



**STAFF REPORT/RESOLUTION**

**TO:** Southwest Washington Regional Transportation Council Board of Directors  
**FROM:** Dean Lookingbill, Transportation Director  
**DATE:** September 24, 2013  
**SUBJECT:** **Fourth Plain Bus Rapid Transit, Resolution 10-13-21**  
**Clark County Commissioner David Madore**

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**AT A GLANCE - ACTION**

*The RTC Board is being asked to adopt a Fourth Plain Bus Rapid Transit resolution at the request of Clark County Commissioner David Madore. The resolution recommends “that it shall be the policy of the RTC Board to discuss, consider, and courteously regard the outcome of the November 2013 advisory vote on Clark County Resolution 2013-07-19 before acting upon a proposal to construct bus rapid transit along Fourth Plain Avenue, City of Vancouver”.*

**BACKGROUND**

The consideration of a Fourth Plain BRT resolution was requested by Commissioner Madore at the September 3, 2013 RTC Board meeting. With Board agreement, RTC Resolution 10-13-21 is attached. In addition the related Clark County advisory vote Resolution 07-19 has also been attached.

**POLICY IMPLICATION**

The Fourth Plain Bus Rapid Transit project is identified in the adopted Metropolitan Transportation Plan. Action in support of this resolution would request that the RTC Board consider the outcome of the November 2013 the Fourth Plain BRT advisory vote before acting upon a proposal to construct the project.

**BUDGET IMPLICATION**

The Fourth Plain BRT project is a C-TRAN project and would have no budget implication to RTC.

**ACTION REQUESTED**

Adoption of Resolution 10-13-21, "Fourth Plain Bus Rapid Transit Project."

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2013,  
by the Southwest Washington Regional Transportation Council.

SOUTHWEST WASHINGTON  
REGIONAL TRANSPORTATION COUNCIL

ATTEST:

\_\_\_\_\_  
William J. Ganley  
Chair of the Board

\_\_\_\_\_  
Dean Lookingbill  
Transportation Director

Attachment

20131001RTCB\_Resol01321\_BRT.docx

## RTC BOARD RESOLUTION

A RESOLUTION to welcome, consider, and courteously regard the vote of the people in a November 2013 Clark County advisory<sup>i</sup> election on bus rapid transit.

WHEREAS, the C-Tran Board placed Proposition 1 on the November 2012 Ballot asking voters for authorization to raise our sales tax to pay for the CRC Light Rail and a proposed Fourth Plain Bus Rapid Transit (BRT) projects, and

WHEREAS, a majority of the voters rejected the proposed funding; and

WHEREAS, the voters have not approved any alternative funding<sup>ii</sup> for the current proposed bus rapid transit project; and

WHEREAS, the people of Clark County, in the November 2013 General Election, will be provided an opportunity to support or reject Clark County proposed Resolution 2013-07-19, which opposes every bus rapid transit project in Clark County unless it is first supported by a majority of the voters in a county-wide advisory vote of the people; and

WHEREAS, the RTC Board includes elected representatives of the people that welcome and wish to consider the vote of the people before substantial funds are spent to construct bus rapid transit.

NOW, THEREFORE, BE IT RESOLVED, that it shall be the policy of the RTC Board to discuss, consider, and courteously regard the outcome of the November 2013 advisory vote on Clark County Resolution 2013-07-19 before acting upon a proposal to construct bus rapid transit along Fourth Plain Avenue, City of Vancouver.

**RESOLVED AND ADOPTED THIS 3rd day of September 2013.**

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<sup>i</sup> It is understood that "advisory" means that the vote results are not binding on the RTC Board. The Board members do not guarantee that they will act in accordance with the election results. The Board may adopt a policy that is opposite to the majority vote of the people.

<sup>ii</sup> State law requires voter approval for a high capacity transportation system plan and financing plan if the system operates principally on an exclusive right of way and as otherwise provided in Ch. 81.104 RCW. The proposed BRT system is to operate principally in a mixed right of way. As such, voter approval is not a requirement. Therefore, the Board is voluntarily seeking voter input to more faithfully represent the people who will be using and paying for the proposed system.

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**PROPOSED**  
**BUS RAPID TRANSIT RESOLUTION 2013-07-19**

A resolution to create a policy of the Board of Commissioners to oppose every Bus Rapid Transit project in Clark County unless it is not first supported by a majority of the voters in a county-wide advisory vote of the people.

**Because** the Clark County Board of Commissioners, as representatives of the Citizens of Clark County, serve as members of various governing boards that may consider High Capacity Transit Bus Rapid Transit transportation projects; and

**Because** the 20-year Transit Development Plan adopted by C-Tran was based on the Columbia River Crossing High Capacity Transit project with Light Rail and Bus Rapid Transit that was closed down as directed by Governors Kitzhaber and Inslee; and

**Because** that plan to connect Bus Rapid Transit to Portland Light Rail at a High Capacity Terminus in Clark County is now obsolete; and

**Because** the 20-year C-Tran plan includes spending up to \$407 million on Bus Rapid Transit projects that will require additional tax increases; and

**Because** the 20-year C-Tran Plan states that High Capacity Transit shall not be funded by diverting existing C-Tran revenues from current operating and capital costs; and

**Because** the C-Tran Adopted Policy states that "any means chosen to finance operations of the HCT component of the CRC project shall be submitted to the impacted C-TRAN voters for approval"; and

**Because** a sales tax increase to fund Bus Rapid Transit and Light Rail operation and maintenance was submitted to the voters and rejected in the November 2012 General Election when voters defeated C-Tran Proposition One; and

**Because** a new 20-year C-Tran plan must be defined based on clear policies that are supported by the affected citizens; and

**Because** the Board of Commissioners wish to seek and respect voter input in a county-wide advisory vote in advance of any board vote on any Bus Rapid Transit project before millions of dollars are spent on it; and

40 **Because** this matter was considered at a duly advertised public hearing, where the  
41 Board of County Commissioners concluded that adoption of this policy would be in the  
42 best interests of the public health, safety and welfare of the Citizens, now therefore:

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44 **BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY**  
45 **COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON AS FOLLOWS:**  
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47 It should be the policy of the Clark County Board of Commissioners to clearly oppose  
48 every Bus Rapid Transit project in Clark County unless it is first supported by a majority  
49 of the voters in a county-wide advisory vote of the people; and

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51 To uphold this policy as board members of C-Tran, the Southwest Washington Regional  
52 Transportation Council, the Metropolitan Policy Advisory Committee (MPAC), and the  
53 Joint Policy Advisory Committee on Transportation (JPACT).

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55 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
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Attest:

Board of Clark County Commissioners:

\_\_\_\_\_  
Rebecca Tilton,  
Clerk to the Board

\_\_\_\_\_  
Steve Stuart, Chair

Approved as to Form Only:  
ANTHONY GOLIK

\_\_\_\_\_  
Tom Mielke, Commissioner

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Clark Co. Prosecuting Attorney  
By his Deputy, Lori L. Volkman

\_\_\_\_\_  
David Madore, Commissioner

1 **RESOLUTION 2013-07-20**

2 **TO PLACE BUS RAPID TRANSIT RESOLUTION 2013-07-19 ON THE BALLOT**

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4 **A Resolution** to place an advisory vote on the November 2013 General Election ballot  
5 to ask citizens for their position on a Bus Rapid Transit policy as described in Proposed  
6 **Resolution 2013-07-19.**

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8 **Because** the Clark County Board of Commissioners, as representatives of the Citizens  
9 of Clark County, serve as members of various governing boards that may consider Bus  
10 Rapid Transit transportation projects; and

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12 **Because** the Clark County Board of Commissioners wishes to be informed of citizen  
13 support of a proposed Bus Rapid Transit policy resolution; and

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15 **Because** the Clark County Board of Commissioners wishes to respect and faithfully  
16 represent their constituents to the extent possible in advance of Bus Rapid Transit  
17 board votes; and

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19 **Because** the Clark County Board of Commissioners believes that the wishes of the  
20 electorate in this instance are best represented by a County-wide vote, which is referred  
21 to as an advisory vote; and

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23 **Because** this matter was considered at a duly advertised public hearing, where the  
24 Board of County Commissioners concluded that placing the issue on the ballot for an  
25 advisory vote would be in the best interests of the public health, safety and welfare of  
26 the Citizens, now therefore:

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28 **BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY**  
29 **COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON AS FOLLOWS:**

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31 The Board requests that the Auditor of Clark County conduct an election on November  
32 5, 2013 for the purpose of submitting to the voters of the County, for their approval or  
33 rejection, Resolution 2013-07-19 which opposes Bus Rapid Transit; and

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35 The Secretary of the Board is authorized and directed to certify, no later than August 6,  
36 2013, to the Auditor a copy of said resolution and the proposition to be submitted at that  
37 election in the form of ballot title as follows:  
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41 Advisory Vote # 2  
42 BUS RAPID TRANSIT ADVISORY VOTE  
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44 Should the Clark County Board of Commissioners approve proposed Resolution 2013-  
45 07-19 which opposes every Bus Rapid Transit project in Clark County unless it is first  
46 supported by a majority of the voters in a county-wide advisory vote of the people?  
47

48  YES  NO  
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50 **Section 3. Authorization of Local Voters' Pamphlet.** The preparation and distribution  
51 of a local voters' pamphlet providing information on the foregoing ballot measure is  
52 hereby authorized. The pamphlet shall include an explanatory statement and arguments  
53 advocating approval and disapproval of the ballot measure. The preparation of the  
54 explanatory statement, the appointment of pro/con committees and the preparation of  
55 arguments advocating approval and disapproval of the ballot measures is authorized as  
56 provided in RCW Chapter 29A.32 and the rules and guidelines of the County Auditor. The  
57 names of the committee members appointed shall be provided to the Auditor by August 8,  
58 2013 and arguments for approval or disapproval of the ballot measure shall be provided  
59 to the Auditor by August 15, 2013. The explanatory statement shall be prepared by the  
60 Prosecuting Attorney and filed with the Auditor on or before August 16, 2013.  
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62 **Section 4. Effective Date.** This resolution shall be effective immediately after its  
63 adoption.  
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65 **ADOPTED** this 5<sup>th</sup> day of August, 2013.

Attest:

Rebecca Tilton  
Rebecca Tilton,  
Clerk to the Board

Board of Clark County Commissioners:

Steve Stuart  
Steve Stuart, Chair

Approved as to Form Only:

ANTHONY GOLIK  
Anthony Golik  
Clark Co. Prosecuting Attorney  
By his Deputy, Lori L. Volkman

Tom Mielke  
Tom Mielke, Commissioner

David Madore  
David Madore, Commissioner