

Legislation Details (With Text)

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On agenda:	11/10/2014	Final action:	11/10/2014
Enactment date:	11/20/2014	Enactment #:	17935
Title:	AN ORDINANCE assuming governance of the King County ferry district; amending Ordinance 11955, Section 11, as amended, and K.C.C. 2.16.140, Ordinance 17527, Section 129, as amended, and K.C.C. 4A.200.420, Ordinance 15739, Section 2, and K.C.C. 2.120.010, Ordinance xxxx, Section 6, and K.C.C. 4A.700.xxx (section 6 of this ordinance) and Ordinance xxxx, Section 6, as amended, and K.C.C. 4A.700.xxx (section 6 of this ordinance), adding a new section to K.C.C. chapter 4A.700, adding a new section to K.C.C. chapter 4A.200, adding a new section to K.C.C. chapter 2.120 and repealing Ordinance 15739, Section 3, and K.C.C. 2.120.020.		
Sponsors:	Joe McDermott		
Indexes:	Ferry District		
Code sections:	2.120 - ., 2.120.010 - ., 2.120.020 - ., 2.16.140 -, 4A.200 - ., 4A.200.420 - ., 4A.700 - .		
Attachments:	1. Ordinance 17935.pdf, 2. 2014-0408 Legislative Review Form.pdf, 3. 2014-0408 transmittal letter.doc, 4. 2014-0408 fiscal note.xls, 5. 2014-0408 regulatory note.doc, 6. 2014-0408 FEE hearing notice - Publish Seattle Times 10/22/14, 7. 2014-0408 hearing notice re assumption for 11/10/14 - Publish Seattle Times 10/29 & 11/5, 8. Affidavit of Publishing - Seattle Times 10-22-14, 9. Hearing notice - Seattle Times 10-29 re: assuming governance of KC ferry district.doc, 10. 2014-0408 Staff Report Proposed Ordinance 2014-0408.doc, 11. Staff Report dated November 4, 2014 KC Ferry District.doc, 12. Attachment 1 Striking Amendment S1 to 2014-0408.docx, 13. affidavit of publishing - Publish Seattle Times 10-29-14 and 11-5-14.pdf, 14. 17935 amendment package 11-10-14.pdf, 15. Notice of Adoption Seattle Times 4-8-15		

Date	Ver.	Action By	Action	Result
11/10/2014	2	Metropolitan King County Council	Hearing Held	
11/10/2014	2	Metropolitan King County Council	Passed as Amended	Pass
11/6/2014	1	Budget and Fiscal Management Committee	Recommended Do Pass Substitute Consent	Pass
11/4/2014	1	Budget and Fiscal Management Committee	Deferred	
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	

AN ORDINANCE assuming governance of the King County ferry district;
amending Ordinance 11955, Section 11, as amended, and K.C.C. 2.16.140,
Ordinance 17527, Section 129, as amended, and K.C.C. 4A.200.420, Ordinance

15739, Section 2, and K.C.C. 2.120.010, Ordinance xxxx, Section 6, and K.C.C. 4A.700.xxx (section 6 of this ordinance) and Ordinance xxxx, Section 6, as amended, and K.C.C. 4A.700.xxx (section 6 of this ordinance), adding a new section to K.C.C. chapter 4A.700, adding a new section to K.C.C. chapter 4A.200, adding a new section to K.C.C. chapter 2.120 and repealing Ordinance 15739, Section 3, and K.C.C. 2.120.020.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. On November 10, 2014, the King County council held the public hearing as required by Ordinance 17908 and RCW 36.150.020.

B. After that public hearing council determines that the public interest or welfare would be satisfied by the county assuming the rights, powers, functions and obligations of the King County ferry district and hereby declares that to be the council's intent.

SECTION 2. King County hereby assumes all rights, powers, functions and obligations of the King County ferry district as set forth in chapter 36.54 RCW and the same are hereby vested in accordance with the executive and legislative responsibilities defined in the King County Charter. The county is now vested with all the rights, powers, functions and obligations formerly vested by law in the governing board of the King County ferry district. In exercising such rights, powers, functions and obligations, all actions will be taken in the name of the county. Title to all ferry district property or property rights is vested in the county.

SECTION 3. As required by RCW 36.150.040(2), the ferry district board is hereby abolished.

SECTION 4. Ordinance 11955, Section 11, as amended, and K.C.C. 2.16.140 is 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, 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 shall administer the passenger ferry service function as authorized in chapter 36.54 RCW, K.C.C. chapter 2.120 and other applicable laws, regulations and ordinances. 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 in King County. ~~(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))~~ King County'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))~~ general administration of the passenger ferry service, such as project management, grants management, procurement, labor negotiations, environmental review, permit and real property acquisitions and managing contract services; and
4. Planning, implementing, administering and operating passenger ferry service ~~((in accordance with agreements between the county and the King County Ferry District))~~ in King County.

SECTION 5. A. Section 6 of this ordinance adopts fees for passenger ferries.

B. These fees are adopted pursuant to RCW 36.54.010 and RCW 36.54.120.

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 4A.700 a new section to read as follows:

A.1. Except as may otherwise be provided by ordinance, the following fare categories and rates are

established for regularly scheduled passenger ferry service:

One-Way Water Taxi Fares	West Seattle	Vashon Island
	Water Taxi Route	Water Taxi Route
Cash fare	\$4.75	\$5.50
Regular prepaid fare	\$4.00	\$4.75
Child fare	No Charge	No Charge
Youth prepaid fare	\$3.00	\$3.75
Senior and persons with disabilities fare	\$2.00	\$2.50
Bicycle fare	No Charge	No Charge

2. The fare categories and rates are subject to, and defined by, the following:

- a. All fares shall be established only for a one-way trip;
- b. All fares shall be rounded up to the next whole twenty-five cent increment;
- c. The cash fare is determined by adding a fifteen-percent surcharge to the regular prepaid fare and applies to cash and ticket purchases;
- d. The regular prepaid fare is established as the base rate for persons nineteen years old and older using ORCA prepaid fare media;
- e. The child fare is available to persons five years and under when accompanied by a parent, guardian or other person aged sixteen or older and paying the proper fare as set forth in this chapter;
- f. The youth prepaid fare is available to persons from six through eighteen years old and persons over eighteen years old who receive valid student pass transit-fare products under K.C.C. 4A.700.450. The youth prepaid fare shall be twenty-five percent less than the regular prepaid fare;
- g. The senior and persons with disabilities fare is available to persons who apply for and receive a regional reduced fare permit. The permits are available to persons at least sixty-five years old and persons with

disabilities as provided in the regional reduced fare permit program authorized under K.C.C. 28.94.255;

h. A person with a disability who has been issued an "attendant ride free" permit as authorized under K.C.C. 4A.700.010 may be accompanied by an attendant, who is not required to pay a fare; and

i. A person who has paid fare may bring a bicycle onto a water taxi at no additional charge, up to the water taxi's bicycle capacity;

B. A fare in subsection A. of this section is paid when a person pays the appropriate amount in cash or presents an appropriate pass, transfer or other fare payment media established under and used in accordance with this chapter.

SECTION 7. Ordinance 17527, Section 129, as amended, and K.C.C. 4A.200.420 are hereby amended to read as follows:

A. There is hereby created the marine services (~~((division))~~) operating fund.

B. The fund shall be a first tier fund. It is (~~((a special revenue))~~) an enterprise fund.

C. The director of the department of transportation shall be the manager of the fund.

D. (~~((The fund shall provide for the revenues to and expenditures by King County, on behalf of the King County ferry district, as established in K.C.C. 2.120.010, in performance of services associated with the operating functions of the district.))~~) All proceeds generated by an ad valorem tax levy upon all taxable property in King County authorized by RCW 36.54.130, all receipts from the operation of the King County marine division passenger ferry service, proceeds from grants, bonds and other revenues for passenger ferry services shall be deposited in the fund.

E. All moneys in the fund shall be used for the purpose authorized in chapter 36.54 RCW.

NEW SECTION. SECTION 8. There is hereby added to K.C.C. chapter 4A.200 a new section to read as follows:

A. There is hereby created a marine capital fund.

B. The fund shall be a first tier fund. It is an enterprise capital fund.

C. The director of the department of transportation shall be the manager of the fund.

D. All receipts from transfers from the marine operating fund and revenues for marine division passenger ferry capital purposes from bond proceeds, grants and other sources shall be deposited in the fund.

SECTION 9. Ordinance 15739, Section 2, and K.C.C. 2.120.010 are each hereby amended to read as follows:

A. A ~~((new))~~ ferry district within King County is hereby established.

B. ~~((The members of the King County council, acting ex officio and independently, shall compose the governing body of the ferry district.))~~ The voters of the ferry district must be registered voters residing within the boundaries of the district.

~~((C.))~~ The county ferry district shall include the entire corporate boundary of the county.

~~((D.))~~ C. The ferry district possesses all of the powers ~~((as provided for in))~~ that a ferry district may have under chapter 36.54 RCW ((36.54.110)) and other authorities.

SECTION 10. Ordinance 15739, Section 3, and K.C.C. 2.120.020 are each hereby repealed.

NEW SECTION. SECTION 11. There is hereby added to K.C.C. chapter 2.120 a new section to read as follows:

A. All resolutions enacted by the board of the King County ferry district and not expressly repealed by December 31, 2014, that are not inconsistent with the King County Charter or ordinances are hereby readopted and ratified.

SECTION 12. A. Section 13 of this ordinance adopts fees for passenger ferries.

B. These fees are adopted pursuant to RCW 36.54.010 and RCW 36.54.120.

SECTION 13. Ordinance xxxx, Section 6, and K.C.C. 4A.700.xxx (section 6 of this ordinance) are each hereby amended to read as follows:

A.1. Except as may otherwise be provided by ordinance, the following fare categories and rates are established for regularly scheduled passenger ferry service:

One-Way Water Taxi Fares	West Seattle	Vashon Island
	Water Taxi Route	Water Taxi Route
Cash fare	\$4.75	\$5.50
Regular prepaid fare	\$4.00	\$4.75
Child fare	No Charge	No Charge
Youth prepaid fare	\$3.00	\$3.75
Senior and persons with disabilities fare	\$2.00	\$2.50
Bicycle fare	No Charge	No Charge
<u>Low-income fare</u>	<u>\$3.00</u>	<u>\$3.75</u>

2. The fare categories and rates are subject to, and defined by, the following:

- a. All fares shall be established only for a one-way trip;
- b. All fares shall be rounded up to the next whole twenty-five cent increment;
- c. The cash fare is determined by adding a fifteen-percent surcharge to the regular prepaid fare and applies to cash and ticket purchases;
- d. The regular prepaid fare is established as the base rate for persons nineteen years old and older using ORCA prepaid fare media.
- e. The child fare is available to persons five years and under when accompanied by a parent, guardian or other person aged sixteen or older and paying the proper fare as set forth in this chapter;
- f. The youth prepaid fare is available to persons from six through eighteen years old and persons over eighteen years old who receive valid student pass transit-fare products under K.C.C. 4A.700.450. The youth prepaid fare shall be twenty-five percent less than the regular prepaid fare;
- g. The senior and persons with disabilities fare is available to persons who apply for and receive a regional reduced fare permit. The permits are available to persons at least sixty-five years old and persons with

disabilities as provided in the regional reduced fare permit program authorized under K.C.C. 28.94.255;

h. A person with a disability who has been issued an "attendant ride free" permit as authorized under K.C.C. 4A.700.010 may be accompanied by an attendant, who is not required to pay a fare; ~~((and))~~

i. A person who has paid fare may bring a bicycle onto a water taxi at no additional charge, up to the water taxi's bicycle capacity; and

j. The low-income fare is available to persons who apply for and are determined to meet the threshold eligibility requirements for the low-income transit fare program authorized under K.C.C. 4A.700.490, when effective, and receive a valid low-income transit fare product. The low-income fare shall be twenty-five percent less than the regular fare.

B. A fare in subsection A. of this section is paid when a person pays the appropriate amount in cash or presents an appropriate pass, transfer or other fare payment media established under and used in accordance with this chapter.

SECTION 14. A. Section 15 of this ordinance adopts fees for passenger ferries.

B. These fees are adopted pursuant to RCW 36.54.010 and RCW 36.54.120.

SECTION 15. Ordinance xxxx, Section 6, as amended, and K.C.C. 4A.700.xxx (section 6 of this ordinance, as amended) are each hereby amended to read as follows:

A.1. Except as may otherwise be provided by ordinance, the following fare categories and rates are established for regularly scheduled passenger ferry service:

One-Way Water Taxi Fares	West Seattle	Vashon Island
	Water Taxi Route	Water Taxi Route
Cash fare	\$ ((4.75)) <u>5.25</u>	\$ ((5.50)) <u>6.25</u>
Regular prepaid fare	\$ ((4.00)) <u>4.50</u>	\$ ((4.75)) <u>5.25</u>
Child fare	No Charge	No Charge
Youth prepaid fare	\$ ((3.00)) <u>3.50</u>	\$ ((3.75)) <u>4.00</u>

Senior and persons with disabilities fare	\$((2.00)) <u>2.25</u>	\$((2.50)) <u>2.75</u>
Bicycle fare	No Charge	No Charge
Low-income fare	\$((3.00)) <u>3.50</u>	\$((3.75)) <u>4.00</u>

2. The fare categories and rates are subject to, and defined by, the following:

- a. All fares shall be established only for a one-way trip;
- b. All fares shall be rounded up to the next whole twenty-five cent increment;
- c. The cash fare is determined by adding a fifteen-percent surcharge to the regular prepaid fare and applies to cash and ticket purchases;
- d. The regular prepaid fare is established as the base rate for persons nineteen years old and older using ORCA prepaid fare media;
- e. The child fare is available to persons five years and under when accompanied by a parent, guardian or other person aged sixteen or older and paying the proper fare as set forth in this chapter;
- f. The youth prepaid fare is available to persons from six through eighteen years old and persons over eighteen years old who receive valid student pass transit-fare products under K.C.C. 4A.700.450. The youth prepaid fare shall be twenty-five percent less than the regular prepaid fare;
- g. The senior and persons with disabilities fare is available to persons who apply for and receive a regional reduced fare permit. The permits are available to persons at least sixty-five years old and persons with disabilities as provided in the regional reduced fare permit program authorized under K.C.C. 28.94.255;
- h. A person with a disability who has been issued an "attendant ride free" permit as authorized under K.C.C. 4A.700.010 may be accompanied by an attendant, who is not required to pay a fare;
- i. A person who has paid fare may bring a bicycle onto a water taxi at no additional charge, up to the water taxi's bicycle capacity; and
- j. The low-income fare is available to persons who apply for and are determined to meet the

threshold eligibility requirements for the low-income transit fare program authorized under K.C.C. 4A.700.490, when effective, and receive a valid low-income transit fare product. The low-income fare shall be twenty-five percent less than the regular fare.

B. A fare in subsection A. of this section is paid when a person pays the appropriate amount in cash or presents an appropriate pass, transfer or other fare payment media established under and used in accordance with this chapter.

SECTION 16. A. Sections 1 through 11 of this ordinance take effect January 1, 2015.

B. Section 13 of this ordinance takes effect March 1, 2015.

C. Section 15 of this ordinance takes effect March 1, 2016.