

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Action on Resolution No. 356 supporting King County Transportation District Proposition No. 1, Sales and Use Tax and Vehicle Fee for Transportation Improvements
DEPARTMENT:	City Manager's Office
PRESENTED BY:	John Norris, Assistant City Manager
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

The Shoreline City Council has requested that Resolution No. 356 supporting King County Transportation District Proposition No. 1, Sales and Use Tax and Vehicle Fee for Transportation Improvements, be placed on the Council agenda for action. Resolution No. 356, which is attached to this staff report as Attachment A, would declare City Council support for the King County Transportation District Proposition No. 1, which is scheduled for the special election of April 22, 2014. Tonight's agenda item will serve as an opportunity to hear from the public on this proposed resolution, discuss the resolution amongst the Council, and take action on the resolution if the Council so moves.

BACKGROUND:

Generally, Washington State law prohibits the use of any public resources in support or opposition to candidates or ballot issues. However, RCW 42.17.130 provides an exception that allows a city to take a position on a ballot issue as long as: 1) the notice of the Council meeting includes the title and number of the ballot proposition, and 2) an equal opportunity is provided to both proponents and opponents of the ballot proposition to speak.

To facilitate this, the Council will take comments on Resolution No. 356, which would declare the Council's support of the King County Transportation District Proposition No. 1. Council Rule 6.1.B states that if during a business meeting an agenda item is before the Council for the first time and is not part of the consent agenda, public comment for that item will follow the staff report but precede Council review. Thus, public comment in support or opposition to Resolution No. 356 will not be taken during general public comment at the beginning of tonight's meeting, but rather following the staff report introducing this topic to the Council. The City Clerk will monitor public comment to ensure that equal time is provided to both proponents and opponents of the resolution.

The King County Transportation District Resolution that was approved to put Proposition No. 1 on the ballot is attached to this staff report as Attachment B. The Transportation District's Resolution includes the actual ballot language for Proposition No. 1 as well as information on how the Proposition would work. Staff also provided a briefing to Council on February 10th regarding the then proposed ballot measure, which has commonly been referred to as 'Plan B'. The staff report from this February 10th agenda item can be found at the following link:
<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2014/staffreport021014-9b.pdf>.

On occasion, the Council has voted to support ballot propositions if it determines the proposition will have a direct impact on the Shoreline community. These have included propositions supporting the Shoreline Fire District, Emergency Medical Services, King County Metro Transit, and, most recently, the Shoreline School District. In January of this year, Council voted to support a maintenance and operations levy and technology improvement levy for the School District.

RESOURCE/FINANCIAL IMPACT:

There is no resource or financial impact to adopting Resolution No. 356.

RECOMMENDATION

It is recommended that the Council hear public comment regarding Resolution No. 356 to hear those in support of or opposition to the resolution and then review and consider the adoption of Resolution No. 356.

ATTACHMENTS:

Attachment A: Proposed Resolution No. 356

Attachment B: King County Transportation District Resolution No. TD2014-03.1: A Resolution of the King County transportation district relating to financing transportation improvements

Approved By: City Manager **DT** City Attorney **IS**

RESOLUTION NO. 356

A RESOLUTION OF THE CITY COUNCIL, CITY OF SHORELINE, WASHINGTON, SUPPORTING KING COUNTY TRANSPORTATION DISTRICT PROPOSITION 1, SALES AND USE TAX AND VEHICLE FEE FOR TRANSPORTATION IMPROVEMENTS AND BUS SERVICE

WHEREAS, the King County Transportation District approved Resolution TD2014-03 on March 24, 2014 placing the District's Proposition 1 on the ballot of a April 22, 2014 special election; and

WHEREAS, the district's Proposition 1 levy would authorize the district to fix and impose, for ten years, a vehicle fee in the amount of sixty dollars and to fix and impose, for a term of ten years, a sales and use tax in the amount of one-tenth of one percent for bus service, road safety and maintenance and other transportation improvements in King County cities and the unincorporated area of the district; and

WHEREAS, 40% of revenues after administrative costs will be distributed pro rata for transportation improvements based on interlocal agreements with jurisdictions within the district and each jurisdiction's population; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

That the City Council of the City of Shoreline hereby expresses its support for King County Transportation District Proposition 1, providing funding from a vehicle fee and sales and use tax to be used for Metro bus service and transportation improvements in King County cities and unincorporated King County; and encourages voters to approve the proposition at the special election to be held on April 22, 2014.

ADOPTED BY THE CITY COUNCIL ON March 31, 2014.

Mayor Shari Winstead

ATTEST:

Jessica Simulcik Smith, City Clerk



KING COUNTY
Signature Report

Attachment B
1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

March 25, 2014

TD Resolution

Proposed No. TD2014-03.1

Sponsors

1 A RESOLUTION of the King County transportation
2 district relating to financing transportation improvements;
3 submitting a ballot measure regarding transportation
4 funding to the qualified electors of the King County
5 transportation district at a special election to be held on
6 April 22, 2014, and submitting a proposition to district
7 voters to authorize the district to fix and impose a one-tenth
8 of one percent sales and use tax within the district and a
9 sixty dollar vehicle fee on all vehicles within the district to
10 finance transportation improvements; requesting that the
11 King County prosecutor prepare a ballot title for the
12 proposition; and appointing committees to prepare the pro
13 and con statements for the local voters' pamphlet.

14 WHEREAS, in the last several years, new transportation challenges have emerged
15 affecting the funding of transportation improvements for King County Metro transit and
16 all King County cities and unincorporated King County, including a prolonged recession,
17 and declined gas-tax, property tax, and sales tax revenues, and

18 WHEREAS, chapter 36.73 RCW, provides for the establishment of transportation
19 benefit districts by cities and counties and authorizes those districts to levy and impose

20 various taxes and fees to generate revenues to support transportation improvements that
21 benefit the district and that are consistent with state, regional or local transportation plans
22 and necessitated by existing or reasonably foreseeable congestion levels, and

23 WHEREAS, King County Ordinance 17746 established the King County
24 transportation district with the authority to fund, acquire, construct, operate, improve,
25 provide, maintain and preserve transportation improvements authorized by chapter 36.73
26 RCW, and

27 WHEREAS, the King County transportation district intends to fund transportation
28 improvements authorized by chapter 36.73 RCW and that local jurisdictions receiving
29 funding will directly acquire, construct, operate, maintain, preserve or otherwise provide
30 any transportation improvement authorized by chapter 36.73 RCW and consistent with
31 this resolution, and

32 WHEREAS, the King County Transportation District has the legal authority to fix
33 and impose up to a one hundred dollar vehicle fee under RCW 82.80.140 with approval
34 of a majority of district voters, and

35 WHEREAS, the King County Transportation District has the legal authority to fix
36 and impose up to a two-tenths of one percent sales and use tax within the district under
37 RCW 82.14.0455 with approval of a majority of district voters, and

38 WHEREAS, a voter-approved vehicle fee imposed by the King County
39 transportation district does not affect the authority of city-established transportation

40 benefit districts to impose up to a twenty dollar councilmanic vehicle fee under RCW
41 82.80.140, and

42 WHEREAS, the King County Transportation District cannot impose a voter
43 approved sales and use tax that exceeds a period of ten years, unless extended by an
44 affirmative public vote in accordance with RCW 82.14.0455;

45 BE IT RESOLVED BY THE KING COUNTY TRANSPORTATION
46 DISTRICT:

47 **SECTION 1. Fee and tax submittal to voters.** To provide necessary funding for
48 the transportation improvements identified in section 3 of this resolution, the King
49 County transportation district shall submit to the qualified electors of the district a
50 proposition authorizing the district to fix and impose, for ten years, a sixty-dollar vehicle
51 fee to be added to any existing fees and to fix and impose, for ten years, an additional
52 one-tenth of one percent sales and use tax.

53 **SECTION 2. Distribution of revenues.** The district sales and use tax and
54 vehicle fee revenues shall first pay any administrative costs to the state Department of
55 Licensing and state Department of Revenue, the administrative costs of the district and
56 the cost of the license fee low-income rebate program in section 4 of this resolution. The
57 remaining combined revenue will be distributed pursuant to interlocal agreements for use
58 for transportation improvements consistent with this resolution in the following manner:

59 A Sixty percent distributed to King County. On a biennial basis, the Board shall
60 determine and allocate for Metro transit purposes the amount of the sixty percent

61 distribution necessary to fund the operation, maintenance and capital needs of the Metro
62 transit system. In making this determination and allocation the Board shall be guided by
63 the following criteria:

64 1. Preserving Metro transit service at levels comparable to the 2014 Metro transit
65 system;

66 2. Covering the costs of administering any low income fare program and the
67 amount of the reduction in fare revenue resulting from a \$1.50 low-income fare; and

68 3. Adjusting for any changes in the amount of other Metro transit revenues
69 above the revenues estimated in the adopted King County 2013-2014 biennial budget.

70 If as a result of this determination and allocation, there are remaining revenues from the
71 sixty percent distribution, these will be distributed fifty percent for Metro transit purposes
72 and fifty percent for unincorporated area road purposes. Attachment A titled Estimated
73 Distributions of King County Transportation District Revenues to this resolution
74 illustrates estimated distributions using these criteria, based on currently projected
75 revenues and expenditures; and

76 B. Forty percent distributed to the cities within King County and to King County
77 for city transportation improvement purposes and for county unincorporated area road
78 purposes, respectively, in amounts shared pro rata based on each jurisdiction's percentage
79 of the total population of jurisdictions entering into interlocal agreements with the district
80 for the distribution of revenues.

81 **SECTION 3. Use of revenues and description of transportation**

82 **improvements.**

83 A. The sales and use tax and vehicle fee revenues, less the administrative and
84 rebate program costs identified in Section 2 of this resolution, shall be used by the district
85 consistent with RCW chapter 36.73 and this resolution to fund transportation
86 improvements permitted by RCW chapter 36.73, including but not limited to, the
87 acquisition, construction, operation, improvement, provision, maintenance, and
88 preservation of public transportation facilities, services and programs, and roads.

89 B. Specifically, the transportation improvements carried out with the sales and
90 use tax and vehicle fee revenues must be projects or programs contained in the
91 transportation plan of the Puget Sound Regional Council, King County or a city within
92 King County that are:

- 93 1. The provision of Metro transit public transportation services;
- 94 2. The service planning and public engagement for the provision of Metro
95 transit public transportation services;
- 96 3. The operation, maintenance and repair of Metro transit vehicles, equipment
97 and facilities;
- 98 4. The acquisition and replacement of Metro transit vehicles and equipment and
99 the planning, design, construction and implementation of Metro transit capital
100 improvements;
- 101 5. The implementation of transportation demand management programs;

102 6. The planning, design, construction and implementation of capital
103 improvement, preservation and restoration projects for road facilities such as streets,
104 roads, bridges, signals, guardrails, drainage systems, pedestrian and bicycle pathways and
105 related facilities and improvements;

106 7. The operation, maintenance and repair of road facilities such as streets, roads,
107 bridges, signals, guardrails, drainage systems, bicycle pathways and related facilities and
108 improvements;

109 8. The provision of emergency responses to protect road facilities and public
110 health and safety; or

111 9. The planning, design, installation and management of intelligent
112 transportation systems including traffic cameras, control equipment and new technologies
113 to optimize the existing transportation system.

114 C. Consistent with RCW 36.73.020, the transportation improvements carried out
115 with the sales and use tax and vehicle fee revenues shall be needed by existing or
116 reasonably foreseeable congestion levels; and selection of the transportation
117 improvements shall, to the extent practicable, consider the following criteria:

118 1. Reduced risk of transportation facility failure and improved safety;

119 2. Improved travel time;

120 3. Improved air quality;

121 4. Increases in daily and peak period trip capacity;

-
- 122 5. Improved modal connectivity;
- 123 6. Improved freight mobility;
- 124 7. Cost-effectiveness of the investment;
- 125 8. Optimal performance of the system through time;
- 126 9. Improved accessibility for, or other benefits to, persons with special
- 127 transportation needs.

128 SECTION 4. The vehicle fee shall be subject to a rebate program consistent with

129 chapter 36.73 RCW under which low-income individuals will be eligible, upon

130 application, to receive a twenty-dollar rebate for each vehicle for which an individual

131 pays the full vehicle fee.

132 SECTION 5. On an annual basis, the board of the district shall review the

133 identification of projects and programs carried out by King County and the cities within

134 King County with the sales and use tax and vehicle fee revenues for consistency with this

135 resolution. Additionally, the district shall issue an annual report to the public, indicating the

136 status of transportation improvement costs, transportation improvement expenditures, revenues,

137 and construction schedules.

138 SECTION 6. If the Washington state legislature enacts legislation that grants new

139 authorization for county transportation revenues and King County imposes and collects revenues

140 under such legislation, the board shall consider whether to, and may, reduce or eliminate the

141 continued imposition and collection of the sales and use tax and vehicle fee authorized by this

142 resolution.

143 SECTION 7. For the purposes of defining a transportation plan under chapter
144 36.73 RCW and section 3 of this resolution:

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

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

153 C. The transportation plan of the Puget Sound Regional Council is its
154 transportation improvement program developed and updated as required by RCW
155 47.80.023.

156 SECTION 8. For the purposes of this resolution, "city" means city or
157 incorporated town.

158 SECTION 9. Call for special election. The district hereby requests that the King
159 County director of elections call a special election on April 22, 2014, to consider a
160 proposition authorizing the district to fix and impose, for ten years, a vehicle fee in the
161 amount of sixty dollars and to fix and impose, for a term of ten years, a sales and use tax
162 in the amount of one-tenth of one percent for the purposes described in this resolution.
163 The King County director of elections shall cause notice to be given of this resolution in

164 accordance with the state constitution and general law and to submit to the qualified
165 electors of the district, at the said special county election, the proposition hereinafter set
166 forth, in the form of a ballot title substantially as follows:

167 KING COUNTY TRANSPORTATION DISTRICT

168 PROPOSITION NO. ____

169 The Board of the King County Transportation District passed Resolution No. TD2014-03
170 concerning funding for Metro transit, roads and other transportation improvements. If
171 approved, this proposition would fund, among other things, bus service, road safety and
172 maintenance and other transportation improvements in King County cities and the
173 unincorporated area. It would authorize the district to impose a sales and use tax for a
174 term of ten years of 0.1% under RCW 82.14.0455, and an annual vehicle fee of sixty
175 dollars (\$60) per registered vehicle under RCW 82.80.140 with a twenty dollar (\$20)
176 rebate for low-income individuals.

177 Should this sales and use tax and vehicle fee be approved?

178 Yes

179 No

180 SECTION 10. The King County director of elections is hereby requested to
181 prepare and distribute a local voters' pamphlet, in accordance with K.C.C. 1.10.010, for
182 the special election called for in this resolution, the cost of the pamphlet to be included as
183 part of the cost of the special election.

184 SECTION 11. RCW 29A.32.280 provides that for each measure from a
 185 jurisdiction that is included in a local voters' pamphlet, the legislative authority of that
 186 jurisdiction shall formally appoint a committee to prepare arguments advocating voter
 187 approval of the measure and a committee to prepare arguments advocating voter rejection
 188 of the measure.

189 SECTION 12. As authorized by RCW 29A.32.280, the following individuals are
 190 appointed to serve on the voters' pamphlet committees, each committee to write a
 191 statement for or against the proposed measure.

- | | |
|-----------------------|------------------|
| 192 FOR | AGAINST |
| 193 1. Denis Hayes | 1. Will Knedlik |
| 194 2. Estela Ortega | 2. Dick Paylor |
| 195 3. John Marchione | 3. Jerry Galland |

196 SECTION 13. Ratification. Certification of the proposition by the clerk of the
 197 district to the King County director of elections in accordance with law before the
 198 election on April 22, 2014, and any other act consistent with the authority and before the
 199 effective date of this resolution are hereby ratified and confirmed.

200 SECTION 14. Severability. If any provision of this resolution or its application
 201 to

202

203 any person or circumstance is held invalid, the remainder of the resolution or the
204 application of the provision to other persons or circumstances is not affected.

205

TD Resolution TD2014-03 was introduced on and passed as amended by the King County Transportation District on 2/24/2014, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski and Mr.
Upthegrove
No: 0
Excused: 0

KING COUNTY TRANSPORTATION
DISTRICT
KING COUNTY, WASHINGTON

Larry Phillips, Chair

ATTEST:

Anne Noris, Clerk of the Board

Attachments: A. Estimated Distributions of King County Transportation District Revenues 2-24-14