

**Regional Transit Authority**

**April 28, 1995**

**Board Meeting Minutes**

**Call to Order**

The meeting was called to order at 1:40 p.m. in the Plaza Room of the Edmonds Public Library, 650 Main Street, Edmonds by Chairman Laing.

**Attendance**

**Chair:**

Bruce Laing, King County Council

**Vice Chair:**

Dave Earling, Edmonds Councilmember

**King County:**

Martha Choe, Seattle City Councilmember

Don Davidson, Bellevue Mayor

May Gates, Federal Way Mayor

Jane Hague, King County Councilmember

Greg Nickels, King County Councilmember

**Pierce County:**

Sharon Boekelman, Bonney Lake Councilmember

**Snohomish County:**

Ed Hansen, Everett Mayor

**Washington State Department of Transportation:**

Sid Morrison, Secretary

**Public Comment**

The following individuals presented comments to the Board:

Mr. Richard Tate, Seattle

Mr. Mark Dublin, Ballard

Mr. Douglas Tooley, Seattle

Mr. Rob Morrison, Edmonds

**Report of the Chair**

Mr. Laing covered the action taken by the King County Council regarding RTA funding. Motion 9548 was adopted by the King County Council by a vote of eight in favor and five opposed. The motion authorizes the King County Executive to enter into an agreement with the RTA for the disposition of \$1.5 million as a loan to the RTA for 1995. Of this amount, \$930,000 would flow to the RTA by May 1; the balance would flow to the RTA after July 1 and after a meeting between the RTA staff and the Department of Metropolitan Services in which the RTA would present its work program incorporating items listed on the second page of the motion.

He reported that the motion that was adopted is very close to the motion passed by the Council's Transportation Committee. The issue before the King County Council was whether to adopt the motion in this form or one that came from the Budget and Finance Committee that had additional requirements before funds would be available to the RTA after July 1. Both motions would have provided the \$930,00 prior to May 1. The differences related to the showings the RTA would make prior to the flow of the balance of the funds.

He indicated that there is a conviction on the part of many King County Councilmembers that Metro has offered more than its proportional share to support the RTA from local sources and that there must be a better balance. The other motion would have required a correction of that imbalance prior to the flow of resources in the second half of the year. It is the contention that this is an issue of fairness which the Board should address.

He then reported on the meeting with the conference committee of the two Transportation Committees of the Legislature. This committee is made up of three members from the Senate Transportation Committee and three from the House Transportation Committee. Methods of reaching agreement between what the Senate adopted for the HCT and what the House adopted were discussed. The House version of the budget didn't contain any HCT funds for the RTA. The Senate version of the budget included \$2.5 million from sources in the new biennium plus \$700,000 which would be rolled over from this biennium, for a total of \$3.2 million. Attending the meeting were Mr. Laing, Mr. Earling, RTA Board Vice Chair, Mr. Madsen, Legislative Task Force Chair, Mr. Morrison, Ms. Hague, Mr. Drewel and Mr. Sutherland.

With regard to policy differences, the Senate members agree to the proposition that the RTA should continue under its existing enabling legislation and use these resources to reformulate a proposal for a first phase and go back to the electorate when the RTA decides doing so is appropriate. House members, however, feel the RTA should be terminated or it should use resources available to it to do outreach to parties who opposed Phase 1 and those who supported it and the general public and address the issue of whether the RTA's mandate should be broadened.

House members feel that the RTA, rather than being a transit authority, should be a regional mobility or regional transportation authority, able to plan development of and devote resources to more than just the transit portion of the transportation needs in the region.

The RTA message to the committee was to ask for resources to complete the mandate under the existing enabling legislation. There has been conversation and there is some feeling about consideration to change the enabling legislation. The RTA was not arguing against that and if the Legislature decides it should be changed, would be willing participants. For now, the mandate is to proceed and advance the first phase of an HCT system in this region and the budget and work program are based on that assumption.

Mr. Laing indicated that in responding to a question regarding the consideration of broader authority, Mr. Drewel presented a letter from the three county executives addressed to each of the Chairs. It proposed convening a transportation summit within the region.

Following the presentation by Board members, the Committee had asked questions of the RTA. Finance Director, Jan Hendrickson presented the proposed budget and work program utilizing resources should the \$3.2 million be available.

Ms. Hague made a presentation. There was also a presentation by FACT. The main points were that the Legislature should transform the RTA into a body with a broader mandate for regional mobility. Such an agency should not be a implementor, but be a resource that would provide financial resources to others who would implement the system, such as WSDOT, the counties and cities in the area. And that if such a reformation isn't made, then the Legislature should terminate funding of the RTA. If dollars go to the RTA and the new plan contains a significant rail portion, they will be there to argue against it. The conference committee asked the RTA to come back and respond to specific questions about the budget, such as line items for staff and salary and related issues of justifying amounts in the budget.

Mr. Morrison reported that the presentations were better received than anything that has happened in the last several months regarding the RTA. He said that he thought there was real potential for continued funding. The question would be what sort of strings might be attached.

Mr. Laing gave a synopsis of presentations regarding the factors that might have contributed to the defeat of Phase I on the March 14 ballot which had been given to the King County Council Committee of the Whole.

Participating in that discussion were FACT members Hil Hornung, Bill Eager, and Betsy Howe; Val Cunningham and Chris Chris Clifford of Rural Citizens Alliance; John Cochenour, Master Builders of King and Snohomish Counties. There were also comments from Lynn Claudon, Mike Vaska, Steve Leahy and Dick Armstrong.

### Executive Director Report

Mr. Matoff indicated that after last Friday's workshop, senior staff met with Mr. Laing who said his reading of the workshop was tending toward a budget and work program along the lines of Option C. He felt it might be useful to begin preparation of a budget along those lines.

One of the principal features of that option would be to reduce staff to 30 full-time equivalents (FTEs). In anticipation, open positions have been frozen and interns have been terminated. Under the RTA's interlocal agreement with King County, 60 days' notice of the return of staff is required, and they have been notified of the return of up to 15 employees, with the actual number to be determined once the Board makes a decision on the work program and the budget. He said that it would be useful if the Board were in a position to adopt a budget by the end of May so those employees being returned can have a full 30 days' notice.

Mr. Laing mentioned that King County is in the process of doing a reduction in force related to consolidation efforts and it is not a matter of those staff going back to continuing permanent status.

Mr. Matoff agreed that as a result of the consolidation, Metro was downsizing and while the RTA was trying to minimize the impact on our staff, those returning to Metro had no expectations of permanent jobs there.

Mr. Laing stated that as a responsible employer, the RTA has an obligation to its employees. The RTA is in a position of having to lay off a number of employees and should give them as much lead time as possible.

### Report of April 14 and 21, 1995 Board Workshops

Mr. Laing reported that he had directed staff to prepare a budget for the Finance Committee, by using May 1996 as an example of an election date, but that the election date issue had not been brought to closure.

### M/W/DBE Task Force

Ms. Choe asked Alec Stephens, M/W/DBE program supervisor, to report. He said that the task force had reviewed the draft DBE program and would decide whether to submit that to the Board and then to the Federal Transit Administration (FTA) along with the draft goals, which is pursuant to the requirements of a pending grant application with the FTA.

The task force also discussed RTA's participation in the disparity study, specifically as it related to budget.

Mr. Morrison mentioned to Ms. Choe that there were several pointed questions from legislators about making an investment in this program when the RTA has no work to be put on the street. He suggested time be invested in explaining that the program has to be established in order to qualify for federal grants.

Ms. Choe added that the RTA does have a requirement to submit a draft goal, since there are federal funds involved.

## Public Involvement Committee

Mr. Earling indicated that the Public Involvement Committee met April 26, 1995 and staff presented a budget status report on the January to June 1995 public involvement budget. Ms. Gates attended this meeting and she presented a written proposal for public involvement.

He asked Ms. Barbara Dougherty, communications manager to review the situational analysis paper provided for Board members. She said that the purpose of the report is to assess the results of our effort with the public to date, which would provide an informed baseline for planning for future efforts.

She concluded with the following areas of vulnerability:

1. There are three sources of public opposition.
2. The plan itself resulted in geographic opposition.
3. Citizens for Sound Transit report that the question of state and federal funding must be resolved.
4. The relationship of the proposal to reducing congestion must be addressed.
5. The implementation period is too long.
6. Time available for educating the public was too short.

## Rules Committee

### Resolution No. 64 - Confirming Signature Authority

It was moved by Mr. Nickels, seconded by Mr. Earling and carried by the unanimous vote of all Board members present that Resolution No. 64 be approved as presented.

### Proposed Schedule for Determining Election Date

Mr. Laing asked Ms. Jan Hendrickson to present the proposed budget and work program based on a spring 1996 election date. She reviewed the Budget Development Discussion Document (copy on file).

Mr. Laing reminded the Board that integral to this budget is the tentative assumption for a ballot date. Establishment of the date is related to the type of public outreach the Board wants to do before it. On the issue of public outreach, he asked Ms. Gates to present her a proposal.

Ms. Gates said that the proposal is a result of several conversations, one with Mr. Nickels in a King County caucus discussion, with some corporate leaders and with SCATBd.

She continued that even though the suburban cities, Seattle and King County are all represented on the RTA Board, there are approximately 35 cities which did not feel the RTA listened to their elected officials and citizens. As a result, the region has been engaged in the transportation discussion and there is a need to get ideas back to the Board.

She said that she thought it would be helpful to have a private sector group go out and do some listening. They would be one-step removed from the RTA. Their role would be to coordinate (schedule, setup, get people there), prompt discussion among participants, respond to questions, canvas experts for answers, and communicate citizens input to the RTA Board. This would allow the Board to create a work plan, deal with citizen concerns from Olympia and fulfill an agreement with Metro/King County. The target date for the election would fall out of these discussions.

Mr. Laing asked legal counsel, Mr. Gunter, to give an overview of differing tax rates. Mr. Gunter stated that the RTA's powers in RCW 81.112 and RCW 81.104 were drafted at different times. The taxes the legislation talks about imposing are MVET and sales taxes within the taxing authority. That language doesn't appear in RCW 81.112. It

talks about the service area. He said he thought it was clear the legislature wanted to be sure the Board and the population understood the benefit and what it would cost.

The planning language has an equity element. That philosophy would tend to support the fact that you could have differing tax levels to be sure you have equity. The problem is it is not clearly articulated so there could be an argument. One section says "rate" and the other says "rates." There is an argument you could differentiate on sales and use taxes. The other language talks about base and classification. When there is an excise gas tax, local government has more flexibility. The enabling legislation doesn't clearly allow that.

With regard to the state constitution, there are two provisions requiring uniformity. One relates to property tax and one deals with municipal corporations. Uniformity means everyone in a classification has to bear the same tax.

There is a reasonable argument for differential tax rates, but it is not a certainty. A revenue ruling or an Attorney General's opinion could be sought.

In terms of legislative intent, it seems to be consistent, although the language in the RCW is arguable.

If the issue is can the RTA do different things with different taxes, the Board has discretion. If the issue is can the RTA vary the MVET depending on what it wants to use it for and in what areas, that is a harder question. The language says "if a motor vehicle is owned by a resident of a taxing district...." Sales tax language talks about reviewing up to a maximum amount. Minor changes in the statute could make these concerns valid.

Mr. Morrison requested that Mr. Gunter research the possibility of a ballot question offering a basic service at a certain rate and then adding on service at a rate above that.

Mr. Laing asked Mr. Earling if the Public Involvement Committee would be willing to work with Ms. Gates to formulate a recommendation to the Board. Mr. Earling indicated the committee would.

Mr. Earling responded that the committee would meet on May 10, and would discuss it then.

#### Other Business

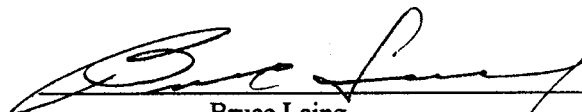
There was no other business.

#### Next Meeting

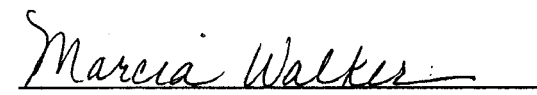
May 12, 1995 from 1:30 to 4:30 p.m. in the King County Courthouse in Seattle.

#### Adjournment

The meeting was adjourned at 4:16 p.m.

  
Bruce Laing  
Chairman of the Board

ATTEST:

  
Marcia Walker  
Board Administrator