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**Title:** AN ORDINANCE relating to King County Metro community transportation program eligibility requirements; and amending Ordinance 13441, Section 3, and K.C.C 28.94.045.

**Sponsors:** Joe McDermott

**Indexes:** Metro

**Code sections:** 28.94.045 - .

**Attachments:** 1. 2014-0412 Legislative Review Form.pdf, 2. 2014-0412 transmittal letter.doc, 3. 2014-0412 fiscal note.XLS, 4. Staff Report Proposed Ordinance 2014-0412 Transit Alternative Services.docx

Date	Ver.	Action By	Action	Result
1/12/2015	1	Metropolitan King County Council	Reintroduced	
12/1/2014	1	Metropolitan King County Council	Re-referred	
10/29/2014	1	Budget and Fiscal Management Committee	Deferred	
10/28/2014	1	Budget and Fiscal Management Committee	Deferred	
9/29/2014	1	Metropolitan King County Council	Introduced and Referred	

Clerk 09/22/2014

AN ORDINANCE relating to King County Metro community transportation program eligibility requirements; and amending Ordinance 13441, Section 3, and K.C.C 28.94.045.

STATEMENT OF FACTS:

1. The Metro transit system is funded mainly by sales tax, and due to the inherently unstable and variable nature of that funding source, the amount of operating funds available from that source varies with the health of the economy. The devastating economic downturn that started in 2008 and the resulting drastic decline in sales tax revenues caused a projected shortfall in the transit division's operating funds of about \$1.2 billion for the years 2009 through 2015 compared

to long-range expected revenues in the financial plan.

2. Following recommendations from the King County auditor and commencing in 2009, the transit division has undertaken a series of significant actions to address the revenue shortfall, including increasing system-wide operating efficiencies, using one-time reserve funds, eliminating staff positions, reducing capital programs, raising fares, negotiating labor savings with employees, eliminating many lower-performing bus routes and reinvesting service hours in higher-performing routes and generating new revenue, resulting in \$798 million in combined cost savings and revenue enhancements, with a net annual, ongoing positive impact to the division's budget of approximately \$148 million. Although the worst of the Great Recession has passed and sales tax revenue is currently increasing, being \$31 million above projections for 2014 and \$31 million above projections in 2015, the economy has not recovered enough to generate the sustained sales tax revenues needed to operate the system as it is currently sized and structured.

3. To close the annual budget gap, Ordinance 17848 and \_\_\_ adopted service reductions for September 2014 and February 2015 totaling 320,000 annual hours, with an additional 21,000 annual hours reserved.

4. The King County Metro Transit Strategic Plan for Public Transportation 2011-2021 and Service Guidelines section titled "Service Reductions" call for Metro to "consider the use of alternative services that can reduce costs on corridors with routes that are in the bottom twenty-five percent in one or both productivity measures. In this way, alternative services may help maintain public mobility in a cost effective manner."

5. In order to achieve Goal 2 of the King County Metro Strategic Plan for Public Transportation 2011-2011 (Human Potential) the plan calls for Metro to implement right sized services to provide geographic value in all parts of King County and serve a variety of markets and mobility

needs.

6. With Motion 13736, the King County Council accepted the King County Metro Transit Five-Year Implementation Plan for Alternatives to Traditional Transit Service Delivery in September 2012 as required by Ordinance 17143.

7. Motion 13737, Section C.5., requested the executive continue to explore future policy changes identified in the Five-Year Implementation Plan under "Policy Changes for Further Consideration", which include potentially expanding Community Access Transportation eligibility requirements, thereby requiring a change to K.C.C. 28.94.045.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 13441, Section 3 and K.C.C 28.94.045 are each hereby amended to read as follows:

A. The King County ((~~m~~))Metro community transportation program is hereby established to supplement available public and private transportation services operating in King County that are targeted to: individuals with special transportation needs; or areas where the public is not adequately or cost-effectively served by fixed route bus service; or both. Individuals with special transportation needs shall include those individuals who, because of physical or mental disability, income status, or age are unable to transport themselves or to purchase appropriate transportation. Services provided under this section may be implemented and updated by the director as provided in this chapter and within annual appropriations.

B. King County ((~~m~~))Metro community transportation program paratransit services may be provided daily between the hours of six a.m. and ten p.m. unless otherwise specified in this section, and may include:

1. For individuals who meet the eligibility criteria for ADA paratransit services, services provided in the area of the county within corridors that extend three-quarter miles on either side of regular, fixed, ((~~non-commuter~~)) noncommuter bus routes, as the routes may be amended from time to time. The area shall expand and contract during the same days and hours as the regular, fixed, ((~~non-commuter~~)) noncommuter bus

routes(~~(; provided further that)~~), and the easternmost paratransit service corridor shall extend one and one-half miles to the east of the easternmost regular, fixed, (~~(non-commuter)~~) noncommuter bus route(~~(; and provided further that)~~). Also, when (~~(such)~~) the paratransit service corridors as specified (~~(herein)~~) in this chapter result in areas within the King County Urban Growth Boundary being surrounded on all sides by paratransit service corridors, (~~(such)~~) the areas shall be included in the service area for King County (~~(M))~~Metro community transportation program paratransit services(~~(;)~~);

2. For individuals who meet the eligibility criteria for ADA paratransit services, services provided with door-to-door driver assistance when (~~(such)~~) the assistance is determined to be essential, using criteria established by the director. The director or the director's designee shall determine the days and hours and the conditions under which these services can be provided safely and when they will be provided outside the established King County (~~(M))~~Metro community transportation service hours and service area in response to the special transportation needs of individual riders;

3. For individuals who meet the eligibility criteria for ADA paratransit services, services provided with hand-to-hand driver assistance when (~~(such)~~) the assistance is determined to be essential, using criteria established by the director, and when (~~(such)~~) the individuals are sponsored by an agency or other organization that enters into a contract with the county for the assistance. The director or the director's designee shall determine the days and hours and conditions under which these services can be provided safely and when they will be provided outside the established King County (~~(M))~~Metro community transportation service hours and service area in response to the special transportation needs of individual riders;

4. For individuals who meet the eligibility criteria for ADA paratransit services, an advance reservation period that may be extended up to seven days in advance of the occurrence of the ride requested. However, any extension of the reservation period shall not adversely affect the system capacity for scheduling ADA paratransit program rides requested;

5. For individuals who meet the eligibility criteria for ADA paratransit services, subscription service

arranged for individuals who establish a recurrent pattern of travel that, under criteria established by the director, provides for the efficient operation of the services. However, the arrangements shall not adversely affect the system capacity for scheduling ADA paratransit program rides requested; and

6. For individuals who have a valid regional reduced fare permit, are at least eighteen years of age and have an annual income at or below seventy percent of the median income for the state of Washington, as determined from time to time by the Washington State Department of Social and Health Services and adjusted for family size, and who live too far from regular, fixed, non-commuter bus routes or general public dial-a-ride service, transportation services to and from the bus routes or dial-a-ride service may be provided. The director or the director's designee shall determine the days and hours and conditions under which these services can be provided safely and when they will be provided outside the established King County ((m))Metro community transportation service hours and service area in response to the special transportation needs of individual riders. The services shall not be provided if the individual can make other public or private transportation arrangements.

C. King County ((m))Metro community transportation program paratransit services may be provided to public and private agencies who share in the cost of service delivery and whose participants:

1. Meet the eligibility criteria for ADA paratransit services;
2. Have a valid regional reduced fare permit, are at least eighteen years of age and have an annual income at or below seventy percent of the median income for the state of Washington, as determined from time to time by the Washington ((S))state Department of Social and Health Services and adjusted for family size;
3. Are deemed eligible as participants to attend programs at or with agencies that participate in the county's community partnership services under subsection D of this section; or
4. Have special transportation needs and are participants, customers or clients at programs, agencies or other entities that enter into contracts with the county to coordinate or share their transportation resources with the county and its service providers for the purpose of maximizing the provision of transportation services and

the use of all available county and non-county resources. The director or the director's designee shall determine when ~~((such))~~ the paratransit services may be provided outside the established King County ~~((m))~~Metro community transportation program service area in response to the special transportation needs of individual riders. Insofar as practicable, the county shall secure commitments from the public and private agencies so ~~((that by the 2004))~~ their share of the costs of providing the services is not less than twenty-five percent. Cost participation by agencies may include direct or in-kind cost contributions.

D. Community partnership services, including, but not limited to, operating, capital and technical support and resources, to support volunteer and other transportation services may be provided and updated by the director as provided in this chapter. ~~((The individuals identified in C of this section are eligible for the services.))~~ The services shall be allocated, subject to applicable contracting and procurement requirements, to ~~((public or private non-profit))~~ entities and municipalities within King County ~~((that provide or sponsor social services to eligible individuals and to other entities))~~ whose participation enhances the county's transportation and transportation-related ~~((human))~~ health and ~~community~~ human potential services goals and objectives. ~~((Planning for community partnership services shall include those agencies in King County [that] are responsible for establishing service goals for eligible populations. This may include, but is not limited to, the King County department of human services, the Area Agency on Aging and the Seattle-King County public health department.))~~

E. Services to assist individuals in using the most cost-effective, appropriate and available transportation resource or resources may be made available to individuals eligible under subsection C, of this section, and may include:

1. Bus travel training and orientation services; and
2. Information and referral services.

F. The executive shall initiate an effort to increase the availability of accessible vehicles in the local taxicab industry that do not charge rates greater than for nonaccessible vehicles.

G. In furtherance of the King County ((m))Metro community transportation program, the director may:

1. Organize and manage the provision of King County ((m))Metro community transportation program paratransit services, including but not limited to call-taking, scheduling, dispatching, operations and vehicle maintenance((;)) and, subject to applicable contracting and procurement requirements, enter into agreements with public and private agencies and entities for the provision of one or more of the services;
2. Develop and implement procedures, and establish eligibility, administrative and operations procedures and referral services, for the King County ((m))Metro community transportation program;
3. Encourage the participation and enter into agreements with public and private agencies and entities to coordinate their transportation resources as provided in this section; ((and))
4. Enter into agreements with other transit agencies to establish procedures for allocating King County ((m))Metro community transportation program paratransit trips and the cost of King County ((m))Metro community transportation program paratransit services for riders seeking to transfer between transportation systems or cross jurisdictional boundaries and to allocate the costs of providing paratransit services where the paratransit services of the other agencies overlap the county's paratransit services; and
5. Implement alternatives to traditional transit service delivery, which implementation may include any of the activities authorized in subsections G(1) through G(4) of this section, to meet unmet public transportation needs not adequately or cost-effectively accommodated by fixed-route transit, including, but not limited to, neighborhood connections to transit activity centers and regional growth centers, and supplementing existing fixed route service to cost-effectively maintain or enhance transit access for area residents.