

SENATE BILL REPORT

SB 6209

AS OF FEBRUARY 5, 1992

Brief Description: Providing for municipal and regional transportation authorities.

SPONSORS: Senators Bluechel, Skratek, Erwin, Bailey, McDonald and Thorsness

SENATE COMMITTEE ON TRANSPORTATION

Staff: Gene Baxstrom (786-7303)

Hearing Dates: February 5, 1992

BACKGROUND:

Part I, sections 2 through 6: The municipality of metropolitan Seattle (METRO) is a federated type of municipal corporation authorized to perform the service of public transit, water pollution abatement and water supply within King County. Its governing authority is a 44-member council consisting of local elected and appointed officials representing county and city governments within King County. Two sewer districts also serve on the council when considering water pollution abatement and one member who acts as the chair is selected by the remainder of the council.

A 1990 decision rendered by the United States District Court, in Cunningham v. METRO, METRO was found to be in violation of the one person-one vote doctrine. The court ordered that the METRO governance structure be reorganized to address this situation and in the event such was not addressed by April, 1992, the court may order the changes.

Part 2, sections 7 through 18: State law enacted in 1990 and 1991 made local transit agencies in King, Pierce and Snohomish counties responsible for high capacity transit (HCT) system planning, implementation and operation in the Puget Sound region. A high capacity transit system is defined as a "system of public transportation services within an urbanized region operating principally on exclusive rights of way, and the supporting services and facilities necessary to implement such a system, including high occupancy vehicle lanes, which taken as a whole, provides a substantially higher level of passenger capacity, speed and service frequency than traditional public transportation systems operating principally in general purpose roadways."

The law prescribes: (a) processes for evaluation of HCT systems; (b) requirements for what must be included in the HCT system plan presented to voters; and (c) certain local option taxes which, with voter approval, can be imposed to develop an

HCT system. Pursuant to those statutes, planning for the HCT system is being governed by the Joint Regional Policy Committee composed of representatives of the four transit agencies (METRO, Pierce Transit, Community Transit, and Everett Transit) and the Department of Transportation. Regional HCT system development would occur through interlocal agreement of transit agencies. System funding is through voters approved taxes of up to .9 percent sales tax, .8 percent motor vehicle excise tax and \$2.00 per month employer tax.

Participants in the HCT planning process have identified a number of impediments to ultimate development of an HCT system under current law, including: the need for separate votes in each participating jurisdiction; the inability to provide HCT taxing district boundaries different from transit district boundaries; the complexity of revenue allocation and staging of the project among multiple jurisdictions; and inadequate bonding capacity among the transit agencies.

SUMMARY:

Part I: A governance structure for metropolitan municipal corporations authorized to provide public transportation services as of July 1, 1992 (METRO in King County) is established. The 15-member METRO Council governance consists of:

- (1) three members of the county council appointed by the county executive and confirmed by the council;
- (2) three members appointed from the elected officials of the central city (Seattle) by the mayor and confirmed by the city council;
- (3) three members appointed from the component cities within the county other than the central city to be selected by mayors and council members of those cities;
- (4) one member appointed by the Governor to represent the Department of Transportation and voting only regarding transit matters;
- (5) three members elected at large from the unincorporated area of the county;
- (6) one member to act as chair of the council selected by the members of the council; and
- (7) for a municipal corporation that is authorized to perform water pollution abatement, a commissioner of a sewer district or a water district operating within the boundaries of the municipal corporation.

The Department of Transportation member may only participate in those council actions related to public transportation governance. This council is to replace, effective April 1,

1992, the existing METRO Council within the municipality of metropolitan Seattle.

The authorized but unused functions of garbage disposal, parks and parkway responsibility and comprehensive planning are removed from METRO powers.

Part II: King County METRO and contiguous public transportation benefit areas in adjacent counties are directed to appoint members to comprise a regional transit authority. The Regional Transit Authority (RTA) is to assume the duties of high capacity transit system development within its jurisdiction. The boundaries of the RTA are to include all the areas within King County and public transportation benefit areas, city-owned transit systems, and county transportation authorities within the region. The governing board for the Authority is to consist of:

- (1) members of the metropolitan municipal corporation, except the chair and members that represent sewer districts or water districts;
- (2) three members appointed by and from each PTBA board within the RTA;
- (3) one member appointed by the mayor from the elected officials of a city-owned transit system within the RTA boundaries;
- (4) one member appointed by the chair of a county transportation authority within the boundaries of the RTA;
- (5) two members of the Governor to separately represent the Department of Transportation and the Transportation Commission; and
- (6) one member who shall be chair of the RTA to be appointed by the Governor.

The RTA is granted powers associated with development of a high capacity transit system. HCT power currently vested with transit agencies within the RTA are removed. The RTA is given the power to contract for services for the procurement of goods, to adopt plans, to acquire facilities associated with high capacity services, including the power of condemnation, the ability to construct high capacity transportation facilities, to dispose of real and personal property, to sue and be sued, and to adopt rules as necessary to provide for high capacity services. With voter approval, the RTA may levy HCT taxes.

The Authority, after consultation with other transit agencies, may define and distinguish high capacity transit system routes and services from those routes and services provided by local agencies. The Authority has exclusive right to provide high capacity transportation routes and services unless local transit agencies are authorized by the Authority to provide

those services on terms mutually agreed between both parties. The Authority may develop and operate local transit agency routes, services and facilities or collect existing local transit taxes within a component local transit agency only with the consent of that agency.

After a regional transit authority is formed, METRO may be consolidated with the RTA if the METRO Council requests consolidation and the Authority concurs. The Authority would assume the rights, powers, functions and obligations METRO. Further, the Authority would assume the power to levy sales and use tax and the motor vehicle excise tax currently authorized for METRO. All employees and personnel of the municipal corporation are incorporated into the Authority's personnel system.

Sections of law authorizing the assumption of authority for a metropolitan municipal corporation by a class AA or class A county are repealed.

Appropriation:

Revenue:

Fiscal Note:

Effective Date: The bill contains an emergency clause and provides that sections 4 through 6 are effective April 1, 1992. The remaining sections are effective July 1, 1992.