

November 19, 1998
motion99
clerk 11/23/98

Introduced By:

MAGGI FIMIA
ROB MCKENNA

Proposed No.:

98-710

MOTION NO. **10598**

A MOTION authorizing the County Executive to enter into agreements with King County small cities to exchange Surface Transportation Program (STP) funds and to facilitate transportation improvements in King County.

WHEREAS, the Puget Sound Regional Council (PSRC) has approved the distribution of federal fiscal year (FFY) 1999-2000 Surface Transportation Program (STP) funds to the jurisdictions in King County in the amount shown in the attached document, Figure 1, and

WHEREAS, King County initiated and facilitated an exchange of STP funds with King County small cities in 1992 and 1997 within the guidelines established by the Federal Highway Administration, and

WHEREAS, the cities included in the 1992 exchange of funds the cities of Algona, Beaux Arts Village, Bothell, Clyde Hill, Des Moines, Enumclaw, Hunts Point, Lake Forest Park, Medina, Milton, Normandy Park, Pacific and Yarrow Point, and

WHEREAS, the 1997 exchange of funds included those same cities and additionally the cities of Issaquah and Burien, and

1 WHEREAS, the allocation results in a level of STP funding for some small
2 agencies that is not adequate or fiscally feasible to support a federal-aid project within the
3 procedural requirements set by the Federal Highway Administration, and

4 WHEREAS, some of the small agencies desire to exchange STP funds with King
5 County in order to make transportation improvements in their jurisdictions that would not
6 qualify as federal-aid highway projects, and

7 WHEREAS, the 1997 exchange of funds resulted in King County's nomination for
8 the Puget Sound Regional Council's Vision 2020 awards, and

9 WHEREAS, the King County Roads Capital Improvement Program could make
10 use of additional federal STP funds;

11 NOW, THEREFORE BE IT MOVED by the Council of King County:

12 A. The county executive is hereby authorized to negotiate STP fund exchanges
13 with interested King County small cities for the exchange of King County's road fund
14 monies for the local agencies' small transportation improvement projects to promote
15 transportation improvements in King County.

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B. The county executive is also hereby authorized to enter into and execute such subcontracts and agreements as are necessary for the implementation of this project.

PASSED by a vote of 13 to 0 this 14th day of December,
1998.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louise Miller
Chair

ATTEST:

Zimmerman
Clerk of the Council

Attachments: Interlocal Agreement

**INTERLOCAL AGREEMENT
FOR SURFACE TRANSPORTATION PROGRAM (STP)
FUND EXCHANGE**

An interlocal agreement between King County (the County) and the City/Town of _____ (the City), hereinafter jointly referred to as "Parties," for the purpose of exchanging federal Surface Transportation Program (STP) funds and King County Road Fund monies to facilitate transportation improvements in King County.

WHEREAS, the Puget Sound Regional Council (PSRC) has approved the distribution of the federal fiscal year (FFY) 1999-2000 Surface Transportation Program (STP) funds in an amount outlined in the attached Figure 1, and

WHEREAS, the King County Project Evaluation Committee (King PEC) has been recognized by the PSRC to represent local governments in King County on matters concerning the federal Intermodal Surface Transportation Efficiency Act (ISTEA) funds, which include STP funds, and

WHEREAS, the King PEC is required to submit a list of King County's STP preservation projects and its STP fund allocations to the Transportation Policy Board of the Puget Sound Regional Council, and

WHEREAS, the King PEC allocation results in a level of STP funding for some small agencies that is not adequate or fiscally feasible to support a federal-aid project within the procedural requirements set by the Federal Highway Administration, and

WHEREAS, some of the small cities desire to exchange STP funds with King County Road Fund monies in order to make transportation improvements in their jurisdictions that would not qualify as federal-aid highway projects, and

WHEREAS, King County could make effective use of additional federal STP preservation funds, and

WHEREAS, it is in the public interest to expedite transportation system improvements, however small, in all jurisdictions in King County;

NOW THEREFORE, in consideration of covenants, conditions, performances and promises contained herein, the parties hereto agree as follows:

SECTION 1. PURPOSE

The purposes of this agreement are:

- A. To ensure coordination and cooperation between King County and the City in making necessary transportation system improvements, however small.
- B. To establish a process by which the City can exchange FFY 1999-2000 STP funds for King County Road Fund monies to expedite transportation improvements and federal fund obligations.

SECTION 2. KING COUNTY FFY 1999-2000 STP FUND ALLOCATION

The allocation of small cities' STP funding was approved by the Puget Sound Regional Council as shown on the attached Figure 1.

- A. Each city's share is established and distributed based upon an agency's critical need for road preservation based on a Pavement Management System or, in the absence of a Pavement Management System, professional judgment.
- B. Each agency's allocation of STP funding, unless it is transferred to another agency by an agreement, must be designated to support proposed transportation preservation improvement project(s), subject to approval by the King PEC and the Puget Sound Regional Council's Transportation Policy Board (TPB).

SECTION 3. FFY 1999 - 2000 STP FUND EXCHANGE WITH KING COUNTY

In order to assist and expedite transportation system improvements, however small, in all jurisdictions in King County, the County may exchange its Road Fund monies for the City's federal fiscal year 1999 and 2000 STP fund allocation.

A. EXCHANGE FUND USAGE

- 1. The King County Road Fund monies transferred to the City must be used for transportation system improvements as described in the City's Six Year Transportation Improvement Program.
- 2. The County must use all STP funds pursuant to the STP provisions of the Intermodal Surface Transportation Efficiency Act and in accordance with the issue paper developed jointly between King County and the Puget Sound Regional Council, "*A Technical Approach to Programming and Assuring Multiyear Roadway Preservation in King County Areas*," dated September 1995.
- 3. King PEC will have final authorization for the use of preservation funds or in determining the eligibility of projects.

SECTION 4. CITY RESPONSIBILITIES

- A. The City shall transmit to the King County Department of Transportation a Street Improvement Program, including the project(s) to be improved with King County Road Fund monies, the cost of the project(s) and expected completion dates within two months of the execution of this agreement.
- B. On receipt of King County Road Fund monies, the City shall not divert local funds normally used for transportation purposes, as the King County Road Fund monies are meant to be supplemental to existing transportation funding.

SECTION 5. COUNTY RESPONSIBILITIES

- A. In accordance with Section 3 of this Agreement, the County shall remit to the City County Road Fund monies equal in amount to the City's STP allocation that has been obligated by the County toward eligible preservation projects, provided that:
 - 1. The County has received the City's Street Improvement Program in accordance with Section 4 of this Agreement, and
 - 2. King County has obligated the STP preservation funds from the City to eligible preservation projects.
- B. King County could be unable to obligate all of the STP funds for all of the small cities that have entered into Interlocal Agreements for Fund Exchange with the County due to the region's current fiscal year obligation authority having been reached or other factors. In that case, King County will remit to each small city that has entered into such Interlocal Agreement that small city's Road Fund monies due under the Interlocal Agreement, in the following order. The County will make the remittances in the order in which the Interlocal Agreements were received by the County, with full payment being made to the first small city before any payment is made to the second small city, and so on, until the total amount of small city STP funds obligated by the County has been reached.
- C. King County will forward an executed copy of this Interlocal Agreement to the PSRC and ensure that the City's STP funds are transferred to King County for subsequent project obligation.

SECTION 6. KING COUNTY PROJECT EVALUATION COMMITTEE

In order to enhance transportation planning and programming of improvements in King County, the County and the City shall coordinate this agreement with the King County Project Evaluation Committee and the PSRC.

SECTION 7. AMENDMENTS AND TERMINATION

Either party may propose amendments to this agreement at any time. Both parties shall negotiate the proposed amendments and shall reach resolution within 90 days. In the event that resolution is not reached within 90 days, the agreement shall automatically expire.

Either party shall have the right to terminate this agreement at any time with or without cause by giving ninety (90) days written notice of its intention to terminate.

SECTION 8. COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS

Both the County and the City shall comply with all applicable laws and regulations, anything herein to the contrary notwithstanding.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date last written below.

KING COUNTY

CITY/TOWN OF _____

King County Executive

Mayor

Date _____

Date _____

Approved as to Form

Approved as to Form

King County
Prosecuting Attorney

City/Town Attorney

Figure 1

July 27, 1998

KING COUNTY PRESERVATION FUNDS (VKING-2)

Federal Funds by Agency Programmed for 1999-2000

King County Small Cities/Towns

CITY	TOTAL 1999-2000	With Extra Swap Request*
Algona	\$ 11,800	
Beaux Arts Village	\$ 1,244	
Bothell	\$ 88,000	
Clyde Hill	\$ 23,902	
Des Moines	0	
Enumclaw	\$ 25,800	
Hunts Point	\$ 5,907	
Issaquah	\$ 67,094	
Lake Forest Park	\$ 42,110	
Medina	\$ 32,756	
Milton	\$ 14,275	\$ 376,275*
Newcastle	\$ 71,386	\$ 50,000**
Normandy Park	0	
Pacific	\$ 13,800	
Yarrow Point	\$ 8,277	
Total	\$ 406,351	
Grand Total	\$ 832,626	

* The City of Milton has requested King County's assistance to exchange Intermodal Surface Transportation Efficiency Act (ISTEA) funds from a previous ISTEA project. After the ISTEA funds were awarded to the City in 1995, they discovered the project did not qualify for the funding. The City still desires to complete the project, with local funds rather than federal funds. An exchange with King County seemed to be one of the easiest solutions, since the Interlocal Agreement for Milton's \$14,275 could be extended to include the additional amount. This arrangement has been approved by the Puget Sound Regional Council and the appropriate awarding group in Pierce County. King County Road Services Division has identified a sufficient amount of eligible road projects to use the additional funds from Milton.

** The City of Newcastle was previously awarded \$50,000 in ISTEA federal funds for an intersection improvement and would like to include this additional amount in the exchange.