



Legislation Text

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CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to transportation; providing for the submission to the qualified electors of the City at an election to be held on November 5, 2024, a proposition authorizing the City to levy regular property taxes for up to eight 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; applying RCW 84.36.381's senior citizens and disabled persons exemption; and ratifying and confirming certain prior acts.

WHEREAS, Seattle is currently updating its Comprehensive Plan to accommodate a population expected to approach nearly a million people by 2044 served by an abundant supply of housing concentrated in walkable, mixed-use, transit-rich Regional Centers, Urban Centers and Neighborhood Centers that will need to be served by a more robust and modern transportation system that is well-maintained, safe, sustainable, and multi-modal; and

WHEREAS, the draft One Seattle Comprehensive Plan Update foresees 158,000 added jobs in Seattle over the next 20 years that will require a more efficient transportation system to ensure access to those jobs for people who reside within the City, as well as those who commute to jobs in Seattle from around the rest of the Puget Sound region; and

WHEREAS, Seattle is a built-out city where the only way to create additional capacity is through efficient use of our existing network of streets that needs to support the above-cited growth in residents and jobs without creating added noise and emissions of greenhouse gases and other pollutants, while preserving capacity for moving goods; and

WHEREAS, Seattle's transportation system must accommodate the City's goals of promoting more economic

vibrancy within neighborhood business districts, manufacturing and industrial centers, and across the city and greater Puget Sound region; and

WHEREAS, the City has a Vision Zero goal of ending traffic deaths and serious injuries by 2030; and

WHEREAS, transportation policies and decisions over the last century have had a profound impact on public health, especially within lower income and communities of color, whether through disproportionate impacts from diesel particulate and other harmful air emissions, to higher levels of noise pollution, as well as higher proportions of traffic deaths and serious injuries; and

WHEREAS, as a city, state, and nation we have concentrated transportation investments in ways that have only reinforced patterns of redlining and other government policies that limited housing options to communities of color by directing investments away from those communities into the wealthier and whiter communities that have historically had more power to advocate for their needs and desires with elected officials; and

WHEREAS, these disproportionate impacts have resulted in measurably less access to educational and work opportunities for communities of color as well; and

WHEREAS, in 2018, the City convened a Transportation Equity Workgroup consisting of community members most impacted by transportation inequities that, in 2021, issued a Transportation Equity Framework to build on the City's 2004 Race and Social Justice Initiative with a guide for Seattle Department of Transportation (SDOT) decision-makers, employees, stakeholders, partners, and the greater community to collaboratively create an equitable transportation system; and

WHEREAS, the City aims to invest in transportation improvements equitably, consistent with Ordinance 126799, Seattle's Race and Social Justice Initiative, and SDOT's Transportation Equity Framework while also advancing race and gender equity in contracting as outlined in Executive Order 2023-07, Equity and Opportunity in City Contracting, and Seattle Municipal Code Chapter 20.42, Equality in Contracting; and

WHEREAS, voter-approved transportation funding has become a necessity due to state policies that prevent the City's General Fund revenues from keeping up with inflation or population growth while more traditional sources of funding for maintenance and capital improvements such as local share gas tax, federal earmarks, federal block grants programs, and more localized local-improvement districts have diminished or disappeared altogether; and

WHEREAS, the first Seattle transportation levy, Bridging the Gap, funded significant transportation system maintenance and upgrades, and met or exceeded nearly all of the commitments made as part of the voter-approved measure, including the paving of 225 lane-miles of streets, rehabilitation or seismic retrofit of 12 bridges, replacement of 90,000 street signs, enhancement of three transit corridors, construction of 120 blocks of new sidewalk, restriping of 5,000 crosswalks, implementation of 48 Safe Routes to School projects and 30 Neighborhood Street Fund projects and development of a robust asset management program that has identified and catalogued the condition of transportation assets and their maintenance needs; and

WHEREAS, the 2015 Levy to Move Seattle built on the successes of Bridging the Gap by increasing funding for system maintenance and upgrades, and is on target to meet or exceed nearly all of the commitments made as part of the voter-approved measure, including the paving of an estimated 180 lane-miles of streets, rehabilitation or seismic retrofit of 16 bridges, replacement of 30,000 street signs, enhancement of seven transit corridors, construction of 250 blocks of new sidewalk, restriping of 13,075 crosswalks, implementation of 207 Safe Routes to School projects and 35 Neighborhood Street Fund projects and significant enhancement of the asset management system first developed and deployed through the previous Bridging the Gap Levy; and

WHEREAS, the Levy to Move Seattle expires at the end of 2024 and the funding it provides needs to be replaced to continue critical maintenance and modernization of Seattle's transportation system; and

WHEREAS, the \$930 million in Levy to Move Seattle revenues leveraged another \$400 million in grants and

partnership funds and, thanks to the Bipartisan Infrastructure Law and other opportunities that have emerged in recent years, a new levy is expected to leverage significant outside funding for City transportation improvements; and

WHEREAS, these critical maintenance and modernization needs include safety improvements that will make bridges and streets safer, better maintain streets and sidewalks, and accommodate safer travel across all modes; and

WHEREAS, careful maintenance of transportation infrastructure today can lessen the expense of increased maintenance tomorrow; and

WHEREAS, the need to facilitate safe and reliable movement of freight and goods is essential to an economically vibrant city, and approximately 95,000 people - or 15 percent of all jobs in Seattle - are employed within the city's two manufacturing and industrial centers; and

WHEREAS, through Resolution 32131 the City Council has adopted the Seattle Transportation Plan, a multi-modal transportation vision and strategy for the next 20 years that, combined with SDOT's Asset Management Strategy and Vision Zero Program, will help the department prioritize investments to meet the goals of the new One Seattle Comprehensive Plan along with maintaining funding for the maintenance, safety, and equity needs cited above; and

WHEREAS, the Seattle Transportation Plan is rooted in a vision of Seattle in 2044, conceptualizing an equitable, vibrant, and diverse city where moving around is safe, fair and sustainable, built around the goals of safety, equity, sustainability, mobility and economic vitality, livability and maintenance, and modernization; and

WHEREAS, the Seattle Transportation Plan was co-created through robust and extensive involvement with community and stakeholders, including three inclusive phases of engagement that resulted in over 78,000 individual data points from: over 9,000 people; more than 130 community events attended; nearly 100 meetings and briefings; over 60,000 visits to an online engagement hub; and over 170 social

media posts; and

WHEREAS, the adopted Seattle Transportation Plan sets forth several goals to guide future investments in transportation, including prioritizing safety for all travelers, restorative practices to address transportation related inequities, responding to climate change through innovation and a lens of climate justice, providing reliable and affordable travel options that help people and goods get where they need to go, reimagine city streets with places for people to safely linger and play, and improving city infrastructure for the future; and

WHEREAS, Mayor Harrell released a draft transportation levy proposal on April 4, 2024, and since then the City has received over 1,000 additional comments; and

WHEREAS, those comments have been incorporated into this proposal through additional investments in sidewalks, transit reliability, bike network expansion, neighborhood safety improvements, preventative bridge maintenance and Transportation Funding Task Force to address longer term needs for sidewalks, bridges and other transportation infrastructure needs; and

WHEREAS, The City of Seattle intends to place a levy proposal on the November 5, 2024, general election ballot to replace the expiring Levy to Move Seattle in order to continue to meet the City's transportation needs over the next eight years; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

"City" means The City of Seattle.

"Levy Proceeds" means that portion of regular property taxes levied and collected as authorized by voter approval pursuant to this ordinance that are above the growth limit on levies in RCW 84.55.010, and all interest and other earnings thereon, and, if the City issues bonds, notes, interfund loans, or other evidences of indebtedness payable wholly or in part from the additional taxes authorized under this ordinance, as permitted

by Section 4 of this ordinance, then Levy Proceeds also includes the proceeds of those bonds, notes, interfund loans, or other evidences of indebtedness.

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

Section 2. Levy of Regular Property Taxes Submittal. The City submits to the qualified electors of the City a proposition as authorized by RCW 84.55.050 to exceed the levy limitation on regular property taxes contained in RCW 84.55.010 for property taxes levied in 2024 through 2031 for collection in 2025 through 2032 respectively, solely for the purpose of raising up to \$1,450,000,000 in aggregate over a period of up to eight years for transportation purposes. The proposition shall be limited so that the City shall not levy more than \$175,000,000 in the first year, in addition to the maximum amount of regular property taxes it could have levied consistent with chapter 84.55 RCW in the absence of this ordinance. Subsequent levies' limitation computations incorporate 2025's levy dollars. In accordance with RCW 84.36.381 and RCW 84.55.050, the City exempts the proposed increased regular property taxes for certain seniors, veterans with disabilities, or other persons with disabilities who qualify under 84.36.381. Pursuant to RCW 84.55.050(4), the maximum regular property taxes that may be levied in 2032 for collection in 2033 and in later years shall be computed as if the limit on regular property taxes had not been increased under this ordinance.

Section 3. Deposit of Levy Proceeds. Unless otherwise directed by ordinance, all Levy Proceeds shall be deposited in the Transportation Levy Fund to fund Transportation Improvements. The Levy Proceeds may be temporarily deposited or invested in such manner as may be lawful for the investment of City money and all investment earnings shall be deposited in the Transportation Levy Fund. The Director of Finance is authorized to create other accounts within the Transportation Levy Fund as may be needed or appropriate to implement the purposes of this ordinance.

Section 4. Bond and Notes. To the extent permitted by applicable law, the City may issue bonds, notes, or other evidences of indebtedness payable wholly or in part from the additional taxes authorized under this

ordinance, and may pledge and may apply such taxes to the payment of principal of, interest on, and premium (if any) on such bonds, notes, or other evidences of indebtedness and to the payment of costs associated with them.

Section 5. Use of Levy Proceeds. The Levy Proceeds shall be used solely for Transportation Improvements in accordance with the provisions in Section 6 of this ordinance and in accordance with RCW 84.55.050. The City Council expects to appropriate or transfer General Fund revenues in the annual budget for transportation purposes. The minimum annual expected appropriation or transfer (Minimum Annual General Fund Appropriation) is \$50,740,000 in the first year of the levy; the Minimum Annual General Fund Appropriation thereafter shall be increased by an inflationary factor on an annual basis. If the Council does not appropriate or transfer the Minimum Annual General Fund Appropriation in a given year, then the Council may not levy any taxes authorized by this ordinance, for collection in the following budget year, unless the City Council by a 3/4 vote determines that economic or financial conditions prevent the Council from appropriating the Minimum Annual General Fund Appropriation for that year.

The annual inflationary factor will be the lesser of: three percent; or the percent change in the Consumer Price Index for All Urban Consumers in Seattle-Tacoma-Bellevue (CPI-U) for the 12-month period ending in June of the current budget year relative to the 12-month period ending in June of the prior budget year. In the event that the CPI-U for the 12-month period ending in June of the prior budget year is less than zero, the annual inflationary factor will be zero for that year.

Section 6. Transportation Improvements. Transportation Improvements will be focused among the project and program areas, as described in this section and Attachment A to this ordinance, that will be undertaken with the levy revenues.

A. Vision Zero, School and Neighborhood Safety, which includes improvements such as Aurora Avenue and other corridor safety improvements; Safe Routes to School improvements and student safety education; neighborhood-initiated safety partnerships; and a citywide project fund to address emerging neighborhood

concerns and requests;

B. Street Maintenance & Modernization, including arterial street maintenance, paving spot improvements, and curb and pavement markings;

C. Bridges and Structures, including bridge structural repairs and upgrades, preventative bridge maintenance, bridge and seawall replacement project development and design, and areaway improvements;

D. Transit Corridors and Connections, including transit spot improvements, transit ambassadors, corridor project development, Link Light Rail access projects, and RapidRide and Frequent Transit Network corridor improvements;

E. Pedestrian Safety, such as new sidewalks, sidewalk safety repairs, planning for longer term sidewalk and infrastructure solutions, stairway improvements, Americans with Disability Act (ADA) improvements and pedestrian crossing improvements;

F. Signals and Operations, including transportation system optimization and modernization; new traffic signals and major maintenance, sign maintenance, and Transportation Operations Center operations;

G. Bicycle Safety, including neighborhood greenways, bike lane maintenance, new protected bike lanes, upgraded protected bike lanes, and bikeway spot improvements;

H. People Streets and Public Spaces, including People Streets capital program, downtown activation, and People Streets and wayfinding improvements, and pedestrian lighting;

I. Climate and Resiliency, including transportation electrification, Low Pollution Neighborhoods implementation, and urban forestry improvements and maintenance; and

J. Freight and Goods Movement, including freight spot improvements, Heavy Haul Network support, and major truck street paving and bridge repair projects.

In the annual City budget or by separate ordinance, the City shall from year-to-year determine the Transportation Improvements and funding allocations that will most effectively achieve the Levy goals and outcomes. Within a budget year, the City is authorized to reallocate unexpended and unencumbered funds from

one project or program to another by making operating budget transfers consistent with Seattle Municipal Code Section 3.14.220.

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

Section 7. Oversight Committee. Conditioned upon voter approval of the ballot proposition submitted by this ordinance, there is established an Oversight Committee to monitor revenues, expenditures, and program and project implementation, and to advise the City Council, the Mayor and the Seattle Department of Transportation on the spending of Levy Proceeds consistent with this proposition in order to ensure transparency and accountability to Seattle taxpayers. The Committee will annually review the Seattle Department of Transportation's program and project priorities, spending, and revised financial plans. The Oversight Committee may make recommendations to the Mayor and City Council regarding the spending of Levy Proceeds.

The Oversight Committee shall consist of 18 members: the City Budget Director; one representative each chosen by and from among the respective members of the Seattle Pedestrian Advisory Board, Seattle Bicycle Advisory Board, Seattle Transit Advisory Board, and Seattle Freight Board; a young member selected through the Get Engaged program, seven Seattle residents appointed by the City Council held by a representative of each Council District; and five Seattle residents appointed by the Mayor. Consistent with the City's Race and Social Justice Initiative and (Ordinance 126799) and the Department's Transportation Equity Framework, SDOT shall strive to ensure that at all times at least four members of the Levy Oversight Committee, whether in appointed or designated seats, represent census tracts identified Highest and Second Highest Equity Priority under the City of Seattle Racial and Social Equity Index.

The initial terms for appointed members shall be four years. The terms shall commence on January 1, 2025. Upon the resignation, retirement, death, incapacity, or removal of an Oversight Committee member, the

authority appointing such member may appoint a replacement for the balance of the term. Late appointments or confirmations shall also be for the balance of a term. All five members appointed by the Mayor shall be subject to confirmation by the City Council. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment. A member whose term is ending may continue on an interim basis as a member with voting rights until such time as a successor for that position has been appointed or, for the five residents appointed by the Mayor, confirmed.

The Oversight Committee will select a leadership team, which may consist of a chair, co-chairs, vice-chair, secretary, or other roles, and may adopt rules for its own procedures, including quorum requirements and frequency of meetings. Meetings of the Oversight Committee will be open to the public consistent with the Open Public Meetings Act, chapter 42.30 RCW.

Between January 1 and April 30 of 2032, the Oversight Committee may make a recommendation to the Mayor and City Council regarding the advisability of proposing to Seattle voters a replacement levy that would continue funding transportation improvements once this one expires at the end of 2032.

The factors to be considered by the Oversight Committee in making any such recommendations will include but are not limited to: (a) the City's success in project implementation, including its ability to manage and control project costs; and (b) the underlying need for funding to support the uses identified in Section 6 of this ordinance. The Mayor and City Council will consider any timely recommendations that may have been made by the Oversight Committee.

The Seattle Department of Transportation shall provide staff and logistical support for the Oversight Committee. The Oversight Committee shall continue in existence through December 31, 2032, and thereafter if so provided by ordinance.

Section 8. Reporting. The Director of Transportation will prepare and submit to the City Council, the Mayor, and the Oversight Committee an annual progress report on levy spending and project and program delivery. The Oversight Committee will work with City staff in the first year of the levy to determine an

evaluation and reporting structure and cadence that best allows the Oversight Committee to perform their oversight duties. The Director of Transportation will also annually revise and deliver to the City Council, the Mayor, and the Oversight Committee a Transportation Improvements financial plan.

Section 9. Election Ballot Title. The City Council directs that the City Clerk file this ordinance with the Director of Elections of King County, Washington, as ex officio supervisor of elections, requesting that the Director of Elections call and conduct a special election in the City in conjunction with the general election to be held on November 5, 2024, for the purpose of submitting to the qualified electors of the City the proposition set forth in this ordinance. The City Clerk is directed to certify to the King County Director of Elections the ballot title approved by the City Attorney in accordance with the City Attorney’s responsibilities under RCW 29A.36.071. The following ballot title containing a statement of subject and concise description is submitted to the City Attorney for consideration:

CITY OF SEATTLE

PROPOSITION NO. 1

The Mayor and Seattle City Council passed Ordinance XXXX, concerning replacing funding for citywide transportation maintenance and improvements.

If approved, this proposition would replace an expiring levy to fund safety and access projects, such as: paving, sidewalk and bridge maintenance, and infrastructure modernization; transit improvements; improved connections to light rail; new sidewalks; and climate pollution reductions.

It authorizes an eight-year increase of approximately \$0.59/\$1,000 in assessed value, for collection beginning in 2025. It cannot increase the City’s total rate above \$3.60/\$1,000. Subsequent levies’ limitation computations incorporate 2025’s levy dollars. RCW 84.36.381’s senior citizens and disabled persons exemption applies.

Should this levy be approved?

Levy, Yes

Levy, No

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

Section 11. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances, including the validity of authorizing additional taxes by levy.

Section 12. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 13. Those portions of this ordinance providing for the submission of a ballot proposition to the voters shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070. Those portions of this ordinance that are dependent upon voter approval of said ballot proposition shall take effect in accordance with applicable law.

Passed by the City Council the _____ day of _____, 2024, and signed by me in open session in authentication of its passage this _____ day of _____, 2024.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2024.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2024.

Scheereen Dedman, City Clerk

(Seal)

Attachments:
Attachment A - Transportation Levy Spending Breakdown