



Legislation Text

File #: 2013-0526, **Version:** 1

Clerk 12/16/2013

AN ORDINANCE creating a countywide transportation benefit district in King County, Washington, in order to finance the acquisition, construction, operation, maintenance and preservation of public transportation facilities, services and programs, roads and any other projects 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. Without 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. Revenue sources currently available to cities are not keeping pace with the costs of replacement and expansion to meet growth.

R. King County cities also are beset by failing roads and bridges, congested corridors and bottlenecked interchanges, which undermine the mobility of cars, buses and freight carriers to transport people and goods.

S. 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.

T. It is in the best interest of the citizens of the county to establish a transportation benefit district to finance any transportation improvement authorized by chapter 36.73 RCW, including but not limited to, the acquisition, construction, operation, maintenance and preservation of public transportation facilities, services and programs, roads and any other project contained in the transportation plan of the state, a regional transportation planning organization, a city or the county.

U. The transportation benefit district is intended solely to finance transportation improvements authorized by chapter 36.73 RCW, and is not intended to directly acquire, construct, operate, maintain, preserve or otherwise provide transportation improvements. It is further intended that local jurisdictions receiving funding from the transportation benefit district will directly acquire, construct, operate, maintain, preserve or otherwise provide any transportation improvement authorized by chapter 36.73 RCW.

V. The King County council anticipates that, in an effort to provide an efficient operation of the transportation benefit district and avoid the potential for creating duplicative staffing functions, the transportation benefit district will contract with King County to utilize existing King County staff to provide administrative functions required by the district to the extent allowed by applicable law.

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 implementing. 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. The transportation district is formed to finance, but not directly carry out, any transportation improvement authorized by chapter 36.73 RCW, including, but not limited to, the acquisition, construction, operation, maintenance and preservation of public transportation facilities, services and programs, roads and any other project contained in the transportation plan of the state, a regional transportation planning organization, a city or the county. 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, 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. "Transportation plan" includes 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, the King County Roads Services CIP and any other plan concerning transportation that is adopted by the King County council; and

B. The transportation plan of the state, a regional transportation planning organization or a city shall be as identified by each entity.

SECTION 7. As authorized under chapter 36.73 RCW, this ordinance shall be liberally construed to permit the accomplishment of its purposes.

SECTION 8. 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.

Publish At least once, not less than 10 days prior to hearing

Newspaper: official

Publish Seattle Times on 1/22/14

Public Hearing: 2/4/14 6:00pm Union Station