



**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.

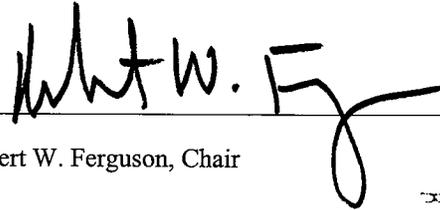
108 SECTION 7. Severability. If any one provision of this ordinance or its  
109 application to any person or circumstance is held invalid, the remainder of this

- 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:

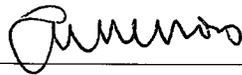
Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,  
Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



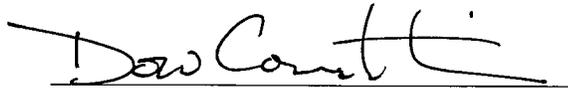
Robert W. Ferguson, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 15<sup>th</sup> day of January, 2010.



Dow Constantine, County Executive

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2010 JAN 15 PM 12:05  
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