566	\$6,354,608	\$5,120,166