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Title: AN ORDINANCE establishing a marine division within the department of transportation; and amending Ordinance 11955, Section 11, as amended, and K.C.C. 2.16.140

Sponsors: Dow Constantine

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Attachments: 1. 15972.pdf, 2. 10-Attachment to Transmittal Letter--Marine Division Capital Fund Fiscal Note.xls, 3. 11-Attachment to Transmittal Letter--2008 Executive Proposed Budget - Addenda Items Related to Ferry District Operations.xls, 4. 2007-06016 REVISED Staff Report 11-16-07 OBFMMHC.doc, 5. 2007-0616 Staff Report for 11-15-07 OBFMMHC.doc, 6. 2007-0616 Transmittal Letter.doc, 7. 2-Attachment to Transmittal Letter-- King County Passenger-only Ferry Project Briefing Paper.pdf, 8. 3-Attachment to Transmittal Letter--King County Passenger-only Ferry Project Briefing Paper Attachments.pdf, 9. 4-Attachment to Transmittal Letter--King County Ferry District 2008 Proposed Financial Plan.xls, 10. 5-Attachment to Transmittal Letter--King County Ferry District Fiscal Note.xls, 11. 6-Attachment to Transmittal Letter--2008 Budget for the King County Ferry District.xls, 12. 7-Attachment to Transmittal Letter--Marine Division Operating Fund 2008 Proposed Financial Plan.xls, 13. 8-Attachment to Transmittal Letter--Marine Division Operating Fund Fiscal Note.xls, 14. 9-Attachment to Transmittal Letter--Marine Division Capital Fund 2008 Proposed Financial Plan.xls

Date	Ver.	Action By	Action	Result
11/19/2007	1	Metropolitan King County Council	Hearing Held	
11/19/2007	2	Metropolitan King County Council	Passed	Pass
11/16/2007	2	Operating Budget, Fiscal Management and Mental Health Committee	Recommended Do Pass Substitute	Pass
11/15/2007	1	Operating Budget, Fiscal Management and Mental Health Committee	Deferred	
11/13/2007	1	Metropolitan King County Council	Introduced and Referred	

Clerk 11/16/2007

AN ORDINANCE establishing a marine division within the department of
transportation; and amending Ordinance 11955, Section 11, as amended, and
K.C.C. 2.16.140

STATEMENT OF FACTS:

1. In 2006, the Washington State Legislature directed that state funding for the Vashon Island passenger-only ferry service, currently operated by Washington State Ferries, end on June 30, 2007, and provided King County with the opportunity to submit a business plan to the Governor for possible assumption of this service.
2. King County submitted a business plan to the Governor in late 2006 and an agreement was reached during the 2007 legislative session to extend funding for the Vashon Island passenger-only ferry service through the end of June 30, 2008, along with a mechanism for this service to become part of a future King County Ferry District.
3. Title 36 RCW authorizes counties to acquire, construct, operate and maintain a ferry system.
4. Title 36 RCW also authorizes counties to create ferry districts.
5. In accordance with chapter 36.54.110 RCW, the legislative authority of a county may create a ferry district in all or a portion of the county.
6. The King County council adopted Ordinance 15739 on April 30, 2007, creating a countywide ferry district in King County with the intent to provide passenger-only ferry service to various parts of the county.
7. The King County Ferry District possesses all the powers as provided for in RCW 36.54.110, including the authority to hire employees, staff and services, and to enter into contracts with other entities as appropriate.
8. The King County Ferry District intends to contract with King County department of transportation to provide passenger ferry service.
9. The King County department of transportation is currently responsible to manage and be fiscally accountable for the road services division, transit division, fleet administration and airport division. The department of 'transportation's duties also include the administration of grants and the coordination of transportation planning activities with other agencies and outside

entities. The department is not currently organized to manage passenger ferry operations.

10. Given the King County 'council's intent to ensure that passenger ferry service is available within King County through its creation of a ferry district, the council now finds it appropriate to formally establish a marine division within the department of transportation so that the county is prepared to perform services for which the ferry district may contract with King County.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 11955, Section 11, as amended, and K.C.C. 2.16.140 are each hereby amended to read as follows:

A. The department of transportation is responsible to manage and be fiscally accountable for the road services division, transit division, fleet administration division (~~((and))~~), airport division and marine division. The department shall perform the metropolitan public transportation function as authorized in chapter 35.58 RCW, K.C.C. Title 28 and other applicable laws, regulations and ordinances; provided, that financial planning for and administration of the public transportation function shall be conducted consistent with financial policies as may be adopted by the council. The department shall administer the county roads function as authorized in applicable sections of Titles 36 and 47 RCW and other laws, regulations and ordinances as may apply. The department's functions include, but are not limited to, the activities set forth in subsections B, through F, of this section for each division, administration of grants and the coordination of transportation planning activities with other county agencies and outside entities to integrate transportation planning and land use planning.

B. The road services division is responsible to design, construct, maintain and operate a comprehensive system of roadways and other transportation facilities and services to support a variety of transportation modes for the safe and efficient movement of people and goods and delivery of services. The duties of the division shall include the following:

1. Designing, constructing and maintaining county roads, bridges and associated drainage facilities;
2. Designing, installing and maintaining county traffic signs, markings and signals;

3. Designing, installing and maintaining bicycle and pedestrian facilities;
4. Managing intergovernmental contracts or agreements for services related to road maintenance and construction and to other transportation programs supporting the transportation plan;
5. Inspecting utilities during construction and upon completion for compliance with standards and specifications; assuring that public facilities disturbed due to construction are restored;
6. Performing detailed project development of roads capital improvement projects that are consistent with the transportation element of the 'county's Comprehensive Plan, and coordinating such programming with other county departments and divisions assigned responsibilities for Comprehensive Plan implementation;
7. Incorporating into the roads capital improvement program those projects identified in the transportation needs report, community plans, related functional plans and elsewhere consistent with the 'county's Comprehensive Plan;
8. Preparing, maintaining and administering the county road standards;
9. Preparing and administering multi-year roads maintenance and capital construction plans and periodic updates;
10. Administering the transportation concurrency and mitigation payment programs; and
- 11.a. Performing the duties of the office of the county road engineer, which is hereby established as an administrative office of the road services division. The office of the county road engineer shall be an office of record, supervised by the county road engineer hired in accordance with RCW 36.80.010 and reporting to the division director of the road services division. The office of the county road engineer shall be located within the corporate limits of the county seat.
 - b. The county road engineer shall carry out all duties assigned to the county road engineer as prescribed by state statute, except as modified by the county executive as authorized in subsection B.11.c. of this section.
 - c. The county executive may assign professional engineering duties of the county road engineer to

someone other than the county road engineer, except as otherwise assigned by King County Code, and only if the individual assigned those duties shall be qualified as required under RCW 36.80.020. The executive shall provide to the county council and the Washington State County Road Administration Board, in writing, those specific professional engineering duties not assigned to the county road engineer, the name and position of each person responsible for carrying out those assigned duties, the specific reporting and working relationships with the county road engineer and the duration for which those duties have been assigned.

C.1 The transit division is responsible for the operation and maintenance of a comprehensive system of public transportation services in King County. The duties of the division shall include the following:

- a. providing all necessary customer services including telephone and other customer information and support systems; managing sales and distribution of fare media, research, market strategies and marketing functions;
- b. implementing programs, policies and strategies for the public transit in King County; developing and scheduling new products and service and managing contract services;
- c. developing and implementing transportation programs under the Americans with Disabilities Act of 1990 (ADA) including preparing policy recommendations and service models and contracting for the delivery of service;
- d. delivering and managing transit service in the county including service quality and service communication functions;
- e. managing and maintaining the transit system infrastructure, including trolley power distribution and overhead systems, bases, customer facilities, and the radio communication and data system;
- f. maintaining transit rolling stock including all revenue vehicle fleets and those vehicles required to support the operation of the transit system, except such vehicles as may be included in the motor pool; managing a central stores function, unit repair facilities and all purchasing activities relative to the procurement of the revenue vehicle fleet;

g. managing the design, engineering and construction management functions related to the transit capital program including new facilities development and maintenance of existing infrastructure; providing support services such as project management, environmental review, permit and right-of-way acquisitions, schedule and project control functions;

h. managing rideshare operations functions including vanpool, carpool, and regional ride matching programs; and

i. preparing and administering public transportation service and supporting capital facility plans and periodic updates.

2. The council may assign responsibility for services ancillary to and in support of the operation and maintenance of the metropolitan public transportation system under chapter 35.58 RCW, including, but not limited to, human resources, accounting, budgeting, finance, engineering, fleet administration, maintenance, laboratory, monitoring, inspection and planning, as it determines appropriate.

D. The duties of the fleet administration division shall include the following:

1. Acquiring, maintaining and managing the motor pool and equipment revolving fund for fleet vehicles and equipment including, but not limited to, vehicles for the department of natural resources and parks, facilities management division, and transportation nonrevenue vehicles. Transportation department vehicles determined by the director to be intricately involved in or related to providing public transportation services shall not be part of the motor pool;

2. Establishing rates for the rental of equipment and vehicles;

3. Establishing terms and charges for the sale of any material or supplies which have been purchased, maintained or manufactured with money from the equipment revolving fund;

4. Managing training programs, stores function and vehicle repair facilities;

5. Administering the county alternative fuel program and take-home assignment of county vehicles policy; and

6. Inventorying, monitoring losses and disposing of county personal property in accordance with K.C.C. chapter 4.56.

E. The airport division is responsible for managing the maintenance and operations of the King County international airport. The duties of the division shall include the following:

1. Developing and implementing airport programs under state and federal law including preparing policy recommendations and service models;
2. Managing and maintaining the airport system infrastructure;
3. Managing, or securing services from other divisions, departments or entities to perform, the design, engineering and construction management functions related to the airport capital program including new facilities development and maintenance of existing infrastructure; providing support services such as project management, environmental review, permit and right-of-way acquisitions, schedule and project control functions; and
4. Preparing and administering airport service and supporting capital facility plans and periodic updates.

F. The marine division is responsible for the administration, maintenance and operation of passenger ferry service on a contract basis for the King County Ferry District. The duties of the division shall include the following:

1. Managing, acquiring, constructing and maintaining the ferry district's marine transportation system infrastructure;
2. Managing, or securing services from other divisions, departments or entities, to perform the design, engineering and construction management functions related to the passenger ferry capital program including vessel procurement, new facilities development and maintenance of existing infrastructure;
3. Providing support services to the ferry district such as project management, grants management, procurement, labor negotiations, environmental review, permit and real property acquisitions; and

4. Planning, administering and operating passenger ferry service in accordance with agreements between the county and the King County Ferry District.