



## Legislation Details (With Text)

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**Title:** AN ORDINANCE creating a countywide transportation benefit district as authorized by chapter 36.73 RCW.

**Sponsors:** Rod Dembowski, Larry Phillips, Kathy Lambert

**Indexes:** Transportation

**Code sections:**

**Attachments:** 1. Ordinance 17746.pdf, 2. 2013-0527 Staff Report - TBD Formation.doc, 3. Staff Report Proposed Ordinance 2013 0527 TBD Formation.doc, 4. 2013-0526 and 0527draft advertisement 0526 and 0527.doc, 5. 2013-0527 Staff Report - TBD formation.docx, 6. 2013-0527 Attachment 5 - Amendment S1.docx, 7. 2013-0527 Revised Staff Report - TBD formation.docx, 8. 2013-0527 Affidavit of Publication-Seattle Times.pdf

Date	Ver.	Action By	Action	Result
2/10/2014	2	Metropolitan King County Council	Hearing Held	
2/10/2014	2	Metropolitan King County Council	Passed	Pass
2/4/2014	1	Transportation, Economy, and Environment Committee	Recommended Do Pass Substitute	Pass
2/3/2014	1	Metropolitan King County Council	Reintroduced	
1/21/2014	1	Transportation, Economy, and Environment Committee	Deferred	
1/15/2014	1	Transportation, Economy, and Environment Committee	Deferred	
12/16/2013	1	Metropolitan King County Council	Introduced and Referred	

Clerk 02/05/2014

AN ORDINANCE creating a countywide transportation benefit district as authorized by chapter 36.73 RCW.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The 2008 recession had a deep and enduring impact to the economy in King County, causing property and sales tax revenues that finance government transportation services to drop unexpectedly.

B. As the largest labor market in the state, failure of the transportation system in King County will have far reaching economic impacts across Washington.

C. The King County transit division ("Metro") is vital to the region's economic health. Metro provided over one hundred fifteen million passenger trips in 2012 with ridership expected to grow; more than one thousand five hundred companies provide transit passes to their employees; over half of Metro's passengers are commuters; and current service levels keep approximately one hundred seventy-five thousand cars off our roads every weekday.

D. Sales tax currently provides for sixty percent of Metro's operating budget, and reductions in property tax revenue and the lack of growth in gas tax revenue will limit key funding sources for city and unincorporated King County transportation projects.

E. The twenty-dollar congestion reduction charge authorized in Ordinance 17169 in 2011 was a temporary measure while sustainable funding solutions were developed. King County's authority for this implemented funding source expires May 31, 2014.

F. In 2011, the King County council adopted the landmark King County Metro Transit Strategic Plan for Public Transportation and Service Guidelines that established a new course that prioritizes productivity, social equity and geographic value in the ongoing development of the Metro transit system.

G. To respond to decreased revenues during the recession, Metro undertook a number of measures to preserve service. Metro implemented system-wide reforms, including restructuring the transit system to improve productivity and effectiveness and discontinuing the Ride Free Area in downtown Seattle. Metro has also increased revenue for transit through property tax changes, through the implementation of the temporary congestion reduction charge and through multiple fare increases raising fares by eighty percent since 2008. As a result, Metro realized nearly eight hundred million dollars in savings and new revenues combined to support the system.

H. Metro still faces an ongoing annual revenue shortfall up to seventy-five million dollars to maintain

existing service levels. Without new revenue, Metro will face up to a seventeen percent cut in service, or approximately six hundred thousand annual hours of service cuts beginning in fall 2014.

I. The King County road services division is responsible for an unincorporated area road network that supports more than one million trips per day. The system consists of about one thousand five hundred miles of county roads and one hundred eighty bridges, plus numerous sidewalks and pathways, traffic signs and signals, drainage pipes and culverts and other critical transportation infrastructure.

J. The road services division's funding for maintenance of roads and bridges has declined by more than one-third since 2009 due to annexations, declining property values, less state and federal grant support and lower gas tax revenue. At the same time, the volume of county road miles has not dropped proportionally while transportation safety, preservation and other needs are increasing due to aging infrastructure, population growth, development and changing travel patterns.

K. Property tax is the road services division's primary funding source, and property values in unincorporated King County have declined significantly since the start of the recession. The ability of property tax revenue to recover from its depressed levels is impeded by statutory constraints limiting tax collections.

L. Gas tax revenues, another major source of funding for the road services division, will not increase with the rate of inflation as gasoline consumption stagnates due to more fuel efficient cars and to fewer vehicle miles travelled, and because the tax rate per gallon is fixed and does not adjust with inflation.

M. Future grant funding for capital projects is also uncertain as federal and state decision-makers choose between competing interests for limited dollars.

N. The Strategic Plan for Road Services was approved by the council in 2010 to provide key guidance to the agency about work priorities, including infrastructure service and investment decisions. The plan gives top priority to basic goals: meet critical safety needs; comply with legal requirements; and maintain and preserve the existing road network.

O. The road services division is reducing costs through reductions in management and administrative

costs, space consolidation and reductions to fleet equipment, and has already reduced division staff by forty percent and implemented changes to service priorities.

P. It is the county's responsibility to maintain, preserve and operate the unincorporated area road system, and without dedicated funding to stabilize the declining road system, the roads services division expects to close thirty-five bridges before they become unsafe, restrict access to seventy-two miles of failing roadways and reduce storm service on snowy and icy roads by two-thirds during the winter season.

Q. Cities in King County maintain five thousand five hundred miles of streets plus bridges, sidewalks, drainage systems, traffic signals, bicycle and pedestrian facilities and trails. Existing facilities are aging.

R. King County cities have experienced a substantial downturn in revenues in the past decade. Many cities in King County have been forced to supplement roads funds with general fund dollars, which have themselves not been keeping pace with inflation. Using general fund dollars to maintain roads and other transportation infrastructure means that there are fewer dollars available to fund public safety, parks, human services and other critical city services.

S. A lack of dedicated funding for transportation projects has made it increasingly difficult for King County and King County cities to raise matching funds to compete for state and federal transportation grant dollars, and state and federal transportation grant opportunities have dwindled.

T. King County cities are also beset by failing roads and bridges, congested corridors and bottlenecked interchanges, which undermine the ability to transport people and goods.

U. Cities in King County have over \$1.3 billion in maintenance and preservation needs alone over the next six years, and have identified a need of over \$3 billion for mobility projects over the next six years. Cities in King County are responsible for the repair and replacement of twenty-two bridges in King County with a sufficiency rating of fifty or less, equating to more than \$775 million in bridge repair and replacement costs over the next six years. The lack of adequate transportation funding for cities is a public safety crisis in King County.

V. In 2013, action by the state Legislature related to the Public Works Trust Fund resulted in a substantial reduction of funds available for King County cities, including a greater relative impact on smaller cities in King County. Without an additional source of revenue, many transportation infrastructure projects planned by cities will not be able to move forward.

W. With new funding for transportation investments throughout King County, there is an opportunity to catalyze construction jobs, enhance freight mobility for our ports and create a pathway for retaining and growing new jobs for key industry sectors.

X. It is in the public interest and the best interests of the residents of the county to establish a transportation benefit district with the authority to fund, acquire, construct, operate, improve, provide, maintain and preserve transportation improvements permitted by chapter 36.73 RCW, all as further set forth in section 5 of this ordinance.

SECTION 2. There is created a transportation benefit district, to be known as the King County transportation district, with geographical boundaries comprised of the limits of the county. The district shall have the authority to exercise the statutory powers in chapter 36.73 RCW.

SECTION 3. A. The King County council shall be the governing board of the transportation district, acting in an ex officio and independent capacity, which shall have the authority to exercise the statutory powers in chapter 36.73 RCW.

B. The King County executive services finance director shall be the treasurer of the transportation district.

C. The board shall develop and implement a material change policy for projects that the district is financing. The material change policy shall address major plan changes that affect project delivery or the ability to finance the plan, in accordance with RCW 36.73.160(1).

D. The board shall cause to be issued an annual report, in accordance with chapter 36.73 RCW.

SECTION 4. The district shall be dissolved in accordance with RCW 36.73.050.

SECTION 5. A. The transportation district is formed with the authority to fund, acquire, construct, operate, improve, provide, maintain and preserve transportation improvements permitted by chapter 36.73 RCW.

B. The transportation improvements of the transportation district must be projects or programs contained in the transportation plan of the Puget Sound Regional Council, King County or a city within King County that are:

1. The provision of Metro Transit public transportation services;
2. The service planning and public engagement for the provision of Metro transit public transportation services;
3. The operation, maintenance and repair of Metro Transit vehicles, equipment and facilities;
4. The acquisition and replacement of Metro Transit vehicles and equipment and the planning, design and implementation of Metro Transit capital improvements;
5. The implementation of transportation demand management programs;
6. The planning, design and implementation of capital improvement, preservation and restoration projects for road facilities such as streets, roads, bridges, signals, guardrails, drainage systems, pedestrian and bicycle pathways and related facilities and improvements;
7. The operation, maintenance and repair of road facilities such as streets, roads, bridges, signals, guardrails, drainage systems, bicycle pathways and related facilities and improvements;
8. The provision of emergency responses to protect road facilities and public health and safety; or
9. The planning, design, installation and management of intelligent transportation systems in including traffic cameras, control equipment and new technologies to optimize the existing transportation system.

C. When authorized by statute or by the voters in accordance with chapter 36.73 RCW, the board may impose taxes, fees, charges or tolls, or any combination thereof, and may implement a low-income rebate program for vehicle fees, for the purposes consistent with chapter 36.73 RCW.

SECTION 6. For the purposes of chapter 36.73 RCW and section 5 of this ordinance:

A. The transportation plan of King County includes as adopted and updated the Transportation Element of the King County Comprehensive Plan, the King County Metro Transit Strategic Plan for Public Transportation, the King County Metro Transit Service Guidelines, the annual King County Metro Transit Service Guidelines Report, the King County Department of Transportation Strategic Plan for Road Services, the Transportation Needs Report and the King County Roads Services CIP.

B. The transportation plan of the Puget Sound Regional Council is its transportation improvement program developed and updated as required by RCW 47.80.023.

C. The transportation plan of a city is its transportation program adopted and annually revised and extended as required by RCW 35.77.010.

SECTION 7. For the purposes of this ordinance, "city" means city or town.

SECTION 8. As authorized under chapter 36.73 RCW, this ordinance shall be liberally construed to permit the accomplishment of its purposes.

SECTION 9. If requested by the King County transportation district, publication and distribution of a local voters' pamphlet in conformity with chapter 29A.32 RCW and K.C.C. chapter 1.10 is hereby authorized for all special elections called by the King County transportation district.

SECTION 10. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provision to other persons or circumstances is not affected.