



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

January 5, 2010

Ordinance 16742

Proposed No. 2009-0640.3

Sponsors Constantine

1 AN ORDINANCE establishing a transportation benefit
2 district within unincorporated King County, Washington,
3 providing for the construction of certain transportation
4 improvements, in accordance with chapter 36.73 RCW; and
5 adding a new chapter to K.C.C. Title 2.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 SECTION 1. Findings:

8 A. Funding for improvement of the transportation infrastructure in King County
9 has been dramatically reduced in recent years due to the effects of several statewide
10 initiatives, declining revenues from the state motor fuel tax and decreases in available
11 state and federal grant funding. Transportation safety, preservation and other needs are,
12 however, increasing due to aging infrastructure, population growth, development and
13 changing travel patterns.

14 B. The county needs to make high priority transportation infrastructure
15 improvements to prevent an overall decline in the condition, structural integrity and
16 safety of its transportation system, and to facilitate the movement of people, goods and
17 services throughout the region.

18 C. Chapter 36.73 RCW authorizes counties to create transportation benefit
19 districts and authorizes transportation benefit districts to establish certain revenue

20 sources for transportation improvements within the districts that meet specified
21 eligibility requirements. Transportation benefit districts may contract with other
22 governments to fund , plan and construct these transportation improvements.

23 D. RCW 82.80.140 authorizes a transportation benefit district created by a county
24 to impose, by a majority vote of the district's governing board, a vehicle fee of up to
25 twenty dollars annually if the district includes all of the area within the county and if the
26 county negotiates an interlocal agreement with the cities in the county that provides for
27 the distribution of the fee revenue to each city within the county. The interlocal
28 agreement must be approved by sixty percent of the cities representing seventy-five
29 percent of the population of the cities within the county.

30 E. If the county is unable to obtain approval of the interlocal agreement with the
31 cities as required by that statute, chapter 36.73 RCW authorizes a county to create a
32 transportation benefit district consisting of just the unincorporated areas of the county
33 and authorizes such a transportation benefit district to impose, by a majority vote of the
34 district's governing board, up to twenty dollars of the vehicle fee, authorized by RCW
35 82.80.140.

36 F. On November 3, 2009, the King County executive sent a letter to the mayors
37 of all the cities within King County informing them of King County's intent to form a
38 county-wide transit benefit district with the intent of having the district impose a non-
39 voted vehicle fee authorized by RCW 82.80.140 and to invite those cities to enter into
40 negotiations to develop an interlocal agreement required by RCW 82.80.140. The letter
41 requested that the cities respond to the invitation by November 18, 2009, and to let the
42 executive know whether the city would be willing to enter into negotiations.

43 G. As of November 18, 2009, no cities have responded positively to the
44 executive's invitation and several cities have officially declined. In addition, the cities of
45 Des Moines, Lake Forest Park and Shoreline have each created their own city
46 transportation benefit district for the purpose of imposing the nonvoted vehicle fee.
47 Therefore, it would appear to be futile to continue to attempt to negotiate the interlocal
48 agreement required by RCW 82.80.140.

49 H. The council desires to form a transportation benefit district that includes the
50 entire unincorporated area of King County as the boundaries currently exist.

51 I. The council has identified a list of transportation improvements that are
52 contained in the Puget Sound Regional Council Destination 2030 Regional
53 Transportation Plan. The list is Attachment A to this ordinance.

54 J. It is the council's intent that the transportation benefit district use its revenues
55 to supplement county road funds, grant funds and contributions from other governments
56 for projects such as the South Park Bridge replacement, which will provide congestion
57 relief benefits to Seattle and other nearby cities. The council encourages the executive
58 to negotiate South Park Bridge funding agreements with Seattle and other jurisdictions
59 to minimize the local matching fund contribution paid by residents of unincorporated
60 King County.

61 K. It is the council's intent, as the legislative authority creating the transportation
62 benefit district, to re-evaluate the appropriateness of the transportation benefit district's
63 boundaries before the governing board of the transportation benefit district voting to
64 impose any vehicle fee on residents in order to determine whether annexations occurring
65 after formation of the transportation benefit district but before the imposition of a

66 vehicle fee should affect the boundaries of the created transportation benefit district
67 territory.

68 L. The plan-level environmental documents prepared and issued by the PSRC
69 under the state Environmental Policy Act ("SEPA") for the Metropolitan Transportation
70 Plan, including but not limited to the environmental impact statement and addendum on
71 Destination 2030 dated March 5, 2007, encompass a range of alternatives to and
72 environmental impacts of the projects in the Recommended Plan.

73 M. The council encourages the transportation benefit district governing board to
74 amend its list of eligible projects to add new Transportation 2040 projects after the Puget
75 Sound Regional Council approves the Transportation 2040 update to the regional
76 transportation plan.

77 N. The county's designated SEPA responsible official issued a notice and
78 statement of adoption on December 21, 2009, adopting the Puget Sound Regional
79 Council environmental impact statement documents on the Metropolitan Transportation
80 Plan and the associated 2005, 2006 and 2007 addenda, and the county has committed, as
81 stated in the county's notice and statement of adoption, that appropriate project-level
82 environmental review under SEPA will be conducted by the appropriate agencies for the
83 projects in the plan.

84 O. Before establishing a transportation benefit district, the council is required
85 pursuant to chapter 36.73 RCW to conduct a public hearing upon proper notice to
86 describe the functions and purposes of the proposed transportation benefit district.

87 P. The council provided proper notice specifying the transportation
88 improvements proposed to be funded, conducted a public hearing on January 4, 2010,

89 and took public comment regarding the proposed establishment of a transportation
90 benefit district in accordance with RCW 36.73.050.

91 Q. It is in the best interest of the citizens of the county to establish a
92 transportation benefit district to facilitate the construction of the transportation
93 improvements listed in Attachment A to this ordinance.

94 SECTION 2. Sections 3 through 5 of this ordinance should constitute a new
95 chapter in K.C.C. Title 2.

96 NEW SECTION. SECTION 3. There is created a transportation benefit district,
97 to be known as the King County transportation benefit district, with geographical
98 boundaries comprised of the unincorporated limits of the county, which shall have the
99 authority to exercise the statutory powers in chapter 36.73 RCW.

100 NEW SECTION. SECTION 4. The district shall be dissolved when all
101 indebtedness of the district is retired and when all of the district's anticipated
102 responsibilities have been satisfied.

103 NEW SECTION. SECTION 5. As authorized under chapter 36.73 RCW, this
104 chapter shall be liberally construed to permit the accomplishment of its purposes.

105 SECTION 6. The King County transportation benefit district is formed for the
106 purpose of facilitating the construction of the transportation improvements listed in
107 Attachment A to this ordinance.

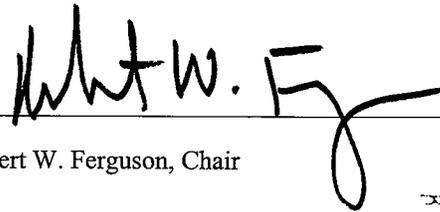
108 SECTION 7. Severability. If any one provision of this ordinance or its
109 application to any person or circumstance is held invalid, the remainder of this

- 110 ordinance or the application of the provision to other persons or circumstances is
111 not affected.

Ordinance 16742 was introduced on 11/23/2009 and passed as amended by the Metropolitan King County Council on 1/4/2010, by the following vote:

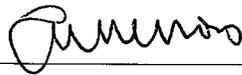
Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



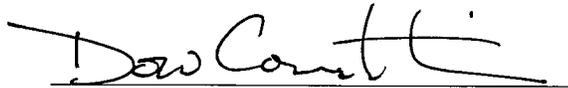
Robert W. Ferguson, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 15th day of January, 2010.



Dow Constantine, County Executive

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CLERK
KING COUNTY COUNCIL

Attachments: A. King County Transportation Benefit District Candidate Projects List, dated 12-14-2009

Attachment A: December 14, 2009 16742
King County Transportation Benefit District Candidate Projects

| Project Title | From | To | Improvements |
|-------------------------|---------------------------------------|---------------------------|--|
| Avondale Rd | Woodinville-Duvall Rd | NE 155th St | Single Intersect;Major Widening-GP;Bike Lanes |
| Avondale Rd | NE 133 St | NE 155th | Major Widening-GP;Bike Lanes |
| NE 132nd/NE 128th St | 184th Ave NE | 196th Ave NE | Multiple Intersects;Bridge Replace;Major Widening-GP;Sidewalk;Bike Lanes |
| Novelty Hill Rd | Avondale Rd | 244th Ave NE | Major Widening-GP;Bike Lanes |
| Woodinville-Duvall Rd | 171st Ave NE | Avondale Rd | Major Widening-GP;Study/Planning Activity |
| Issaquah/Fall City RD | 272nd Pl SE | Issaquah Pine Lake Rd | Major Widening-GP;Bike Lanes |
| 132nd Ave SE | SE 224 St | SE 236 St | ITS;Major Widening-GP;Sidewalk;Bike Lanes |
| SE 212th Wy/SE 208th St | 100th Ave SE | Benson Rd/SR 515 | Multiple Intersects;Major Widening-HOV;Bike Lanes |
| 100th Ave NE | NE 145th St | NE 139th St | ITS;Major Widening-GP;Sidewalk;Bike Lanes |
| SE May Valley Rd | Issaquah Hobart Rd | SE 128th Wy | Improvement-Road;ITS;Major Widening-GP |
| 132nd Ave SE | SE 208 St | SE 224 St | Improvement-Road;Major Widening-GP;Sidewalk;Bike Lanes |
| 132nd/140th Ave SE | SE 233rd St | Renton City Limit | ITS |
| 1st Ave S | 6th Ave S | S 128th | Sidewalk |
| Military Rd | Peasley Canyon Way S | SR 161 | Sidewalk |
| NE 4th St/SE 128th St | 164th Ave SE | Renton City Limit | ITS |
| South Park Bridge | 14th/16th Ave S | | Replace bridge |
| SR 169 | Enumclaw north city limits | SE 400th Street | Major widening-GP; Sidewalk; Improvement-Road; Multiple Intersects |
| SR 169 | Green River | Crest of Hill (ARMP 6.32) | Improvement-Road |
| SR 169 | SE 383rd St. | Green River | Improvement-Road |
| SR 169 | Near Cedar River (ARM 16.02 to 17.02) | | Improvement-Road |