

1987 KING COUNTY  
CHARTER REVIEW COMMISSION  
REGIONAL ISSUES AND RECOMMENDATIONS  
(June 1988)

King County Charter Review Commission  
Regional Issues Committee  
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## PREFACE

The 1987 Charter Review Commission's Regional Issues and Recommendations Report is the result of the work by the Regional Issues Committee. After reviewing and revising the Regional Committee's draft report and recommendations, the full Charter Review Commission unanimously approved the report in general and the following specific recommendations: (1) criteria to guide future decisions on local government reorganization and assignment of new responsibilities to local government; (2) a vision of how regional government should eventually be organized in the future; (3) a position on the recent King County/Metro reorganization proposal; (4) actions to be taken regardless of the outcome of the King County/Metro reorganization proposal; and (5) recommendations for regional services management issues which should be addressed in the longer term.

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1987 KING COUNTY CHARTER REVIEW COMMISSION

REGIONAL ISSUES AND RECOMMENDATIONS

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## 1987 KING COUNTY CHARTER REVIEW COMMISSION

### REGIONAL ISSUES AND RECOMMENDATIONS

#### EXECUTIVE SUMMARY

The Charter Review Commission's Regional Issues and Recommendations Report is the result of the Commission's Regional Committee's work in completing its assignment to conduct an assessment of King County's role as a regional government and to make recommendations to improve the County's ability to deliver regional services. The regional issues recommendations adopted by the Commission are briefly listed in this Executive Summary. It is strongly recommended that anyone interested in these recommendations read the Commission's full report to obtain a more complete description and understanding of the Commission's recommendations.

The Charter Review Commission regional issues recommendations include: (1) criteria to guide future decisions on local government reorganization and assignment of new responsibilities to local government; (2) a vision of how regional government should eventually be organized in the future; (3) a position on the recent King County/Metro reorganization proposal; (4) actions to be taken regardless of the King County/Metro reorganization proposal; and (5) recommendations for regional services management issues which should be addressed in the longer term.

#### A. Criteria For Guiding Future Government Reorganization and Assignment of Responsibilities

The Commission found that there is a great deal of consensus among the groups which have studied regional governance and services on what the regional problems are. In reviewing summaries of local government problems, including those of the State's Local Governance Study Commission and King County 2000, the Commission found that all the lists are essentially variations on the findings of the 1975 Metropolitan Study Commission which are listed below:

1. There are too many different and conflicting governments and ad hoc devices, and they are making public decision and long-range planning difficult and ineffective in the King County area.
2. The hundreds of thousands of citizens in the unincorporated areas of King County must receive direct governmental services from a primary level of government elected by and responsible to them.
3. There is a need for an areawide policy planning, goal setting and land use planning function, which will serve both incorporated and unincorporated areas on areawide matters.

4. There are some functions that can be wholesaled or broadly delivered at the areawide level more effectively and yet be consistent with the the local level.

5. There is need for the development of a more rational tax and fiscal system, including such innovations as tax base sharing, such as has been developed in Minnesota. Any tax system must assure a continuation of present service.

It is not enough to identify and develop a consensus on our regional service delivery and regional governance problems--although this is a very important first step. Effectively, this step has been accomplished, although perhaps not recognized. The Charter Review Commission gave its attention to the next step--the development of criteria to guide change to address those problems. The Commission offers these criteria with the hope that they will move discussions of regional problems from the stage of problem identification to the stage of identifying how to organize ourselves to address those problems, and then, to implementation.

#### Change Principles

- Change will not occur overnight. Both interim and longer term solutions are needed.
- Change should result in services being provided more economically and effectively than they are being provided under existing arrangements.
- Change should not result in the loss or decrease of accountability of elected officials to citizens.
- There is a finite amount of authority among local governments and that finite amount of authority is already fully allocated. In order for an existing governmental unit to gain new authority or for a new governmental unit to be established, existing units of government will have to give up some of their authority.

#### Governance Principles

- The decision making body of any governmental unit must be identifiable, accountable, and accessible to its citizens.
- Directly elected decision making bodies are most appropriate when (1) that body has the authority to impose taxes, rates, or other service charges directly on the public, and (2) other jurisdictions are not directly involved in the implementation of the service.
- A regional agency should have the directly assigned authority (planning, implementation, enforcement, revenues) to carry out its responsibilities and there should be provisions to enable that authority to expand as the responsibilities expand both in scope and in subject.

#### Organizational Principles

- Government services and responsibilities should be organized and assigned according to functionally logical groupings. Similar services

should be grouped within one agency. Problems requiring solutions which cross jurisdictional boundaries should be assigned to a regional agency.

- Planning, operations, and funding activities should be located within one agency, provided that the governing body can be held accountable for its decisions.
- Cities should be the major providers of urban-level municipal services. Unincorporated areas which require an urban level of service should be encouraged to incorporate or annex to a city.
- Counties should provide or ensure the provision of a basic level of municipal services for unincorporated areas. The County should direct growth to urban or urbanizing areas in order that cities may expand (or it may be cost effective for the area to incorporate) to serve those areas when an urban level of services is needed.
- Cities should be assigned responsibility for local municipal services which primarily affect the citizens of cities and which should be locally designed, delivered, and paid for.
- Existing special districts should be encouraged to consolidate/merge, and new small special districts should not be allowed to form.

#### Process Principles

- When all taxpayers/ratepayers of the County are asked to pay for a project or program, a regional (countywide) decision-making body should be responsible for setting the level of taxes or rates and held accountable for the expenditure of those taxes or rates.
- Counties, cities, special districts, and other governmental units should have a role in the development of regional plans and services which will impact them.
- There should be a process for developing a regional consensus on regional (countywide, multi-county) issues.
- There should be a process for reviewing capital spending priorities and service priorities on a regional basis (countywide).

The Charter Review Commission recognizes that this list of criteria omits a criterion for the circumstances under which a federated governing body would be appropriate and that there is currently some interest primarily by cities in maintaining a federated governing body for Metro. The Charter Review Commission's adopted position is that the governing body of a regional government should be directly elected.

Some of the arguments supporting a federated governing body (especially for Metro) include:

- A federated body allows local governments which have given up their responsibilities to the regional government to retain a degree of local influence over regional service decisions and delivery as these affect the citizens of those local governments.

- A federated governing body is appropriate when the decisions made by that body must be implemented by or otherwise affect the operations of local governments.
- A federated body provides a forum for individual local governments to meet and discuss issues of common concern.
- Local government representatives on federated bodies are better able to lobby for local concerns than individual citizens are able.

The basic issue for the Charter Review Commission is to whom are persons sitting on federated bodies accountable--the institutions they represent or the people who elected them to those institutions. The Commission decided not to include a criteria for a federated governing body for the following reasons:

- A federated body (at least as has been proposed in King County to date) violates the one person/one vote rule.
- Citizens should have the right to hold directly accountable the members of a governing body which has the power to levy charges and taxes on citizen and has such powers as eminent domain or the authority to override local land use controls.
- Federated bodies cannot be held directly accountable for the expenditures of funds, issuance of debt, delivery of services, or other actions affecting the public.
- A government does not have the same rights of representation as does an individual citizen. Government elected officials are elected to represent citizens, not the governmental institution.
- Local governments are not disenfranchised by directly elected governing bodies. They have the right to approach the individual directly elected officials of a regional government or to approach that governing body just as any citizen does.

#### B. Vision for Regional Government in the 21st Century

The Charter Review Commission recommends that the governance of regional functions in King County should move toward a countywide regional government in which most, if not all, such functions are located. The decision making body for this regional government should be directly elected. All change in government reorganization and assignment of new regional responsibilities should be consistent with this vision.

One issue to be addressed is the distinction between regional and local city and unincorporated area services and the extent to which a regional government can or should provide both, especially for unincorporated area services. Of particular concern is accountability for decisions affecting unincorporated areas. The ultimate structure of regional government and the issue of how best to provide for both regional and local services and representation are matters which merit further discussion.



### C. King County/Metro Reorganization

The King County/Metro reorganization proposal, as presented to the Regional Committee by Councilmembers Paul Barden and Cynthia Sullivan, requires voter approval of several amendments to the County Charter and approval of the consolidation of the County and Metro as provided in Metro's enabling legislation. These actions would result in the formation of a new regional government by consolidating the regional functions of Metro and King County under a reorganized King County government. Under this proposal, the new King County government would be governed by a nonpartisan Executive and a nonpartisan, seventeen-member Council which would be advised on each regional function by an appointed committee of 9 to 15 elected representatives (mayors/council) of King County cities. King County would establish a transit department and a water quality department to handle those specific regional functions.

The Charter Review Commission recommends that there be a single directly elected governing body for King County and Metro.

- The County Council should be expanded to 13 members.
  - The Council should organize itself so that it has a committee of councilmembers from primarily unincorporated areas to make recommendations to the Council regarding local government issues for unincorporated areas.
- There should be advisory committees on regional functions organized on the following principles:
  - Counties, cities, special districts, and other governmental units should have a role in the development of regional plans and services which will impact them.
  - The advisory committees should include representation for unincorporated areas which is proportionate to that of the cities.
  - The entire membership of the advisory committees be geographically balanced.
- It is recommended that the issue of partisan/nonpartisan County government not be addressed at this time.

### D. Recommendations for Action

Regardless of the reorganization of Metro and King County, there are some problems which require regional management solutions. The proposals presented here are certainly not the only such problems and services which need to be placed under a regional management, but they are the ones which were most often brought to the Commission's attention and which have been the subject of considerable discussion as critical regional issues. There are other issues such as regional funding for the arts, library services, subsidized housing, and a variety of social service needs which may benefit from some degree of regional management for planing, policy setting and other decision making, funding and implementation. These problems need to be put on the regional issues

agenda and the Charter Review Commission encourages appropriate groups to do so.

There are regional problems which require one or more of the following to be effectively managed: countywide policy setting and other decision making, regional planning and enforcement of those plans, regional revenue base for equitable funding of regional projects, and regional implementation or management of service delivery. Concomitantly, there are unique local needs for service levels, projects, and programs which are best met through local policy setting, planning, funding, and implementation. The challenge to solving regional problems is to develop a solution which combines the regional and local elements most effectively for both needs.

The Charter Review Commission has deliberately not developed descriptive or implementing details. The Commission has observed that the presence of detail tends to prematurely focus regional governance discussions on the merits of the details instead of the merits of the overall objective. The Commission's position is that if there is a will there is a way--if people can agree on an overall objective, they can also negotiate and implement the details to best accomplish that objective.

The Charter Review Commission recommends that actions be taken within the next five years to regionalize the management of the following functions:

1. Surface Water: It is recommended that a regional surface water management (SWM) utility be created with the responsibility for the development of regional SWM policies and capital improvement plans to be implemented by local governments (County, cities, special districts). The utility would also levy a countywide service charge to fund SWM planning and capital improvements and to allocate those funds to local governments for implementation.

It is recommended that the countywide SWM utility be created under the County's authority. The County already has a surface water utility which surrounds most cities and is responsible for the development of a basin-wide surface water management plan. Metro, although it has broad water quality authority, does not have responsibility for land use controls which are integral to surface water management solutions and has limited its water quality role to sewage treatment and monitoring.

2. Solid Waste: It is recommended that policy setting and planning for solid waste should be assigned to a regional solid waste management agency. The agency operating the regional solid waste disposal facilities (currently King County) should also have the necessary authority through interlocal agreements, and franchise or other powers to control the disposal of solid waste collected within the region--commonly referred to as waste stream management--for both incorporated and unincorporated areas. It is recognized that local management of collection and development of local recycling and other programs may be required to effectively respond to unique local needs for service levels and programs. King County should be the regional solid waste management agency since it already operates the regional landfill in the County. Although Metro could take on solid waste responsibilities, it presently has no involvement in this area.

3. Regional Parks and Recreation Facilities: It is recommended that there be established a regional agency for the purpose of generating funds from a regional revenue base to be allocated to local jurisdictions for the development and maintenance of regional parks and recreation facilities in accordance with a comprehensive plan. It is further recommended that this agency be the County. Implementation of the development of new facilities and rehabilitation and maintenance of existing facilities would remain the responsibility of local governments. Local governments would have a role in the development of the regional plans, prioritization of projects, and in decisions to put regional parks and recreation ballot issues before the voters.

4. Public Health: It is recommended that there should be developed and implemented an equitable method for the County to completely take over all public health responsibilities from the suburban cities (and Seattle if that jurisdiction so chooses). The present arrangement is inconsistent with the regional nature of public health services and has created much unnecessary ill will between the cities and the County.

5. Create a Regional Airport Agency: It is recommended that King County seek the development of a regional airport agency which might be assumed by the Port of Seattle or might require the creation of a new entity, and that the King County Airport should be transferred to this regional airport authority. Key to this recommendation is the development of a charter for the authority which would clearly delineate the goals and responsibilities of the regional airport authority to ensure that recreation aviation as well as commercial and passenger aviation are part of the regional airport agency's responsibilities.

6. Create a regional comprehensive land use, transportation and economic development agency: As this area continues to grow, it will become increasingly important to have a regional agency with responsibility and authority to develop and implement comprehensive, countywide land use, transportation, and economic development plans. These plans would establish general policies which city and County governments would follow in the development of their own local plans and projects. Without such an agency, King County could develop into a patchwork of cities and unincorporated areas with conflicting land use development. This would be costly to the public in terms of both increasing the cost of providing services and of the personal costs associated with inconvenience and degradation in quality of life.

It is recommended that King County take an assertive leadership role in the development of a regional comprehensive land use, transportation, and economic development agency with the power to impose and enforce plans on local governments. This recommendation was originally placed under long-term changes in recognition of the great political difficulty of achieving this objective. However, the need for such planning is so compelling and so urgent, that the recommendation was moved to the near-term recommendations. It is the key to the economic well-being and quality of the future of King County. This is the most challenging of the recommendations since it will require the greatest degree of vision among local government elected officials.

## E. Longer Term Regional Management Issues

There are other services which could be regionalized for more economical and effective service delivery. Recommendations for some of these services are given here. It is recognized that these are longer term objectives--the complexity and strong emotional nature of the issues will require a long time for regional management solutions to evolve and be accepted. It may also require that other changes occur, such as having the urbanized unincorporated become more completely incorporated, or a crisis in service delivery, such as the loss of individual water supply sources, before regional management solutions will be accepted. It is important, however, to identify long-range issues and consider their evolution in terms of a long-range vision and criteria for governing change such as are proposed by the Commission.

1. Reorganize the Port District: There are a number of issues concerning the Port's role and accountability as a regional agency which need to be addressed. Should the Port District remain a separate, countywide unit of government; should it be combined with a larger regional government as described in the vision for the 21st Century; or should a multi-county port authority be created? How accountable is the Port Commission to the public? Should the Port Commissioners continue to be elected at large or by district? Should the size of the Port Commission be increased? If the Port remains a separate unit of government, how should the Port's land use and other actions be related to land use controls and other responsibilities of County and city governments?

2. Place sewage collection with the regional agency providing sewage treatment: Management of sewage collection and treatment should be placed under a single regional agency. In King County, all but a few sewage districts and cities are part of Metro's sewage treatment system. As more of the County incorporates or annexes and the number of special sewer districts declines, it may be more effective both in terms of cost and management of an environmental problem to put management of sewer service functions under a single regional agency. It is recognized that, for some aspects of sewage collection, it may be more cost effective or necessary for other reasons to have some sewage collection functions provided by local agencies.

3. Place water supply and distribution under a regional agency: Water supply and distribution should eventually be placed under a single regional agency. The water supply resources, both surface and underground, are regional resources--not that of individual cities and special districts to be fought over at unnecessary expense to the public. There has been movement towards regional management of water supply, at least to the extent of coordinated planning and information sharing. These efforts should be encouraged. There is no Commission recommendation regarding which agency should be the regional agency or the extent to which local service provision is necessary to respond to unique local needs.

4. Regionalize management of law enforcement, district court, and jail functions: Law enforcement is needed countywide regardless of jurisdiction. Specialized law enforcement services are increasingly being provided on a regional basis such as AFIS (Automated Fingerprint Identification System) and E-911. The County and cities' law enforcement agencies already provide a great deal of local law enforcement services to each other through contracts and mutual aid agreements.

It is recommended that the County and cities explore possibilities for increasing the regionalization (enforcement, funding, and delivery) of law enforcement and related prosecution and incarceration services. It is also recognized that this will probably require the flexibility for individual jurisdictions to obtain higher levels of service than may be provided elsewhere in the region. With a regional law enforcement agency and common laws to a great extent, it may also be possible to make the district court and jail functions truly regional instead of the contract-based functionally regional services which they are today. It is most likely that the regional law enforcement agency would be King County as it may evolved over time or the general purpose regional agency envisioned by the Regional Committee for the 21st Century.

5. Regionalize management of fire prevention, hazardous materials, and emergency services.

It is recommended that King County should take an assertive role in developing a regional approach to managing fire prevention, hazardous materials, and emergency services. In some cases, it may be effective to relieve local jurisdictions of responsibilities for which they do not have the resources to carry out or which are not effectively addressed on a jurisdiction by jurisdiction basis and reassign those responsibilities to a regional agency. In other cases, resources should be developed to assist local governments in carrying out those responsibilities which are best provided at the local level. As a community of multiple jurisdictions with a united regional management strategy, we would have a greater ability to impact the federal and State laws over which we have no direct control, but which directly impact our ability to prevent life-threatening and environmental damaging emergencies.