



Legislation Text

File #: 2007-0357, **Version:** 1

AN ORDINANCE providing for King County’s participation in a regional transportation investment district and providing for submittal to the qualified electors, at a special election to be held in conjunction with the general election on November 6, 2007, of a proposition to authorize creation of the regional transportation investment district and approve a regional transportation investment plan, including sources of revenue and a financing plan.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings.

A. On June 17, 2002, the council, by Motion 11452 (“Convening Motion”), authorized the chair of the council to jointly convene a Regional Transportation Investment District (“RTID”) Planning Committee with the chairs of the Snohomish and Pierce county councils, pursuant to RCW 36.120.030(1), thereby electing to participate in the RTID Planning Committee.

B. The RTID Planning Committee through its executive board conducted public meetings and extensive public and agency outreach efforts to assure active public participation in the identification of the boundaries of a proposed RTID and in the development of a recommended regional transportation investment plan (“Recommended Plan”), as detailed in Resolution No. PC-2007-02 of the RTID Planning Committee (the “Planning Committee Resolution”).

C. In identifying potential transportation projects, the Planning Committee through its executive board considered the requirements included in the definition of “transportation project” under RCW 36.120.020(8),

applied the factors set forth in RCW 36.120.040(1), coordinated its activities pursuant to RCW 36.120.040(2), considered performance criteria set forth in RCW 36.120.060 as well as the RTID Guiding Principles and, in identifying potential transportation projects that improve city streets, county roads or highways, considered the specific requirements of RCW 36.120.020(8)(c).

D. The Planning Committee through its executive board conducted public meetings to encourage active public participation in the development of the Recommended Plan, undertaking extensive public and agency outreach efforts during August, September and October 2006 to prepare a draft Recommended Plan, including a public hearing on October 13, 2006, a public comment period lasting until October 27, 2006, presentations to organizations and groups, articles in newsletters, joint Roads & Transit open houses with Sound Transit, newspaper advertising and an updated website.

E. The Planning Committee through its executive board consulted with local jurisdictions and the Regional Transit Authority (Sound Transit) in developing proposed RTID boundaries in the three county area.

F. At the December 7, 2006 joint meeting with the Sound Transit executive committee, staff reported to the executive board of the Planning Committee the results of the public involvement process, including an overview of comments received through public outreach.

G. The draft Recommended Plan was updated to reflect this public and agency input and was distributed for further public outreach and review in conjunction with Sound Transit's ST2 Draft Package.

H. The Planning Committee through its executive board conducted additional public meetings to review the updated Recommended Plan and continued its extensive public and agency outreach efforts, including additional presentations to organizations and groups, articles in newsletters, joint Roads & Transit open houses with Sound Transit, newspaper advertising and website informational postings.

I. The Planning Committee considered potential local, state and federal revenue sources in developing the Recommended Plan, which leverages the proposed financial contribution by RTID, assuming the agency is

formed, so that the local, state and federal and other revenue sources continue to fund major congestion relief and transportation capacity improvement projects in each county in the proposed RTID.

J. The Planning Committee, with assistance from the Washington state Department of Transportation, worked to develop cost forecasts for proposed transportation projects, integrating its project costing methodology with revenue forecasts in developing the Recommended Plan.

K. As required by RCW 36.120.040(5), the Recommended Plan includes cost estimates for each transportation project, including reasonable contingency costs, and provides estimated project costs in constant dollars as well as year of expenditure dollars, ranges of project costs reflecting levels of project design, identification of mitigation costs, ranges of revenue forecasts and cash flow and bond analysis.

L. As required by RCW 36.120.040(5), the Recommended Plan also provides that funds will be maximized to implement projects in the Recommended Plan, including paying environmental and mitigation costs, and that administrative costs will be minimized.

M. As required by RCW 36.120.045, the Recommended Plan includes a funding proposal for the state route number 520 bridge replacement and an HOV project that assures full project funding for seismic safety and corridor connectivity on state route number 520 between I-5 and I-405.

N. On June 11, 2007, the council received from the RTID Planning Committee, the Recommended Plan, Attachment A to this ordinance.

O. RCW 36.120.070 permits the county council, within ninety days of receipt of a proposed “regional transportation investment plan” under RCW 36.120.040, to agree to participate and submit to the voters of a proposed RTID a single ballot proposition that approves formation of the RTID and approves the regional transportation investment plan including the revenue sources necessary to finance the plan.

P. The Metropolitan Transportation Plan, also referred to as Destination 2030, adopted by the Puget Sound Regional Council (“PSRC”) on April 5, 2007, includes substantially all of the projects in the Recommended Plan, and the plan-level environmental documents prepared and issued by the PSRC under the

state Environmental Policy Act (“SEPA”) for the Metropolitan Transportation Plan, including but not limited to the final environmental impact statement ("EIS"), on Destination 2030 dated May 10, 2001 and the EIS Addendum on Destination 2030 dated March 5, 2007, substantially encompass the range of proposed plan-level actions, alternatives and impacts for the Recommended Plan.

Q. The county’s designated SEPA responsible official issued a notice and statement of adoption on June 14, 2007 adopting the PSRC EIS documents on the Metropolitan Transportation Plan and the associated 2005, 2006 and 2007 addenda; and the county has committed, as stated in the Planning Committee Resolution, the Recommended Plan and the county’s notice and statement of adoption, that appropriate project-level environmental review under SEPA will be conducted by the appropriate agencies for the projects in the plan.

R. The county's comprehensive plan contemplates by reference the projects in the Recommended Plan.

S. RCW 36.120.070 provides that the question of whether or not RTID shall be created and whether or not the Recommended Plan shall be approved may be submitted by participating counties to the qualified electors of the proposed RTID for their ratification or rejection.

T. RCW 36.120.070 requires participating counties to submit the proposition as a single ballot proposition including Sound Transit’s plan to support its system and financing plan, or additional implementation phases thereof, developed under chapter 81.112 RCW to the voters at the November 2007 general election.

U. As authorized by RCW 36.120.070, the Planning Committee has drafted the ballot proposition on behalf of the county legislative authorities. The ballot proposition is set forth in the Planning Committee Resolution in substantially the form set forth in section 4, chapter 509, Laws of 2007.

V. It is in the best interests of the residents of the county that the county shall participate and submit the Recommended Plan, including the proposed revenue sources and RTID boundaries recommended in the Recommended Plan, to the voters at the November 2007 election.

W. The Recommended Plan is a “regional transportation investment plan” as that term is defined in

RCW 36.120.020(7) and meets the requirements for a regional transportation plan set forth in chapter 36.120 RCW.

X. The boundaries for the proposed RTID identified in the Recommended Plan include at least all of the contiguous areas within Sound Transit's regional transit authority serving the county, meeting the requirements set forth in RCW 36.120.030(1).

Y. The proposition authorized to be submitted to the voters and described in this ordinance has for its object the furtherance and accomplishment of a system of regional transportation that constitutes a single purpose. The Recommended Plan and Sound Transit's ST2 Package together identify transportation improvements consisting of road and transit projects that form integral parts of, and are naturally and necessarily related to, a single regional transportation system, as part of a comprehensive approach to transportation investments to help reduce transportation congestion, increase road and transit capacity, promote safety, facilitate mobility of freight and people and improve the health, safety, and welfare.

SECTION 2. Election to participate; approval of recommended plan and boundaries for submittal to voters; future modifications.

The county elects to participate in the RTID and approves the RTID boundaries and Recommended Plan for submittal to the voters in the form of a single ballot proposition that approves formation of the RTID, approves the RTID Recommended Plan and approves the revenue sources necessary to finance the plan. Upon approval of the Recommended Plan by the voters (as approved, the "Plan"), the Plan may be modified from time to time only as permitted by state law and Planning Committee Resolution PC-2007-02.

SECTION 3. Call for special election. In accordance with RCW 29A.04.321, a special election to be held in conjunction with the general election is called for November 6, 2007, to consider a proposition approving the creation of RTID and approving the Recommended Plan and the revenue sources set forth in the Recommended Plan. The manager of the records, elections and licensing services division shall cause notice to be given of this ordinance in accordance with the state constitution and general law and to submit to the

qualified electors of the proposed RTID within the county, at the special county election, the proposition hereinafter set forth. The clerk of the council shall certify that proposition to the manager of the records, elections and licensing services division, in the following form, as drafted by the Planning Committee pursuant to RCW 36.120.070:

SOUND TRANSIT (A REGIONAL TRANSIT AUTHORITY)

AND

RTID (A REGIONAL TRANSPORTATION INVESTMENT DISTRICT)

PROPOSITION #_

REGIONAL ROADS AND TRANSIT SYSTEM

To reduce transportation congestion, increase road and transit capacity, promote safety, facilitate mobility, provide for an integrated regional transportation system, and improve the health, welfare, and safety of the citizens of Washington, shall Sound Transit (a regional transit authority) implement a regional rail and transit system linking Lynnwood, Shoreline, Northgate, Seattle, Bellevue, Redmond, SeaTac airport, Kent, Federal Way and Tacoma as described in the Sound Transit 2 plan, financed by the existing taxes approved by the voters in 1996 and an additional sales and use tax of up to five-tenths of one percent imposed by Sound Transit, all as provided in Resolution No. [2007-insert number]; and shall a regional transportation investment district (RTID) be formed and authorized to implement and invest in improving the regional transportation system by replacing vulnerable bridges, improving safety, and increasing capacity on state and local roads to further link major education, employment, and retail centers as described in Moving Forward Together: A Blueprint for Progress - King Pierce Snohomish Counties, financed by a sales and use tax of up to one-tenth of one percent and a local motor vehicle excise tax of up to eight-tenths of one percent imposed by RTID, all as provided in Resolution No. PC-2007-02; further provided that the Sound Transit taxes shall be imposed only

within the boundaries of Sound Transit, and the RTID taxes shall be imposed only within the boundaries of the RTID?

YES.....

NO.....

SECTION 4. Voter approval. As required by RCW 36.120.070, the electorate considering the proposition will be the voters voting within the boundaries of the proposed RTID. A simple majority of the total persons voting on the ballot proposition is required for approval. The proposition shall not be considered approved unless both a majority of the persons voting on the proposition residing in the proposed RTID vote in favor of the proposition and a majority of the persons voting on the proposition residing within the Sound Transit regional transit authority vote in favor of the proposition.

SECTION 5. Severability. If any provision of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance, but this ordinance shall be construed and enforced as if such invalid provision had not been contained herein; provided, that any provision which shall for any reason be held to be invalid shall be deemed to be in effect to the extent permitted by law.

SECTION 6. Ratification. The Convening Motion, the county’s participation in the RTID Planning Committee and the certification of the proposition by the clerk of the council in accordance with law before the election on November 6, 2007, and any other act consistent with the authority and before the effective date of this ordinance are hereby ratified and confirmed.