



## King County

Ron Sims  
King County Executive

### CHARTER REVIEW COMMISSION

Mark Yango  
Charter Review Coordinator

701 Fifth Avenue, Suite 3210  
Seattle, Washington 98104

**Regional Governance (RG) Subcommittee**  
**King County Charter Review Commission**  
**Meeting Minutes – November 5, 2007**  
Chinook Building, 5:00 pm-7:20pm

The November 5, 2007 meeting of the Regional Governance Subcommittee of the King County Charter Review Commission was called to order by Chair Bryan Glynn at 5:00 p.m.

**Commission members in attendance:**

Bryan Glynn, Co-Chair  
Kirstin Haugen  
John Jensen  
Terry Lavender  
Mike Lowry  
Gary Long  
Alan Munro  
Lois North  
Mike Wilkins  
James Williams

**Absent:**

Doreen Cato, Co-Chair  
Juan Bocanegra  
Sharon Maeda

**Staff:**

Becky Spithill, Project Manager, Charter Review Commission  
Corrie Watterson, Project Manager, Charter Review Commission  
Mark Yango, Charter Review Coordinator

**Guest:**

- Deputy Mayor John Chelminiak, Bellevue
- Councilmember Richard Conlin, Seattle City Council
- Vicky Henderson, Representative of KC Special Districts of the Washington State Association of Sewer and Water Districts.
- Tom Peardon, Coal Creek Utility District
- John W. Milne, General Counsel for Coal Creek Utility District

- Sonny Putter, Suburban Cities Association
- Mian Rice, City of Seattle

**Council and PAO Staff:**

Ross Baker, Council Chief of Staff  
 Rebecha Cusack, Council Liaison to the Commission  
 Mike Sinsky, Senior Deputy Prosecuting Attorney, Prosecuting Attorney’s Office  
 Nick Wagner, Council Co-Liaison to the Commission

**Opening Remarks and Issue Assignment Discussion**

Mr. Glynn called the meeting to order at 5:05 p.m. He reviewed the status of Regional Committees, their compositions and operations. The Commission received testimony from a wide range of people and organizations about the Regional Committees. One of the issues that got a lot of attention was the lack of effectiveness of the Regional Committees.

Mr. Glynn stated that the RG Subcommittee will consider many Regional Committee issues and will likely make recommendations to the full commission. Some of these issues include size and composition, representation (tribes and Snohomish County); governance and autonomy of RC; and the extent to which Council must take under consideration the recommendations of the CRC.

**1. Guest Speakers Presentations**

**Deputy Mayor John Chelminiak, Bellevue**

- City representation should be enhanced, not kept even or diminished;
- Reduce council representation to three, but not the representation of other entities on the Regional Committees;
- With the advent of the GMA and incorporations and annexations, the composition of and representation on the Regional Committees needs to be changed with city representation being enhanced;
- Bellevue does not exist as any of the designations of “city” as identified in the Charter and its uniqueness should be represented—we now have “metropolitan centers,” of which Seattle and Bellevue are the most prominent in this region;
- We also have “regional growth centers;”
- Bellevue is not a suburban city, per se and not a member of the SCA, but it should have representation on the Regional Committees; and
- The committees should control their own destinies and the Charter should spell out some of the structures for the RCs, i.e., work plans, leadership, etc., making the case that these are not just county committees with regional representation, but regional committees on which the county has representation.

## Questions and Answers (paraphrased)

Mr. Munro: What is your reaction to the proposal that South Snohomish County have representation on the Water Quality Committee?

Mr. Chelminiak: I don't know why Snohomish County should have a seat given that Brightwater is under construction. DNRP contracts with Snohomish County water and sewer districts. This may be an issue that is better left to King County DNRP to work with the sewer districts. They should have representation as a member of the sewer districts.

Mrs. North: The changes in the charter need to be general, and then the details should be spelled out in ordinances. The CRC will want to do something, but the details should be negotiated between the SCA and the Council and expressed through county ordinance.

Mr. Chelminiak: The charter could say that the Regional Committees are in charge of their own work program; they could propose an ordinance for submission to the County Council. The charter could also specify the number of seats on the Regional Committees could be 10 or 12 with three seats from County Council and recognition of Bellevue as a metro city (RFPRC designation), with full vote or a half vote, depending on percentage population. Cities with 10 percent of the county population (outside of Seattle) designated metropolitan cities and a seat on the Regional Committees. Bellevue is the only city that currently qualifies for that designation, but Federal Way, Kent and Kirkland are very close.

Mr. Long: Policy and planning belong to the committees while budget and administration belong to Council. What boundary are you putting on work programs?

Mr. Chelminiak: I see no change in that. Policy should drive budget.

## **Councilmember Richard Conlin, Seattle City Council**

Richard Conlin (Seattle City Council): Authorized by the Seattle City Council to present its position on Regional Committees; has served on the RWQC and the RTC.

- Opposed to reducing representation of cities and districts;
- Supports reducing King County Council seats. City Councilmembers experience similar conflicts in committee obligations that must be dealt with; this does not warrant adjustments in the representation of other stakeholders on the Regional Committees in order to accommodate the demands on the County Council;
- Observes that there is confusion about role of Regional Committees and the sense that the County Council uses a pocket veto or lack of follow through from the Council on recommendations and information requests;
- Supports Bellevue having a seat on the Regional Committees;
- Support population proportional membership; and
- Supports Snohomish County seat on the RWQC, but not at the cost of reducing sewer district representation.

The Seattle City Council supports a variable approach to determining the composition and operation of the Regional Committees: RWQC addresses both the county perspective, which provides services as a wholesale provider and the cities and districts act as retailers; Transit has its own dynamic that is very different from the other committees; and RPC deals with county-wide policy issues.

Specifically, RWQC's effectiveness is spotty. We don't have to control everything; King County has a special interest, of course, but in general none of us is as smart as all of us and it may be time to consider devolution of authority. Authority of the RWQC is to make policy and operational systems. Costs, criteria, reserve supplies, new water conservation goals and programs. The question is: Will minor structural changes make a positive difference? The options are three-fold:

1. keep it the same and consider reducing the number of County Council members, which may weaken the power of the committee;
2. increase the power and authority of the committee; and
3. adopt a more radical model that restructures the water governance system based on agreements and partnerships with customers, see Seattle Operating Board (see Attachment 1).

#### Questions and Answers (paraphrased)

Mr. Lowry: Who does the city contract with?

Mr. Conlin: A number of the suburban cities, as well as a number of the water districts.

Mrs. North: So you supply water outside of King County.

Mr. Conlin: No. In that respect, it's different than the RWQC.

Mr. Carpenter: RWQC and RTC—service delivery model for City of Seattle?

Mr. Conlin: We own the water sources and we contract with those who deliver (distribution) to their customers.

Mr. Long: Is this structure composed in an ordinance?

Mr. Conlin: Purely contractual as approved by the council.

Mrs. North: Character of each of the Regional Committees is very different. RPC is the fuzziest.

Mr. Conlin: I would agree with that, and sometimes it is difficult to get our members to serve on that committee for that reason.

Mr. Glynn: We will expect a unified position to the CRC from the city in the form of a letter.

## **Sonny Putter, Suburban Cities Association**

He has served as a regional representative on each of the Regional Committees. He spoke on behalf (in part) of the Suburban Cities and referenced the SCA official letter to the CRC. Members of the SCA hold 121 seats on 26 regional boards and commissions. The SCA takes this responsibility very seriously and each year casts a wide net to insure geographic diversity and relevant representation of membership on all of the 26 committees, including some jurisdictions that are not members of the SCA. Seats allocated to other cities have broadened the perspective presented to SCA and Council.

As populations in the suburban cities have increased, interest in proportional representation on Regional Committees has increased, as well.

Described the process that the SCA uses to make public policy position as transparent and all inclusive. The SCA supports the concept of the Regional Committees developing their own work plans for the year. The development of the work plan has become a collaborative process. Unincorporated King County represents nearly 20 percent of the county's population. Seattle represents 31 percent of the county population and suburban cities represent the remaining 49 percent of the population. Therefore, SCA has questioned the need for Council to have 50 percent of the votes on the Regional Committees, especially given that Council has the final vote on any recommendation made by the Regional Committees. Council is overcommitted and SCA would like to see a decrease in their required representation.

Depending on the composition, it might be more appropriate to have the Regional Committees select their own chairs. Pocket vetoes are not the norm, but there are timing issues relative to deadline for Council actions. SCA wants to insure that the hard work of the members of Regional Committees is recognized by Council. Finally, SCA has historically supported explicit language in the Charter regarding the Regional Committees, rather than let the Council define the specifics of the Regional Committees.

### Questions and Answers (paraphrased)

Mr. Munro: In your population estimate you included Bellevue as a suburban city, despite the distinction between Bellevue and the suburban cities that was just made.  
Mr. Putter: This is a slippery slope allowing cities to have separate seats. The case could be made for Renton, Federal Way, Shoreline, Kent, Redmond and Kirkland. We now have 37 members on the Regional Council Executive Board. The reality is that we as cities need to work collaboratively. Rather than 10 percent of the cities, how about 10 percent of the county population versus 10 percent of the population outside of Seattle/King County. In the next 10 years. PSRC has designated suburban cities as such based on a lower population threshold. Ten percent of the county population would receive one seat.

Mr. Chilminiak: We need to have a percentage that is a realistic threshold—if we use the 10 percent total population of the county, in 10 years there will be no city that meets that criterion. Bellevue is in the high sixes of the total county population.

Mr. Munro: What is the reaction of the SCA to Bellevue proposal?

Mr. Putter: We would oppose it. Council is final arbiter, so is it reasonable that it has half the seats and half the votes? Most decisions are made through consensus; therefore it is important that the composition of the Regional Committee's is diverse.

Mr. Long: Any thoughts about differences in the three different committees, in particular, municipal (WQ and T) versus county-wide focus of the RPC.

Mr. Putter: These committees started out with issues of urban governance, issues that are prominent now. Many services are county-wide and provided on a very broad basis, i.e., solid waste, human services. The RPC has a broader county-wide scope.

Mr. Chilminiak: We need to determine the threshold for representation. This has not been reviewed in a way consistent with the GMA, which has created differences in the way municipalities approach growth and urban issues. Bellevue is a growth center, which gives us a reason to have a special seat at the table. Some welcome growth, others do not. Population as a target makes sense. It is time that the charter recognizes the impact of GMA. The amount of relative investment (transit) should give cities a voice in transit and water quality.

Mr. Putter: The goal is to have what works best for all the residents of the county through the collective position of all the cities by a supermajority vote. The reality is that once each of the cities represents itself, the SCA loses the power that comes with a collective voice.

Mr. Conlin: Tough to work these percentages. We are concerned about the current level of representation on the RTC wherein we have two seats (as opposed to three) and the SCA has four seats, which grossly under represents Seattle.

Mrs. North: A half vote is one way to work it out.

Mr. Putter: We now have ½ votes, with the purpose of not diminishing participation or diversity.

### **Mian Rice, City of Seattle**

City of Bellevue should have a voice given its prominence in the county. Formal expression of the Mayor's position will be forthcoming by the end of the week. Regional Committees are challenging generally. If the Council wants to reduce its numbers, how do we actually fill those seats? The City of Seattle supports Bellevue's place at the table.

## Questions and Answers (paraphrased)

Mr. Long: When will we have Seattle's transmittal?

Mr. Conlin/Mr. Rice: Early next week.

Mr. Glynn: Do any of the speakers want to address the issue of tribal representation?

Mr. Putter: Cities view tribal issues as local issues rather than county issues. Tribal interests are different than cities' issues. We would recommend that it consider this a local issue rather than county-wide issue.

Ms. Lavender: What about annexation issues?

Mr. Putter: From a financial perspective, the county gains from annexation. It is a legislative issue rather than a city issue. There isn't the money to provide urban level services and infrastructure within some of the unincorporated areas. Cities understand their obligation to annex, and many take active measures to do so. There isn't anything that we see in the charter process that would help with the annexation process. If the county is no longer in the position to provide services to urban unincorporated, service levels will continue to decline.

Mr. Conlin: Key issue is resources, and not part of the charter issue. This is really a legislative issue.

Ms. Lavender: Burien annexation supported by state legislature through sales tax credit. There is a Seattle bill in the legislature that writes in a provision that will give the credit to Seattle, as well.

### **Tom Peadon, Coal Creek Utility District and Vicky Henderson, Representative of KC Special Districts of the Washington Association of Sewer and Water Districts**

We serve all the city of Newcastle and small area of Renton and unincorporated King County. District has contracted with Metro since 1961 and now King County.

We are a member of the Association of Sewer and Water Districts, and we are active regionally in all the water and sewer issues. My focus is the RWQC; concur with Mr. Conlin about the Seattle public utility operating board. Our district has had a contract with City of Seattle Water Department and has been able to resolve some previously contentious issues. We have had a very positive relationship work plan and regular interaction.

Our district opposes Snohomish county voting seat. Service to Snohomish County is by contract so why should it have a place making recommendations to the County Council? No decrease in service to Seattle and existing sewer districts.

The PSRC projections show the significant increases are expected in King County; King County districts currently serve 450,000. Projections for Snohomish County are not significant, currently is five percent or less. Reducing the district's representation

to one position is contrary to the charter provisions to enable effective citizen representation.

The Association of Sewer and Water Districts recommends that Snohomish County have a non-voting place on the RWQC. Charter is county's constitution; it has withstood the test of time. We believe the charter is not broken and representation on the RWQC should remain the same (see Attachment 2)

#### Questions and Answers (paraphrased)

Mr. Long: When the county put the sewer agencies together, the contracts were key—long term contracts. Contracts with Snohomish County are the same, and they deserve to be treated like other customer agencies in King County.

Mr. Peadon: The representation issue is about making policy recommendations to Council; that's okay, but not having the power to vote on issues that have ramifications to King County.

John Nolne (General Counsel for Coal Creek): We were concerned about King County contracts. The RWQC is advisory to Council, and as such makes recommendations on contracts. If Snohomish County is a member of the RWQC, it will be voting on King County contractual issues to which it is a party.

Mr. Glynn: What about not reducing district representation but having others at the table.

Mr. Peadon: Our main objection is that we feel we need to have the existing level of representation on the RWQC.

Mr. Munro: County Council representation should be reduced from six to three? Why couldn't one of the vacant positions be filled by Snohomish County and the other filled by a tribal representative.

Mr. Peadon: We would not have any objection to that.

Mr. Munro: If their paying user fees and it is appropriate for them to be represented.

Mr. Nolne: Another county staff proposal was that two representative seats be limited to contracts with County. County-wide planning policies.

Mr. Long: RWQ system is made up of cities and special districts. Why would you add municipalities to the King County wastewater system that has no financial interest in the Metro system? Their interest is secondary at best, even though they are within the county. They have no interest in the Metro system.

Mr. Nolne: Their comprehensive plans must be consistent with King County's planning policies.

Mr. Long: They must meet the tests of the state requirements.

Ms. Henderson: Asked to augment Mr. Peardon's statement on behalf of WASWA. King County Section IV of WASWA voted as a group to show its support for Mr. Peardon's statement.

## **2. Next Steps**

No push for a consensus on Regional Committees now. Staff should incorporate new information into an updated issue paper on Regional Committees. Members should email ideas on how to approach these issues. Mr. Long wants an idea of who the customers are in Snohomish County.

Mr. Glynn asked if the subcommittee is advocating the expansion of KCLS Board of Trustees. Mr. Long expressed concerns related to recommendations, specifically that there should be better outreach in recruitment of board members. The facilities and the services provided are historically municipal responsibilities of great importance to communities, including rural communities. Why are we recommending increasing the membership of the board? Financially, this group is very responsible and increasing numbers will not necessarily increase the board's financial capability. However, increasing numbers of board members would help to increase the representation and diversity—we didn't get to a consensus of the number. Mr. Long stated that in his experience, the larger the number of members the more unruly they get. We should make a recommendation to the legislature to recommend seven members.

Mrs. North reminded the subcommittee that board subcommittees were too small. Seven would be better and would give no less than three people on a subcommittee. Mr Long and Mr. Jensen agree on seven and on the importance of having these subcommittee meetings open to the public.

Mr. Glynn directed staff to sharpen up the proposal. On the Regional Committees issue we will need to have this further along before we can make any decisions. We may need to pull together a smaller group to discuss. We should talk about budget and sheriff's issues.

Ms. Spithill recommended an Ad Hoc Committee for Sheriff's issues. December 5 meeting may take up additional issues. Staff committed to analysis of what other counties are doing and to bringing in executive budget staff and the Council. Mr. Glynn said that his experience is limited with biennial budgeting process; it may be useful to provide information on that. Mr. Long asked for a budget calendar and any proposals that Council may have for a budget timeline.

Subcommittee agreed to meet on December 5 (rather than December 3, as originally scheduled). Mr. Long agreed to provide information and perspective on the suburban cities that could be presented if he cannot attend the meeting on December 5.

Meeting adjourned at 7:20 p.m.

Respectfully submitted by Becky Spithill

## **Attachment 1 SEATTLE OVERVIEW OF OPERATING BOARD**

The Operating Board was created with the new 60-year full and partial service water supply contracts. It was established in the spirit of partnership, and provides the means for wholesale customers who have signed this contract to work cooperatively with Seattle in making decisions about the regional water supply system.

### **Board Composition**

The Board is comprised of seven members. Three are from Seattle. Three are wholesale customers selected from groupings of large, medium and small utility categories. The seventh member is independent, selected from outside the Seattle regional service area. Each of the twelve wholesale customers that have signed a new contract has a designated representative to the Board that is the principal contact, participates in any Board caucuses, and helps to select the member to represent them in their category. Exhibit IV of the contract has additional detail on the structure of the Board.

### **Board Responsibilities**

The new contracts identify specific areas in which the Board has authority to make decisions or has the role of reviewing and making recommendations. Exhibit V of the contract summarizes Board responsibilities that are spelled out in detail in the contract.

Following are the areas in which the Board has authority to make policy and operational decisions:

- ◆ Allocation of costs for new regional projects
- ◆ New supply source criteria
- ◆ Use of reserve supplies
- ◆ New water conservation goals and programs
- ◆ Flushing allowances
- ◆ New contract holders' interconnections with other water systems

There are numerous areas in which the Board reviews and/or makes recommendations to City Council or SPU. Some of them include:

- ◆ Wholesale rates
- ◆ Regional CIP
- ◆ Selection of new supply sources
- ◆ Selection of new treatment techniques
- ◆ Access to regional transmission system
- ◆ Wheeling practices and costs
- ◆ Best Management practices for operations and maintenance of regional facilities

## **OPERATING BOARD CONTRACT PROVISIONS**

### **SECTION 5 OF CONTRACT**

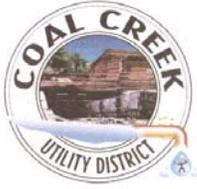
1. Purpose. The purpose of the Operating Board is to provide certain limited authority to a board of representatives elected by the Wholesale Customers over policy and operational matters as they affect the Seattle Water Supply System.
2. Structure and Authority. The Operating Board shall have the powers and authority as set forth herein. Exhibits IV and V describe the structure and authority of the Operating Board. The matrix provided in Exhibit V is for illustrative purposes only. In the event of a conflict between provisions of this contract which grant specific powers to the Operating Board and Exhibits IV and V, such grants of specific powers shall control. The Operating Board shall not be formed until such time as there are six (6) signatories to Full or Partial Requirements contracts, or January 1, 2002, whichever comes first.
3. Review. The structure and authority of the Operating Board may be reviewed as of January 1, 2007 and every five years thereafter to determine its effectiveness in addressing regional and contractual issues. The review may address the composition of the Board and its powers and authority as set forth in Exhibits IV and V, provided that notwithstanding any other term or provision of this contract, Seattle shall not have the power to disband the Operating Board nor take away or diminish the powers vested in the Operating Board as set forth in Sections II, III and IV of this contract. Either party may initiate the review. The reviewing party shall provide the other with its comments and proposals. The parties agree to consider the other party's comments and proposals and to respond in writing stating its reasons for rejecting any proposals and the reasons for its own counter-proposal. After consideration of all comments and proposals at each five year interval, Seattle may make changes in the structure and authority of the Operating Board that are not inconsistent with the provisions of this subsection.

## **EXHIBIT IV OF CONTRACT: OPERATING BOARD STRUCTURE**

1. **Structure.** The Operating Board (or “Board”) shall be structured as follows:
  - a. The Board shall consist of seven (7) members, composed of three members representing Seattle Public Utilities (SPU), three members representing Seattle’s Wholesale Customers selected as described below and one independent party selected as set forth below to be a tie-breaker as needed. Board members shall, to the best of their ability, act in the best interests of the Seattle Water Supply System as a whole and shall not represent the interest of a group of utilities or an individual utility.
  - b. The term of each Board position shall commence on January 1 and shall be for four (4) years. Terms of each Board position shall be staggered such that no more than two positions are renewed in any single year. Board members may serve not more than three successive terms.
  - c. Three Board members representing the Wholesale Customers will be selected from persons nominated by the holders of Full Requirements and Partial Requirements Contracts and sorted into three categories based on utility size, calculated by ERUs. The selected categories will be small, medium and large utilities, which will be made up from approximately equal numbers of contract holders. Each category of utility may elect, by majority vote (one vote per utility) its representative to the Operating Board.
  - d. The initial Operating Board will be created when there are at least six (6) signatories to the Full and Partial Requirements Contracts or January 1, 2002, whichever comes first. The initial Board will then be recomposed pursuant to the above subsection on January 1, 2002 and every 5 years thereafter.
  - e. The seventh member of the Board shall be a person having expertise in the operations of regional water supply systems. Such person shall be selected by majority vote of the other Board members. In the event of a deadlock in selecting the independent representative, the independent board member shall be selected by Judicial Arbitration and Mediation Services Inc., of Seattle, Washington or its successor. The seventh member shall not vote on issues coming before the Board unless there is a deadlock in the voting among the other six Board members. The seventh member may nevertheless express his or her opinions in Operating Board discussions. Such member shall have no employment, financial or contractual relationship with Seattle nor any Wholesale Customer and shall have no other actual or apparent conflict of interest in holding this position.
2. **Voting** Except as otherwise provided above, each member of the Board shall have one vote on all matters coming before the Board. Each Board member may appoint an alternate to vote in his or her absence. A quorum of four (4) Board members present shall be required for any vote. Members of the Board may not grant proxies for any vote.
3. **Chairperson** The Board shall have a Chairperson who will be selected and have duties as defined below:

- a. The Chairperson shall be selected at the first regularly scheduled meeting of each new year.
  - b. For the initial year, a designated representative of SPU shall be the Chairperson of the Board. All Chairpersons thereafter shall be selected by the Board using a nomination and voting process.
  - c. Nominations for the position of Chairperson shall be taken from Board members. The Chairperson shall be selected based upon the simple majority vote of Board members. Should the Board fail to elect a Chairperson at the first regularly scheduled meeting of the new year, a designated representative from SPU shall be the acting Chairperson until such time as the Board elects a Chairperson.
  - d. The Chairperson shall have the responsibility to call meetings, determine the agenda and preside over meetings. In the absence of the Chairperson, for whatever reason, a designated representative from SPU shall be the Acting Chairperson for that meeting. The Chairperson shall also act as the spokesperson for the Board and liaison between the Administrator and the Seattle City Council's Committee on Water Resources and Public Health or successor committees.
4. Schedule / Procedures. The Board shall adopt a regular meeting schedule and notify all Wholesale Customers of the schedule. The Operating Board may adopt its own internal procedures. The latest edition of Roberts Rules of Order shall, in the absence of agreement by the Operating Board on procedural matters, govern all meetings and votes of the Operating Board.
  5. Reporting. The Board will provide reports to the Wholesale Customers and to the Seattle City Council Committee on Water Resources, or successor City Council committee, on its decisions and recommendations in a timely manner.
  6. Responsibilities and Authority of the Board. The Contract Authority Matrix, attached as Exhibit V, provides an outline of the responsibilities and authority of the Board for illustration purposes only. It also provides details of the relationship between the Operating Board, the Seattle City Council, and the Seattle Public Utilities. Where no clear responsibility or authority on an issue is established in this contract the responsibility and authority shall rest with the Seattle City Council.
  7. Expenses. The Board shall be authorized to incur reasonable expenses which will be allocated by the Board to either or both of the New Transmission or Supply Cost Pools.

## Attachment 2



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### BOARD OF COMMISSIONERS

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November 26, 2007  
07-4-41-WS

Mr. Bryan Glynn, Co-chair  
King County Charter Review Commission  
**Regional Government Committee**  
Executive Office  
Columbia Center  
701 Fifth Ave., Suite 3210  
Seattle, WA 98104

Re: Coal Creek Utility District November 5, 2007 Testimony Summary

Mr. Co-chair and Members of the Committee:

I would like to express our appreciation for the opportunity to meet with the Regional Government Committee on November 5, 2007, to address a number of important issues regarding the Regional Water Quality Committee (RWQC).

In response to various recommendations by representatives of the King County Council and Department of Natural Resources and Parks (DNRP) to alter the composition of the RWQC membership, I would like to reiterate the positions firmly supported by the Board of Commissioners of the Coal Creek Utility District and the membership of the Washington Association of Sewer and Water Districts (Section IV, King County). We strongly urge you to consider these proposals to ensure balanced and continued representation of the special purpose districts on this King County regional committee, as defined by the King County Charter.

**Sewer District representation on the RWQC should not be reduced and Snohomish County should not be given a voting position on the RWQC.** Of the 12 voting members on the RWQC, Sewer Districts providing sewer service in King County representing a majority of the county population served by districts appoint two members in a manner determined by the districts. (**KCC 270.20**). The two sewer district members are presently appointed by Section IV of the Washington Association of Sewer and Water Districts (Section IV consists of water-sewer districts in King County).

Coal Creek and the Sewer Districts recommend that the Charter not be amended to alter the RWQC's membership with regard to the Sewer Districts, and strongly oppose any proposal to grant a voting position on the RWQC to Snohomish County.

The Washington statute providing for metropolitan municipal corporations does not authorize giving another county representation and authority in King County's legislative process (**Chap. 35.58 RCW**).

Service to Snohomish County constitutes nothing more than a contract negotiation; it does not make sense to give Snohomish County a vote on a committee that could make recommendations to the King County Council on matters to negotiate with Snohomish County.

Contrary to previous assertions to the Regional Government Committee, sewer service in the sewer districts is **NOT** decreasing. In fact, sewer districts in King County currently serve a population of approximately 450,000 people, represented by approximately 146,000 connections and 175,000 equivalent residential units (ERUs). That number is projected to significantly increase in the next 20 years. [PSRC Draft Vision 2040]. By contrast, Snohomish County is currently under contract for 5% or less of King County's current service and may only be 9% in 2030 by DNRP projections.

Reducing sewer district representation to only one position and vote is contrary to the Charter Preamble to "enable effective citizen representation," would shift the "senatorial" balance of power and representation on the RWQC and is contrary to the intent of KCC 270.20. The representatives from the Cities of Seattle, Bellevue and the Suburban Cities Association also opposed the reduction of sewer district representation in their testimony at the November 5 Committee meeting.

However, while we recommend against adding a Snohomish County representative to the RWQC because it is not appropriate to allow Snohomish County to participate in King County's legislative process; we are not opposed to adding a Snohomish County representative to the RWQC only in a non-voting capacity.

Further, given the reduction of the King County Council from 13 to 9, we support maintaining the current committee position representation of the City of Seattle (2), the Suburban Cities (2) and Sewer Districts (2) and consider reducing the county council representation from 6 to 3 as suggested by Councilmember Larry Phillips (October 1, 2007 Regional Governance Subcommittee meeting minutes). This position is also advocated by members of the RWQC, including the Cities of Seattle, Bellevue and the Suburban Cities Association.

**All King County Sewer Districts should be represented on the RWQC.** Finally, with respect to county-wide Sewer District representation on the RWQC, sewer district representatives should not be limited to the area only served by the county wastewater system. KCC 270.20 provides for the representation of sewer districts "in the county." Further, each regional committee is empowered to "develop, review and recommend ordinances and motions adopting, repealing or amending county-wide policies and plans relating to the subject matter area for which a regional committee has been established" [KCC 270.30 "Powers and Duties", emphasis added] and the County must approve all sewer districts' comprehensive plans, which must be consistent with county regulations, regardless of whether they have a wastewater contract with the county or not. We support maintaining the current Charter language with respect to selection of special district representation.

Thank you for your thoughtful consideration of these positions.

Sincerely,



Tom Peadon  
General Manager  
Coal Creek Utility District