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CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

..title

AN ORDINANCE relating to transportation; providing for the submission to the qualified electors of the City at an election to be held on November 3, 2015, a proposition authorizing the City to levy regular property taxes for up to nine years in excess of the limitation on levies in Chapter 84.55 RCW for the purpose of providing City facilities and services, including transportation improvements, both capital and operating, with possible debt financing; creating a new oversight committee; and ratifying and confirming certain prior acts.

..body

WHEREAS, Seattle is one of the fastest-growing major cities in the country, gaining 100,000 new residents and more than 50,000 jobs in the last 20 years, and this growth is a boon to our economy and a test for our transportation system; and

WHEREAS, as Seattle’s Comprehensive Plan directs, two-thirds of these new residents and jobs have been located in urban centers and villages that are walkable and easy to serve with transit; and

WHEREAS, Seattle is currently updating its Comprehensive Plan for 2035 and the public feedback received to date supports continuing to concentrate Seattle’s growth in walkable, mixed-use, transit-rich urban villages; and

WHEREAS, public surveys and feedback continue to rank transportation as the highest priority issue area in Seattle; and

WHEREAS, Seattle is a built-out city where it is difficult to widen existing streets or build new streets, and the existing network of streets needs to be able to carry as much of the increasing numbers of people and goods as efficiently as possible; and

WHEREAS, Seattle’s transportation system must help fight climate change, promote vibrant communities and improve public health; and

Amendment 1 – Decrease Levy (CM Licata)

1 WHEREAS, the 2006 Bridging the Gap transportation levy contributed approximately
2 \$365,000,000 to transportation investment, with a focus on maintenance; and
3 WHEREAS, Bridging the Gap has funded significant transportation system maintenance and
4 upgrades, and is on target to meet or exceed nearly all of the commitments made as part
5 of the voter-approved measure, including the paving of 225 lane-miles of streets,
6 rehabilitation or seismic retrofit of 12 bridges, replacement of 90,000 street signs,
7 enhancement of three transit corridors, construction of 120 blocks of new sidewalk,
8 restriping of 5,000 crosswalks, implementation of 48 Safe Routes to School projects and
9 30 Neighborhood Street Fund projects and development of a robust asset management
10 program that has identified and catalogued the condition of transportation assets and their
11 maintenance needs; and
12 WHEREAS, Bridging the Gap expires at the end of 2015 and the funding it provides needs to be
13 replaced to continue critical maintenance and improvement of Seattle’s transportation
14 system; and
15 WHEREAS, these critical maintenance and improvement needs include safety improvements
16 that will keep bridges safe in an earthquake and help Seattle reach its goal of zero serious
17 or fatal crashes on Seattle streets; and
18 WHEREAS, Seattle families’ transportation-related spending is second only to their spending on
19 housing, and a well-functioning transportation system that provides many alternatives to
20 the expense of car ownership can make living and working in Seattle more affordable;
21 and
22 WHEREAS, careful maintenance of transportation infrastructure today can lessen the expense of
23 increased maintenance tomorrow; and

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1 WHEREAS, Seattle has three adopted modal master plans including the Bicycle Master Plan
2 adopted in 2014, the Transit Master Plan adopted in 2012, and the Pedestrian Master Plan
3 adopted in 2009, as well as a Freight Master Plan currently in development; and

4 WHEREAS, The 10-year Move Seattle Strategy was created in 2015 to integrate and prioritize
5 the implementation of the modal master plans through a comprehensive approach to the
6 transportation system organized around five core values: a safe, affordable,
7 interconnected, vibrant, and innovative city for all; and

8 WHEREAS, efficient and reliable movement of freight and goods is a hallmark of a vibrant city
9 and the Freight Master Plan currently in development will recommend increased
10 investment in freight and goods movement; and

11 WHEREAS, existing revenue available for transportation maintenance and improvements is
12 insufficient; and

13 WHEREAS, in 2001 voters statewide approved Initiative 747 and in 2007 the Washington State
14 Legislature reinstated the initiative, which capped the growth in property tax without
15 special approval of the voters at 1 percent, below the rate of inflation; and

16 WHEREAS, State-shared gas tax revenues for Seattle do not keep up with inflation; and

17 WHEREAS, while the City is evaluating and developing a proposal for transportation impact
18 fees in the City of Seattle, impact fees are neither sufficient nor appropriate to fund all
19 transportation maintenance and system operation needs; and

20 WHEREAS, in 2014 Seattle voters approved Seattle Transportation Benefit District Proposition
21 One, which will provide an estimated \$50,000,000 annually for additional transit service
22 over six years, and in 2016 voters region-wide may be asked to consider a measure to

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1 expand light rail by funding Sound Transit 3, and both of these measures can be
2 complemented and leveraged with additional Seattle investment through a levy; and

3 WHEREAS, in 2006 the City developed and City Council adopted Resolution 30915 which
4 specified a 20-year funding plan for transportation and assumed a second property tax
5 levy to follow Bridging the Gap; and

6 WHEREAS, on March 18, 2015, the City released a draft transportation levy proposal to replace
7 the Bridging the Gap transportation levy organized around the core Move Seattle
8 principles, and asked for community feedback on the priorities it funded; and

9 WHEREAS, three open house meetings, 35 community briefings attended by 750 people, five
10 coffee hour discussions, one webinar, and drop-in sessions at libraries, community
11 centers and farmers markets, along with an online survey, generated over 8,000
12 comments and 5,300 survey responses on the proposed levy; and

13 WHEREAS, those comments have been incorporated and used to inform the proposal; and

14 WHEREAS, spending of future levy dollars will be directed by the City's commitment to social
15 equity and equity in City contracting to advance the mission to promote race and gender
16 equity in contracting as outlined in Executive Order 2014-03, Equity in City Contracting,
17 and Seattle Municipal Code Chapter 20.42, Equality in Contracting; NOW,

18 THEREFORE,

19 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

20 Section 1. Definitions. As used in this ordinance, the following words when capitalized
21 have the following meanings:

22 "City" means The City of Seattle.

23 "Director" means the Director of Finance.

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1 "Levy Proceeds" means that portion of regular property taxes levied and collected as
2 authorized by voter approval pursuant to this ordinance that are above the growth limit on levies
3 in RCW 84.55.010, and all interest and other earnings thereon, and, if the City issues bonds,
4 notes, interfund loans, or other evidences of indebtedness payable wholly or in part from the
5 additional taxes authorized under this ordinance, as permitted by Section 4 of this ordinance,
6 then Levy Proceeds also includes the proceeds of those bonds, notes, interfund loans, or other
7 evidences of indebtedness.

8 "Transportation Improvements" means the categories and program areas referred to in
9 Section 6, with such modifications as the City may from time to time authorize by ordinance.

10 Section 2. Levy of Regular Property Taxes Submittal. The City hereby submits to the
11 qualified electors of the City a proposition as authorized by RCW 84.55.050 to exceed the levy
12 limitation on regular property taxes contained in RCW 84.55.010 for property taxes levied in
13 2015 through 2023 for collection in 2016 through 2024, respectively, solely for the purpose of
14 raising up to ~~\$930,600,000,000~~ in aggregate over a period of up to nine years for transportation
15 purposes. The proposition shall be limited so that the City shall not levy more than
16 ~~\$95,000,000~~ 61,250,000 in the first year, in addition to the maximum amount of regular property
17 taxes it could have levied consistent with RCW Chapter 84.55 in the absence of this ordinance.
18 Pursuant to RCW 84.55.050(4), the maximum regular property taxes that may be levied in 2024
19 for collection in 2025 and in later years shall be computed as if the limit on regular property
20 taxes had not been increased under this ordinance.

21 Section 3. Deposit of Levy Proceeds. All Levy Proceeds shall be placed in and
22 segregated within the Transportation Fund. The Levy Proceeds may be temporarily deposited or
23 invested in such manner as may be lawful for the investment of City money and all investment

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1 earnings shall be deposited in the Transportation Fund. The Director of Finance is authorized to
2 create other subfunds or accounts as may be needed to implement the purposes of this ordinance.

3 Section 4. Bond and Notes. To the extent permitted by applicable law the City may
4 issue-bonds, notes, or other evidences of indebtedness payable wholly or in part from the
5 additional-taxes authorized under this ordinance, and may pledge and may apply such taxes to
6 the payment of principal of, interest on, and premium (if any) on such bonds, notes, or other
7 evidences of indebtedness and to the payment of costs associated with them.

8 Section 5. Use of Levy Proceeds. The Levy Proceeds shall be used solely for
9 Transportation Improvements in accordance with the provisions in Section 6 and in accordance
10 with RCW 84.55.050. If the Council does not appropriate or transfer at least \$40,000,000 in the
11 annual budget for transportation purposes from the general fund; the Council may not levy any
12 taxes authorized by this ordinance, for collection in the following budget year, unless the City
13 Council by a 3/4 vote determines that economic or financial conditions prevent the Council from
14 appropriating the \$40,000,000.

15 Section 6. Transportation Improvements. Transportation improvements will occur in
16 four categories: safety, interconnectivity, affordability, and vibrancy. The projects and program
17 areas listed under the categories below are representative of the activities that will be undertaken
18 within each.

- 19 1. Safety
- 20 a. Bridges & Structures
- 21 i. Bridge and Structures Maintenance
- 22 ii. Bridge Seismic Improvements
- 23 iii. Bridge Replacement
- 24 b. Vision Zero
- 25 i. Safety Corridors
- 26 ii. Safe Routes to School
- 27 iii. Signs and Markings

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- 1 iv. Transportation Operations
- 2 c. Pedestrian and Bicycle Safety
- 3 i. Sidewalk Repair
- 4 ii. Protected Bicycle Facilities & Neighborhood Greenways
- 5
- 6 2. Affordability
- 7 a. Street Maintenance
- 8 i. Arterial Roadway Maintenance
- 9 ii. Paving Spot Improvements
- 10
- 11 3. Interconnectivity
- 12 a. Pedestrian and Bicycle Infrastructure Improvements
- 13 i. Curb Ramps and Crossing Improvements
- 14 ii. New Sidewalks
- 15 b. Light Rail Partnership Improvements
- 16 c. Corridor Mobility Improvements
- 17 i. Multimodal Improvements
- 18 ii. Transit—Speed and Reliability Improvements & Bus Rapid Transit
- 19 iii. Signal Maintenance & Optimization
- 20 iv. Intelligent Transportation Systems (ITS)
- 21
- 22 4. Vibrancy
- 23 a. Neighborhood Projects
- 24 b. Tree Trimming and Planting
- 25 c. Drainage Partnerships
- 26 d. Freight Mobility Improvements
- 27 i. Spot Improvements
- 28 ii. Partnership Improvements – Lander Street Overpass
- 29 iii. Heavy Haul Network – E Marginal Way
- 30

31 These program elements are illustrative examples. In the annual City budget or by
32 separate ordinance, the City shall from year-to-year determine the Transportation Improvements
33 and funding allocations that will most effectively achieve the Levy goals and outcomes. Within a
34 budget year the City is authorized to reallocate unexpended and unencumbered funds from one
35 core strategy to another by making operating budget transfers consistent with Seattle Municipal
36 Code 5.08.020.

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1 The City will seek to maximize the potential of the Levy Proceeds by pursuing
2 complementary grant funds, by engaging in partnerships with other agencies, and by identifying
3 improvements in efficiencies and effectiveness.

4 Section 7. Oversight Committee. Conditioned upon voter approval of the ballot
5 proposition submitted by this ordinance, there is established an Oversight Committee to monitor
6 revenues, expenditures, and program and project implementation, and to advise the City Council,
7 the Mayor and the Seattle Department of Transportation on responding to program and project
8 cost savings or overruns. The Committee will annually review the Seattle Department of
9 Transportation's program and project priorities, spending and revised financial plans. The
10 Oversight Committee may make recommendations to the Mayor and City Council regarding the
11 spending of Levy Proceeds.

12 The Oversight Committee shall consist of 16 members: a City Council member (the
13 Chair of the City Council's Transportation Committee or its successor committee with
14 responsibility for transportation); the City Budget Director; one representative each chosen by
15 and from among the respective members of the Seattle Pedestrian Advisory Board, Seattle
16 Bicycle Advisory Board, Seattle Transit Advisory Board, and Seattle Freight Board; five Seattle
17 residents appointed by the City Council; and five Seattle residents appointed by the Mayor.

18 The initial terms for appointed members shall be four years, except for two two-year
19 terms (one mayoral appointee and one Council appointee) and four three-year terms (two
20 mayoral appointees and two Council appointees). Subsequent terms for all appointed members
21 shall be four years. The terms shall commence on January 1, 2016. Upon the resignation,
22 retirement, death, incapacity or removal of an Oversight Committee member, the authority
23 appointing such member may appoint a replacement for the balance of the term. Late

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1 appointments or confirmations shall also be for the balance of a term. All five members
2 appointed by the Mayor shall be subject to confirmation by the City Council.

3 The Oversight Committee will select a chair and may adopt rules for its own procedures,
4 including quorum requirements and the frequency of meetings. Meetings of the Oversight
5 Committee will be open to the public consistent with the Open Public Meetings Act, RCW
6 Chapter 42.30. The Oversight Committee will publish annual reports to the Mayor, City Council,
7 and people of Seattle. Between January 1 and April 30 of 2024, the Oversight Committee is
8 requested to make a recommendation to the Mayor and City Council regarding the advisability of
9 proposing to the voters of Seattle another levy to authorize additional property taxes for
10 implementation of transportation improvements.

11 The factors to be considered by the Oversight Committee in making any such
12 recommendations will include, but are not limited to: (a) the City's success in project
13 implementation, including its ability to manage and control project costs; (b) the availability of
14 alternative revenue sources that provide a more direct link between the tax or fee paid and the
15 use of the City's transportation system; and (c) the underlying need for funding to support the
16 uses identified in Section 6. The Mayor and the Council will consider any timely
17 recommendations that may have been made by the Oversight Committee.

18 The Seattle Department of Transportation shall provide staff and logistical support for the
19 Oversight Committee. Members shall serve without pay but may be reimbursed for their
20 expenses, including payments for child care while attending meetings. The Oversight
21 Committee shall continue in existence through December 31, 2024, and thereafter if so provided
22 by ordinance.

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1 Section 8. Reporting. The Director of Transportation will prepare and submit to the City
2 Council, the Mayor, and the Oversight Committee an annual progress report on the
3 implementation of improvements funded by the levy. The Director of Transportation will also
4 annually revise and deliver to the City Council, the Mayor and the Oversight Committee a
5 Transportation Improvements financial plan.

6 Section 9. Election Ballot Title. The City Council directs that the City Clerk file this
7 ordinance with the Director of Elections of King County, Washington, as ex officio supervisor of
8 elections, requesting that the Director of Elections call and conduct a special election in the City
9 in conjunction with the state general election to be held on November 3, 2015, for the purpose of
10 submitting to the qualified electors of the City the proposition set forth in this ordinance.

11 The City Clerk is directed to certify to the King County Director of Elections the ballot
12 title approved by the City Attorney in accordance with the City Attorney’s responsibilities under
13 RCW 29A.36.071 and RCW 29A.72.050. The following ballot title containing a statement of
14 subject and concise description are submitted to the City Attorney for consideration:

15 CITY OF SEATTLE

16 PROPOSITION NO. 1

17 The City of Seattle’s Proposition 1 concerns replacing funding for citywide transportation
18 maintenance and improvements.

19 If approved, this proposition would replace an expiring levy and fund bridge seismic upgrades,
20 transit corridor and light rail station access projects, pedestrian and bicycle safety projects,
21 upgraded and synchronized traffic signals, street maintenance and improvements, freight
22 mobility projects, and neighborhood street fund projects.

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1 It authorizes regular property taxes above RCW 84.55 limits, allowing collection of up to
2 ~~\$95,000~~61,250,000 in 2016 and up to ~~\$93600~~,000,000 over nine years. The 2016 total regular tax
3 limit would be \$3.60/\$1,000 assessed value, including approximately \$0.~~6240~~ additional taxes.

4 Should this levy be approved?

5 Levy, Yes

6 Levy, No

7

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1 Section 10. Section Titles. Section titles are for convenient reference only and do not
2 modify or limit the text of a section.

3 Section 11. Severability. In the event any one or more of the provisions of this
4 ordinance shall for any reason be held to be invalid, such invalidity shall not affect any other
5 provision of this ordinance or the levy of the additional taxes authorized herein, but this
6 ordinance and the authority to levy those taxes shall be construed and enforced as if such invalid
7 provisions were not contained in this ordinance; and any provision that may for any reason be
8 held invalid shall be deemed to be in effect to the extent permitted by law.

9 Section 12. Ratification. The City Clerk's certification to the King County Director of
10 Records and Elections of the proposition referred to in Section 9, and any other acts taken after
11 the passage of this ordinance and consistent with its authority, are hereby ratified and confirmed.
12

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1 Section 13. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the ____ day of _____, 2015, and
5 signed by me in open session in authentication of its passage this ____ day of
6 _____, 2015.

7
8 _____
9 President _____ of the City Council

10
11 Approved by me this ____ day of _____, 2015.

12
13 _____
14 Edward B. Murray, Mayor

15
16 Filed by me this ____ day of _____, 2015.
17
18 _____
19 Monica Martinez Simmons, City Clerk

20
21
22 (Seal)

23