

Memorandum

To: Regional Governance Sub-Committee
From: Gary Long
Date: 12/12/2007
Re: **Recommendations on regional governance charter updates**

At a recent Regional Governance Sub-committee meeting I was asked to provide some written suggestions on ways to improve and update the regional governance provisions in the Charter. I hope that the background and specific recommendations help focus the sub-committee on the perspectives and ideas we have heard from the city representatives at several of our meetings. This memo represents my opinion.

The History of Regional Governance Relationships. The County's assumption or "merger" with Seattle Metro in 1993 which did not become fully effective until January 1996, was initially rocky and disappointing to the cities. The goal of the merger was:

1. to avoid a federal court order deadline requiring the Seattle Metropolitan Council to restructure itself to meet the "one person, one vote" standard in the makeup of its governing board;
2. to create an alternate governance structure requiring the County to share power with cities and other municipal agencies in its decision-making on regional transit, water quality and other regional services.

While there has been some discomfort with King County wearing the "Metropolitan Services" mantle since the 1992 merger, the regional governance process has definitely improved over time.

The 1996-97 Charter Review Commission's report identified many of the same issues that remain on the table today. The Metropolitan County Council took no action on the 1996-97 Commission's regional governance recommendations to strengthen and clarify the governance process. It is fair to conclude that without specific charter requirements and protections, the "power sharing" relationships of the County with its cities and sewer districts could or would diminish over time. Shared decision-making with a charter based confederated body is inherently more difficult and challenging than the more customary advisory processes the County uses for its boards and committees. It is predictable that there has been discomfort, tension and, at times, an effort to marginalize or avoid dealing with the regional governance committees by the county's legislative and executive branch. Although more challenging, the current regional governance system provides a mandate and opportunity for 39 cities and the county to work together on critical urban wastewater conveyance and treatment investments, public transit services, and an array of regional issues including health, corrections, human services and others.

The Cities Proposed Approach to Strengthen Advisory Role in Regional Governance. We have received written documents and ideas from Suburban Cities, Seattle and Bellevue. The following represent the common themes we have heard from the cities:

1. Do not remove or reduce charter regional governance requirements by transposing elements of the charter to a county ordinance. The Charter provisions on regional governance are relatively brief in the total context of the Charter document. An ordinance can be changed by a simple majority of the Council. Regional governance was and is a critical element of making our urban area work together. Regional governance will always be challenging and needs the protection of the charter to maintain the authority and integrity of the process approved in 1992.
2. Reduce the number of County Councilmembers to less than a quorum of the Council. We have heard proposals to reduce the number to three so each Councilmember can serve on one of the committees. This appears to be acceptable to the Cities so long as their numbers are not reduced.
3. Do not proportionately reduce the City representation (or sewer agency representatives for water quality). These committees are advisory and there is no legal need for an equal voting relationship between the County Council and city representatives on the committee. Given the County's share of the population, three Councilmembers to six or more city members (including sewer agencies on water quality), would still provide more than a proportionate representation for County's unincorporated residents.
4. Allow for the continuance of split votes to allow for more involvement from all the urban areas of the County.
5. Allow the selection of Co-Chairs, one by the County and the other by Cities (including sewer agencies) so the development of the work program, preparation of agenda items and other regional committee business is shared with a shared leadership structure. This also relieves County Councilmembers from a requirement to attend every meeting if they have a conflicting meeting.
6. Clarify the responsibility of the committees to develop their own work program and to advise the Council on policies and plans, levels of service, and to receive reports on the status and implementation of policies, plans and changes in levels of service.
7. Clarify that budget and operations are not within the purview of the committees.
8. Transit and Water Quality committees are stakeholder/user committees with urban representation from throughout the County. The Regional Policy Committee deals with a mixed-variety of mostly urban and some rural issues. Any change in membership to these three committees needs to be considered discretely looking at the urban stakeholders' issues in each committee.
9. Provide for voting participation of Snohomish County's sewer agencies by sharing a portion of one of the existing votes of the King County sewer agencies. If the non-County committee members are expanded it may not require a reduction in King County sewer agencies' votes.
10. Maintain the current provisions for periodic adjustments in the voting relationships based on population or water quality customers served.
11. Allow regional committees by majority vote to initiate motions and ordinances that the full Council must consider and bring to a vote. The subject matter of these motions or ordinances would have to be within the "policies, plans and levels of service" bounds of the committee's authority. The Council would remain the arbiter of the question of whether the committee's proposal is within their authority.
12. Assign the Regional Policy Committee responsibility for developing policies to encourage annexation and facilitate urban transition. Such policies could address infrastructure

standards, reverse contracting, state legislation to help fund annexations, budget recommendations on levels of urban services to urban unincorporated residents as well as better define policies on the “rural subsidy” of local services to rural residents.

Summary. The Suburban Cities, Seattle and Bellevue need to work with the Commission throughout the Charter review process. One of the issues that the cities will need to resolve with each other is the share of votes among members and among the special districts serving on the water quality committee.

For the Charter Commission’s work to be a worthwhile investment of time, I would also recommend that a representative from the Executive’s office and from the County Council be named to help negotiate the Charter amendments acceptable to the Cities and County. The County Council has asked for changes in the regional governance provisions of the Charter. A work group needs to be formed outside of the Commission process to develop agreements on any changes. With a consensus on some key issues, charter amendments will likely succeed. Without a way to come to consensus, the Charter Commission’s efforts are as likely to be as successful in 2008 as they were ten years ago.