



King County

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Briefing Paper – Options for Rural Unincorporated Area Representation and Governance

Rural/Local Issues Subcommittee
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I. Background on unincorporated areas

King County is charged by the state with providing a wide variety of services for its residents. Originally serving an overwhelmingly rural population, the county has over time come to play a dual role: as a regional government providing countywide services, and a local service provider for the unincorporated areas. Unincorporated King County represents 82% of the county's land area, and 20% percent of its population¹. Statewide, only the City of Seattle has a larger population than the unincorporated areas of King County.

As King County's regional service responsibilities have increased, primarily through the Growth Management Act and the Metro merger, its ability to balance its regional and local roles has been the focus of discussion and debate. Unincorporated areas are shrinking due to incorporation and annexation, and the county is ever more focused on its regional responsibilities. At the same time, many rural unincorporated residents feel they have born the brunt of the GMA's land use and environmental regulations, while remaining locked into minority status in countywide elections and policymaking.

¹ 2006 King County Annual Growth Report

Fig. 1: Population

	2006	2000	% Change
Total Population	1,835,300	1,737,000	5%
Unincorporated Population	367,070 (20% of total)	349,200	5%
Rural Population:			
Rural Unincorp. Population	136,000 (37% of unincorp. pop., 7% of total)	142,000	-4%
Rural Cities' Population	391,072 (21% of total)		
Total Rural Population	527,072 (29% of total)		

Source: 2006 King County Annual Growth Report and Chandler Felt, King County Budget Office

Fig. 2: Land area

	Acres
Total	1,365,760
Unincorporated (Urban & Rural)	1,120,630 (82% of total)
Urban Unincorporated	73 (<.01% of total)

Source: 2006 King County Annual Growth Report and Chandler Felt, King County Budget Office

The proportion of county residents who reside in the unincorporated areas has decreased steadily since the passage of the Growth Management Act (GMA) in 1990. Areas inside the Urban Growth Boundary are encouraged to incorporate or annex, as the GMA specifies that urban services should be provided by cities. Over the past 17 years, annexation and incorporation have successfully shifted over almost half of the unincorporated population into cities.² (See map on page 4.) Yet most unincorporated residents, about 60%, live inside the urban growth boundary.³ The King County Annexation Initiative aims to promote annexation or incorporation of the ten largest remaining urban unincorporated areas. If this initiative is completed, only 20,000 residents are projected to remain in urban unincorporated areas.⁴

Rural areas outside the urban growth boundary, however, will remain constituents of county government. The county will continue to be responsible for providing basic government services to these residents, in perpetuity (Growth in unincorporated rural King County has been very slow in recent years, and is projected to remain slow.⁵) Over the next ten years, it is reasonable to expect that the county will become a provider of local services primarily to the rural unincorporated areas.

Since the passage of the GMA, the county's relationship with its rural constituents has been strained by disagreements over land use, environmental issues, and access to government. In

² 1997 CRC report

³ 2006 King County Annual Growth Report

⁴ Annexation Initiative

⁵ Chandler Felt, King County Budget Office

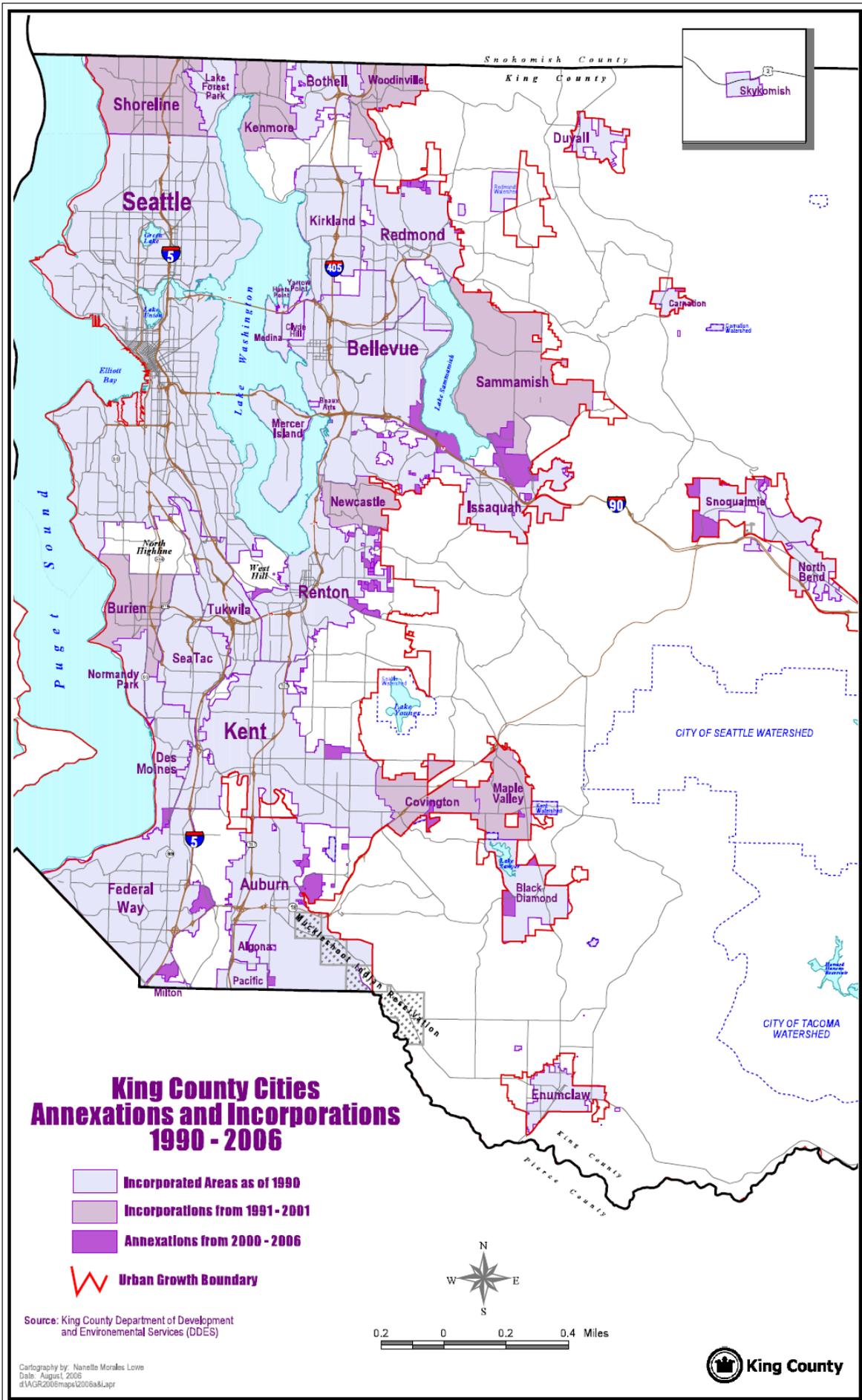
1992, for example, a moderately successful movement was initiated to establish a new county (Cedar County) consisting of a large portion of rural unincorporated King County.

To address these concerns, the County Council established the Committee for Unincorporated Areas (CCUA) in 1994. The purpose of the CCUA was to provide a focus for addressing unincorporated area issues. Also in 1994, Executive Gary Locke created the Citizen's Participation Initiative "to enhance opportunities for public involvement and to improve citizen access to the information and services provided by King County government, through recognition of unincorporated area councils, establishment of Community Service Centers to serve unincorporated King County and the provision of Community Service Representatives."⁶

In 1995, the Executive and Council passed legislation that allowed for the creation of Unincorporated Area Councils (UACs), which are recognized community groups with elected boards, which organize themselves according to the county's guidelines. The mission of the UACs is to provide "effective and continuing opportunities for citizens to participate in county government processes and decisions that affect their communities".

The 1997 Charter Review Commission, however, found that "many concerns were raised about the need to provide a stronger voice for unincorporated citizens in King County decisions affecting them." Today, 10 years later, the responses received by rural residents during the Charter Review Commission's outreach process echoed the same sentiments. Residents and county government continue to search for solutions to the dilemmas of providing local services and effective representation for rural residents, in an increasingly urban and regionalized county.

⁶ 1997 CRC report



II. Current structure

The unincorporated areas receive local government services from an array of county departments, and are represented by elected officials including county councilmembers, the Executive, and leaders of special purpose districts. In addition, the Unincorporated Area Councils act in an informational and advisory role for some unincorporated area residents.

Departments and Offices-

King County is the local service provider in the unincorporated areas for the following services, which are delivered by particular departments and offices. The departments are under the supervision of the Executive, while the offices are run by independently elected officials.

County Executive

- Policy, budgeting, business relations and economic development

Department of Adult and Juvenile Detention

- Jail for unincorporated area misdemeanor offenders

Department of Community and Health Services

- Human services
- Legal counsel for low-income people charged with a criminal offense
- Community Service Representatives for UACs

Department of Development and Environmental Services

- Fire inspections
- Building permits
- Land use planning

Department of Natural Resources and Parks

- Parks
- Surface water management/storm drainage

Department of Judicial Administration

- Courts of limited jurisdiction for misdemeanor crimes arising in unincorporated areas

Department of Transportation

- Roads

Prosecuting Attorney's Office

- Prosecution of criminal offenses arising in unincorporated areas

Sheriff's Office

- Local police services

The thousands of employees in these departments and offices are committed to providing quality services for the unincorporated areas. There are few staff, however, who are dedicated to addressing broad-based issues of unincorporated area residents (as opposed to local service delivery concerns). Staff includes two Community Service Representatives in the Department of Community and Human Services, who staff the UACs.

Council –

All but one councilmember has unincorporated areas in his or her district. District 4 is entirely in the City of Seattle; Districts 1 and 2 each have very small unincorporated areas; Districts 5, 6 and 7 have only urban unincorporated areas; and Districts 3, 8 and 9 contain all of the rural unincorporated areas. Councilmembers directly serve their unincorporated constituents on a daily basis, and also advocate for their interests with the council as a whole.

There is currently no council committee specially dedicated to representing the interests of unincorporated areas. The Council's Committee for Unincorporated Areas (CCUA) was charged in 1997 to:

Consider and make recommendations on King County motions and ordinances that have force and effect only in the unincorporated areas of the County; evaluate and make recommendations on the quality of service delivery in areas such as police, roads, and human services; and, consider and make recommendations relating to sub-area planning, community councils, and other unincorporated self-government strategies.⁷

Although the CCUA no longer exists, a number of its functions are now served by other standing committees of the Council, such as: General Government and Labor Relations; Growth Management & Natural Resources; Law, Justice, and Human Services; Transportation; and the operating and capital budget committees. Land use issues are handled by the Growth Management and Natural Resources. This committee “considers and makes recommendations on policies and development regulations relating to land use, housing, environmentally sensitive areas, and regulatory reform.” The committee also oversees policies (regarding) regional parks and open space, and recommends policies on county utility services.⁸

In 2005, Councilmember Dunn introduced a Property Owners' Bill of Rights, a package of ordinances intended to ease land use restrictions on homeowners in unincorporated King County. As part of this package, Councilmembers Dunn and Ferguson sponsored legislation to create a Rural Ombudsman position in the county Ombudsman's Office. Rural Ombudsman David Spohr works to resolve land use issues affecting citizens and property owners in the rural and unincorporated areas in response to citizen complaints about the operation of county government.

The Rural Ombudsman will also investigate citizen complaints about other aspects of the operation of county government, including alleged ethics code violations and reports of improper governmental action and retaliation. The Rural Ombudsman may make formal recommendations, via the County Ombudsman, for procedural or legislative changes. Rural residents have spoken favorably of the creation of this position, and of Mr. Spohr's work.

⁷ 1997 CRC report

⁸ <http://www.metrokc.gov/mkcc/Committees/gmua.htm>

Unincorporated Area Councils –

In 1995, Executive Gary Locke approved the creation of a new type of advisory body for the unincorporated areas of the county: Unincorporated Area Councils. The UACs are recognized community groups that self-organize and operate according to the county's guidelines. The UACs' mission is "to provide effective and continuing opportunities for citizens to participate in county government processes and decisions that affect their communities" on policies, county programs, citizen appointments to advisory committees, community plans, and subarea plans. Board members of UACs are elected in county elections by the general voting population within their boundaries. Geographic boundaries of UACs are suggested by the citizen organizers.

It was originally envisioned that the UACs would have a strong role in the adoption of land use plans and zoning for their areas, and would serve as a focus for reviewing and discussing unincorporated area services such as roads and parks. The King County Prosecutor's Office, however, concluded that the broad authority proposed unlawfully delegated the Council's legislative authority. The adopted ordinance enacting the UACs specified a more limited, advisory role.

There are six UACs currently operating: Four Creeks Unincorporated Area Council, Greater Maple Valley Area Council, North Highline Unincorporated Area Council, Upper Break Creek Community Council, Vashon-Maury Island Community Council, and West Hill Community Council.⁹ UACs currently represent 114,000 residents, or 31% of the unincorporated population.

The UACs are staffed part-time by two county employees in the Department of Community and Human Services. The staff serve as liaisons between the UACs and county government.

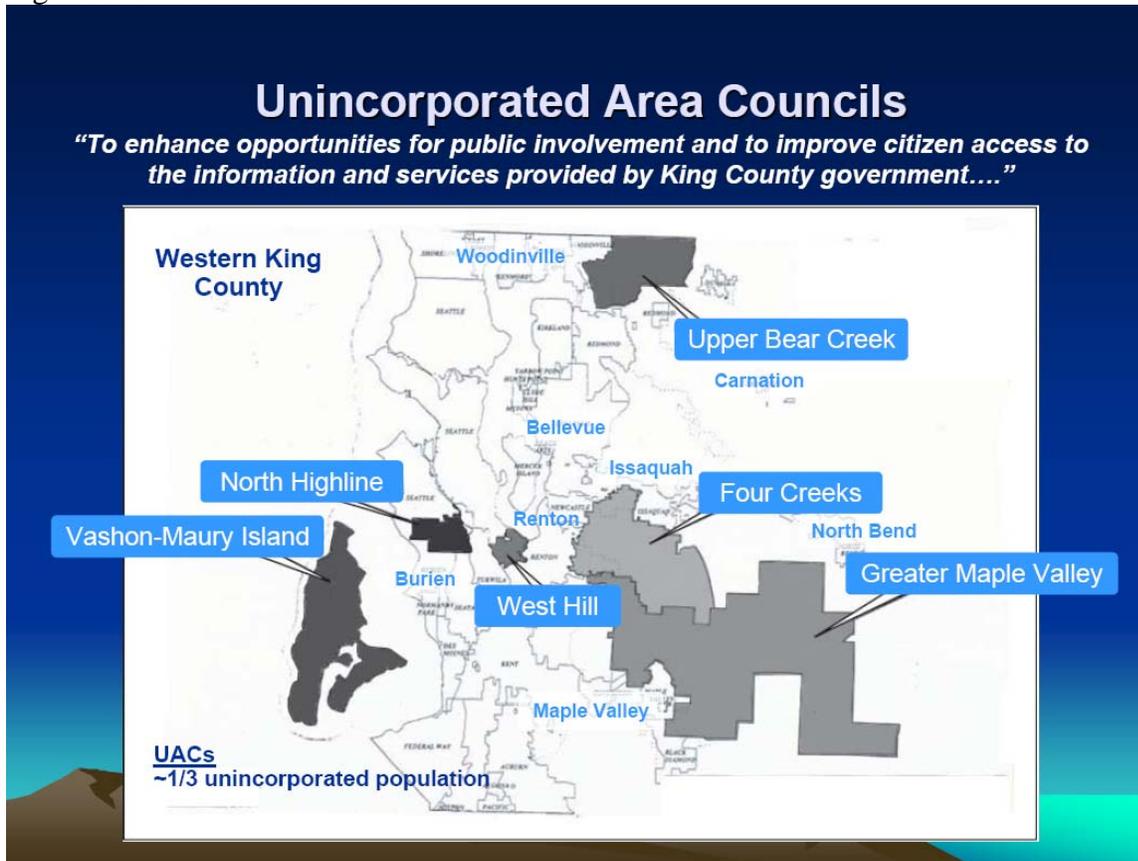
Figure 4: UAC facts

UAC	Council Approval	Approx # Voters	Acres
<i>Four Creeks</i>	Oct-96	14,000	24,417
<i>Greater Maple Valley</i>	May-96	15,000	74,381
<i>North Highline</i>	Apr-96	40,000	3,894
<i>Upper Bear Creek</i>	Jun-99	22,000	14,039
<i>Vashon- Maury Island</i>	May-96	10,000	23,606
<i>West Hill</i>	May-96	13,000	2
	Total:	114,000	140,339

Source: Four Creeks UAC, presentation to the Charter Review Commission, 5/29/2007

⁹ http://www.metrokc.gov/dchs/admin/dchs_bro.htm

Figure 5: UACs and Boundaries



Source: Four Creeks UAC, presentation to the Charter Review Commission, 5/29/2007

Note: the Greater Maple Valley UAC boundary is incorrect; the actual size is smaller than represented.

III. Public Opinion and Reports

Charter Review Commission Public Outreach Process

Comments – June-October, 2007

During June and July 2007, the Charter Review Commission conducted a public outreach process during which the Commission heard what people had to say about problems with King County government and considered the solutions they had to offer. A top issue to emerge was dissatisfaction among residents of the unincorporated areas with how decisions affecting them were being made.

Following are summaries of representative comments on the general issue of rural governance and representation:

We are being governed by those who do not live among us, and don't represent us. As long as a situation exists where the legislation is being made by those who neither are impacted personally by the laws they pass nor have to stand for election by voters who themselves are impacted by the laws they pass, where is the incentive for them to hear us? – Steve Hammond

King County needs to establish more responsive and equitable representation of unincorporated area residents. – Vanessa Allen, President, Fall City Community Association

Somehow or other, we have got to hear the voice of the people who live in the unincorporated areas. They are the stewards and custodians of the land. – Tom Carpenter, Four Creeks Unincorporated Area Council

How can King County government simultaneously meet the needs of urban and rural residents? It can't, when you have a government where the vast majority of people are totally unaccountable to the rural residents, on issues that affect only rural residents. The rural residents have to be governed by people who are accountable to them when it comes time to vote. – Kathy Myers, Maple Valley

Residents in rural unincorporated King County are substantially underrepresented. There's a big need out there for additional representation of some sort. – Ken Hearing, Mayor, City of North Bend

There is public dissatisfaction with the lack of a dedicated local services provider for land use and other local government services and policies that affect only rural area residents. A governmental model should be created such that people in unincorporated areas can have a government without losing their autonomy and the rural nature of their land. – Councilmember Kathy Lambert

Residents who use King County as a local government need some kind of special representation, because King County seems on many levels to work as regional government, but they fail miserably as a local government. – Melody Scherting, Issaquah

One of the greatest challenges King County is going to face over the next ten years is to keep our rural lifestyle as it is. We need better representation to be able to preserve the rural areas. – Pat Traub, Enumclaw

Rural citizens want to continue to live the life style they are choosing, without being micromanaged by King County or infringed on by sprawling development and incursion of urban infrastructure. Yet there is currently inadequate representation of rural needs with regard to development. – Dick Bonewits, Maple Valley Unincorporated Area Council

A number of commissions and committees have also provided recommendations on rural and unincorporated area issues.

King County Commission on Governance
Report and Recommendations – March 2004

The Commission on Governance was an 11-member citizen panel, created by King County, that convened in 2003 to examine county operations and funding. The Commission recommended that a new system, preferably a form of townships, be established to improve local government representation for unincorporated areas outside the urban growth boundary.

According to the Commission, “This effort should be conducted as a collaboration among King County, the State of Washington, and residents of unincorporated areas outside the urban growth boundary.” They noted that they had “heard frustration from rural residents who believe they have little local control over zoning and land use, a low connection to King County government and vice versa, and a wish that County services were better aligned to rural needs.”

The Commission considered a number of different solutions to help citizens to be more connected to local government, including an organizational structure for executive services such as Departments of Rural Affairs, Urban Affairs, Regional Affairs, before settling on the ‘modern township’ concept.

King County Budget Advisory Task Force
Report of the King County Budget Advisory Task Force – June, 2003

The Budget Advisory Task Force was composed of 13 citizens, recruited by the Executive in 2002. The Task Force was charged with analyzing the county’s budgetary situation and recommending solutions to alleviate its financial challenges.

The Task Force found that the county’s ability to continue to provide essential local government services was serious jeopardy. It also found that this problem would continue because of basic limitations of the county’s revenue structure.

The Task Force recommended that the county “make budget decisions consistent with the County’s growth management vision (as encompassed in the Countywide Planning Policies). Budget choices should promote annexation of urban unincorporated areas, and reflect a lower service level for rural areas than for urban service levels (acknowledging some rural subsidy will be appropriate.)

The Municipal League of King County
Shortchanged: King County’s Fiscal Crisis – November, 2003

In 2002, the Municipal League of King County established a committee to identify key issues affecting King County’s fiscal health and to make recommendations to improve it. The League’s action was precipitated by a concern that King County’s revenue base did not adequately accommodate its mandated functions.

The League found that King County’s fiscal crisis was related to the dual nature of its responsibilities (local and regional). To strengthen its role as a regional service provider, and allow unincorporated residents to be better served, it recommended that:

1. All land within the urban growth boundary should be incorporated or annexed to the city or cities; and
2. Rural unincorporated communities should be organized into townships or other entities for the purpose of local service delivery, to include local land use decision-making consistent with the Countywide Planning Policies and the Growth Management Act. King County should be more aggressive in encouraging and enabling unincorporated residents to find alternatives to King County for local service provision.

1997 Charter Review Commission

Unincorporated Area Issues: Summary Report and Recommendations – June, 1997

The 1996-7 Charter Review Commission’s (CRC) Unincorporated Area Ad Hoc Committee found that one of the top issues among unincorporated residents was “dissatisfaction among residents... with how decisions affecting them were being made by the King County Council.” The Commission concluded that “fundamentally there needed to be a clearer separation between the County’s regional and local decision-making, and that each set of decisions needed to be made by a body of representative of citizens affected by the decisions.”

The 1997 CRC considered a number of options to resolve this problem, including:

- Strengthening the Unincorporated Area Council (UAC) process. Suggestions ranged from providing administrative support to giving UACs final decision-making authority on a broad range of matters, particularly land use.
- Strengthening the County Council’s Committee for Unincorporated Areas (CCUA), giving it the same relationship to the County Council as the Regional Committees have with the Council.
- Changing the method by which County officials are elected, including creating a directly elected body of and for the unincorporated area and changing to elections to a proportional system.
- Establishing a Planning Commission to give a voice to the unincorporated area on land use decisions.

The CRC eventually recommended a charter amendment to create a new, separately elected legislative body (the Unincorporated King County Council) to represent residents of unincorporated areas. The council did not act upon this recommendation. It also recommended establishing a method for electing the council at large rather than by district.

The CRC also suggested an ordinance change, which did not require a charter amendment, to create one or more planning commissions for the unincorporated area of King County. The Commission noted that:

King County had a planning commission prior to the adoption of the Charter. This was replaced by the Hearing Examiner and community planning committees to advise in the development of local unincorporated area community plans. With the adoption of Countywide Planning Policies and a comprehensive plan pursuant to the Growth Management Act, King County has moved away from citizen planning advisory committees.

The Council also did not act upon this recommendation.

IV. Options

The options presented in this paper have come from a number of sources, including public comments and reports by previous commissions. Notes about the construction of the options list:

- The list is not intended to be exhaustive treatment of the possibilities;
- Options are not mutually exclusive;
- Options do not necessarily have an associated charter solution;
- Some options, if favored by the committee, may be best forwarded as recommendations to other governmental bodies, such as the council or the state.

In addition to the option of retaining the status quo, options generally fall into three categories:

1. An entirely new type of approach, such as a township structure. This would largely make the current council a regional body and create a local government for the rural areas.
2. An improved advisory role, such as improving the UACs or adding a Rural Commission that would advise on issues affecting the rural areas.
3. Create mechanisms inside county government to prioritize its relationships with rural/local areas, such as a new policy-oriented department.

A summary of the pros and cons of each option follows.

Fig 6: Summary of Options

Option	Pros	Cons
Strengthen the UACs	<ul style="list-style-type: none"> - Existing structure; relatively easy and inexpensive to supplement - UACs have been a moderately successful model to inform and represent the interests of residents 	<ul style="list-style-type: none"> - UACs only have advisory powers and do not directly represent residents - No new UACs have been created since 1999 (though a new UAC is being actively discussed in Fall City) - Only 31% of the unincorporated population lives within a UAC boundary
Replace the UACs with UADs	<ul style="list-style-type: none"> - UADs would be a stronger model than UACs; would have taxing authority and other governmental powers - Would require a vote of the people to create a UAD 	<ul style="list-style-type: none"> - Legal questions (1 person 1 vote) - Existing UACs and their functions would be lost; resistance from UACs - New taxing district may not be popular
Reduce UAC Role	<ul style="list-style-type: none"> - Addresses concerns regarding low-turnout UAC elections and UACs are speaking as representatives of residents 	<ul style="list-style-type: none"> - UACs are one of the only ways that unincorporated residents are informed and represented, other than their councilmembers
Rural/Unincorporated Affairs Department	<ul style="list-style-type: none"> - A department would add new staff who are dedicated to unincorporated area affairs, and would work with the various local services departments, Executive, and council to <i>permanently</i> and <i>proactively</i> serve residents' short and long-term needs - A department would fit within the existing structure of government (Executive Office) 	<ul style="list-style-type: none"> - Some stakeholders, such as the Executive and Councilmember Lambert, have expressed a lack of support for the idea of a new department (though Councilmember Lambert does support merging local service delivery functions into an unincorporated areas department). - Could potentially de-emphasize the importance of rural and unincorporated issues within the departments

Option	Pros	Cons
Subarea/Community Planning	<ul style="list-style-type: none"> - Subarea planning would give unincorporated residents a strong voice in their communities' futures - Would help to resolve conflicts with the county over land use planning (one of the biggest issues for unincorporated residents) - Implementing subarea planning is a relatively low-cost solution that functions within the existing structures of county government 	<ul style="list-style-type: none"> - Including unincorporated areas in planning does not speak directly to the major concern of residents: greater representation in county government - DDES already provides a process for providing input on land use decisions - If planning commission(s) were formed, they would likely report to the Council, while DDES reports to the Executive; could create an awkward situation
Townships	<ul style="list-style-type: none"> - The establishment of townships would ensure that unincorporated area residents have a local government that is dedicated to that purpose, providing for local services and representing the people. - The county would be relieved of its duty to perform two roles, as both a regional and local government 	<ul style="list-style-type: none"> - Currently not permitted by state law - The township model would require a significant amount of organizational work and funds to establish - Residents may find townships to be “just another layer of government” without resolving concerns with under-representation on the council
Rural/Unincorporated Advisory Council	<ul style="list-style-type: none"> - A standing advisory council would serve as a point of contact for unincorporated area residents and a forum for their concerns. 	<ul style="list-style-type: none"> - A council would not necessarily be a permanent fixture of government, and would have only advisory powers. - The county council recently decided not to enact this suggestion.

Option	Pros	Cons
More staff for councilmembers with unincorporated areas in their districts	<ul style="list-style-type: none"> - Supports directly elected officials in better serving their unincorporated area constituents. - Relatively inexpensive. 	<ul style="list-style-type: none"> - Is not a permanent solution. - Does not create a dedicated focus for policy or planning on the Executive side.
Staff restructuring under Executive	<ul style="list-style-type: none"> - Inexpensive way to improve communication with residents. - Liaisons could act as advocates for their rural communities, and bring their ideas to the highest levels of county government. - Relatively inexpensive, and does not require major change to the structure of county government. 	<ul style="list-style-type: none"> - Not necessarily a permanent solution; a staffing arrangement may be eliminated easily with the next Executive or budget cycle. - Does not provide representation for unincorporated rural residents, so much as improved communication.
No action/ Status quo	<ul style="list-style-type: none"> - Avoids temptation to ‘just do something’ to resolve unincorporated area residents’ concerns. - Gives credence to the effectiveness of existing mechanisms, such as the UACs and Rural Ombudsman. 	<ul style="list-style-type: none"> - Does not provide additional representation for or better communication with unincorporated rural residents.

Changes to Unincorporated Area Councils

Background – The comments received by the Commission about the UACs indicated that these bodies are not fully meeting the expectations of some citizens and lawmakers. A number of citizens stressed that better methods for more direct representation were needed, noting that UACs do not represent everyone in the county, and that they lack decision-making power. Some people argued that the UACs should not be treated as governmental entities, given the small numbers of people voting in often-uncontested UAC elections, and the UACs' lack of representation of the citizens in their areas.

The 1997 did not recommend changes to the UACs, in part because the model was so new. They considered the following options, however:

- Actively encourage the creation of more UACs, and/or create a forum for local representation for unincorporated areas without UACs
- Improve UAC staffing
- Give UACs a formal voice in planning
- Create subarea plans for the geographic region covered by each UAC

Public Comments –

The unincorporated area councils have no teeth. The council still has the final say. – Steve Hammond

Establish better methods for more direct representation of the county's unincorporated area residents; something more responsive and equitable. Unincorporated Area Councils lack decision-making authority and do not represent everyone residing in rural King County. – Judy Kelley

The UACs should not be treated as governmental entities, given the small numbers of people voting in those elections. – Claire Hanson

UAC elections are very small, and the UACs do not represent the areas well. There should be a clarification of roles, and UAC's should not be making policy. – Mark Ufkes

Options –

The UACs are established by ordinance, not by the charter. Therefore, changes to the UACs would most likely also take place in ordinance. The CRC might recommend a range of changes, including:

- Strengthening the UACs. Actively encourage the creation of more UACs, improve UAC staffing, create subarea plans for the geographic region covered by each UAC, or other measures. Another option, suggested by Councilmember Lambert, would be to require approval by UACs for any legislation regarding local government services.

- Replace UACs with Unincorporated Area Districts (UADs). Fall City Historian Jack Kelley has recommended UADs modeled after the process for forming a district outlined in state law (RCW 36.69.010). If the CRC recommended an incompatible form of governance, such as a township model, UACs may become redundant.
- Reduce the role of the UACs. Some residents are concerned that UAC boards act as representatives of unincorporated areas, while being elected in extremely low-turnout elections. Others feel the UACs are so powerless that they are functionally useless for representing residents.

Pros/Cons –

See summary table on page 13.

Rural/Unincorporated Department

Background – King County serves rural and unincorporated residents under the auspices of many different county departments. A number of UACs and citizens have suggested the creation of a new department under the Executive to better serve and advocate for the needs of rural and unincorporated residents. The department could wrap up all of the local services provided by the current departments, or could more simply serve as a body with policy but not local service responsibilities.

Public Comments –

Establish a position for a Deputy of Unincorporated Affairs. It is critical that our citizens in the rural area, for whom King County is the sole local government service provider, have a direct voice in the Executive's office.¹⁰ – Councilmember Larry Phillips

Establish a rural affairs department with offices in Monroe, North Bend, and Enumclaw. Rural resident voices need to be heard. – Edwin Nelson

Establish a Charter requirement for the existence of a Department of Unincorporated and Rural Affairs with the missing of maximizing value of unincorporated resources while maintaining the well being of a vibrant rural economy and lifestyle. – Rick Spence, Four Creeks Unincorporated Area Council

Create a position of Director of Rural Affairs reporting directly to Commissioners rather than a subjugated "ombudsman." The Director of Rural Affairs will have the responsibility of attending rural UAC meetings and be the rural area day-to-day interface with policy planners.
– Dick Bonewits, Maple Valley Unincorporated Area Council

¹⁰ Letter of October 30, 2007

Options –

A new department or deputy position could potentially be created by charter amendment, though departments and deputies are more typically established by ordinance.

1. New Department

The Four Creeks Unincorporated Area Council and Maple Valley Unincorporated Area Council have previously recommended the creation of a Department of Unincorporated and Rural Affairs to “improve representation and service by the county, and better maintain the rural economy and lifestyle.” The amendment would read:

The Department of Unincorporated & Rural Affairs shall be responsible for the management of unincorporated King County resources and the maintenance and well being of a vibrant rural economy and lifestyle.

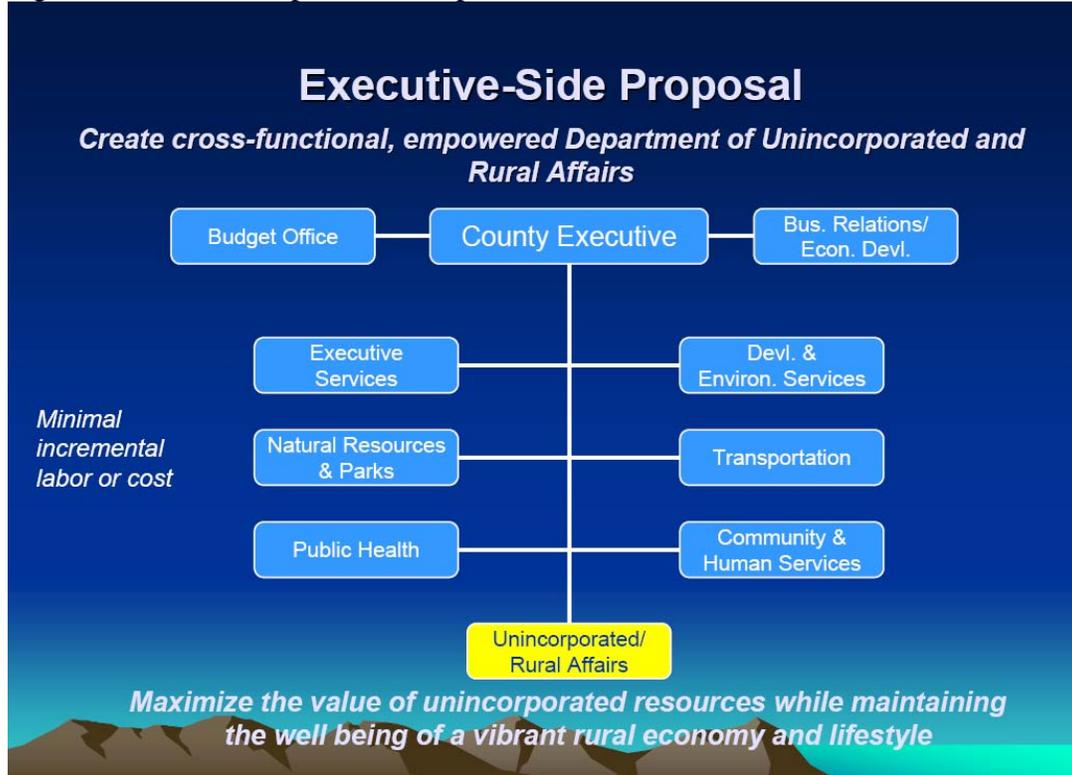
The department would be constituted as follows:

- Responsibilities of department– Resources, economics, plan, initiatives
- Accountability– Agreed upon, explicit outcome measures
- Authority– Plan and outcomes (regional and subarea); policies and ordinances
- Structure– Matrix organization (w/ linkage to Rural Ombudsman)

The following “critical success factors” would be applied to the department:

- Accountable to intended outcomes
- Policy and schedule authority
- Cross-functional performance objectives and measures
- Minimal incremental cost and labor
- Subarea planners are critical

Fig 7: Four Creeks Department Proposal



Source: Four Creeks UAC, presentation to the Charter Review Commission, 5/29/2007

An example of such a department is found in Los Angeles County. Unincorporated areas in LA County include more than 1 million residents and cover 2,600 square miles, representing one-tenth of the County population and two-thirds of the land area (much like King County).

LA County’s Office of Unincorporated Area Services and Special Projects, a branch of the Chief Executive Office, provides support to the Board of Supervisors and other County departments on a variety of topics related to the unincorporated communities and County operations.

Working with County departments providing direct public service, and in partnership with the different Supervisorial districts, the Office of Unincorporated Area Services focuses on “coordinating, enhancing and improving municipal services provided to the County’s unincorporated areas”¹¹. The Office also processes various jurisdictional changes including annexations, boundary changes, sphere of influence amendments and incorporations.

A department in King County would likely be created under the Executive. It would not be an independent Office such as the Sheriff or Prosecuting Attorney. Alternately, an office could be established within the Office of the Executive (such as the Business Relations and Economic Development Office).

¹¹ <http://ceo.lacounty.gov/OUAS/>

Adding new staff and organizational structure would vary in difficulty of implementation and cost, depending on the nature of the department. Some staff and functions included in a new department could be transferred from existing departments, thereby creating potential cost savings within those departments.

2. Deputy Executive

Installing a Deputy Executive would serve similar functions as a department, providing a permanent focus for unincorporated concerns and a primary point of contact for unincorporated area residents. The Deputy option would likely involve fewer staff.

The Executive Cabinet (the department heads plus Executive staff) recently considered these ideas, and concluded that a department was not the best solution at this time. A “policy” department was deemed to be overly compartmentalized, and to hold the possibility of de-emphasizing unincorporated issues within the departments instead of highlighting them. Councilmember Lambert has stated that she does not believe a new department is necessary, and instead favors increasing the number of council staff to achieve the same purposes.

Similarly, the idea of a Deputy Executive for Rural/Unincorporated Affairs was considered and rejected by the Executive Cabinet. The Cabinet believed that the areas of responsibility for such a deputy would be unclear, and would ‘muddy the waters’ of departmental responsibility.

Councilmember Phillips, conversely, has formally recommended the creation of a Deputy Executive for Unincorporated Affairs.

Pros/Cons –

Pros: a department would add new staff who are dedicated to unincorporated area affairs, and would work with the various local services departments, Executive, and council to *permanently* and *proactively* serve residents’ short and long-term needs. A department would fit within the existing structure of government (likely under the Executive).

Cons: some stakeholders, such as the Executive and Councilmember Lambert, have expressed a lack of support for the idea of a new policy-oriented department (though Councilmember Lambert does support merging local service delivery functions into an unincorporated areas department). A new department could potentially de-emphasize the importance of rural and unincorporated issues within the existing departments, instead of highlighting them.

Subarea/community planning

Background – Unincorporated residents of King County, and unincorporated land areas, are largely not included in subarea planning processes conducted by the County. Because many of the concerns of unincorporated area residents revolve around land use, and community power

broadly conceived, subarea planning could be a powerful tool to give unincorporated residents more voice in their communities.

Until the passage of the Growth Management Act, unincorporated areas of King County had formal input into the comprehensive planning process. Community planning areas were delineated in the 1970s to represent communities or groups of neighborhoods with common land use issues. The subarea planning done in the county during the 25 years prior to GMA was often focused on land use, although some subarea plans included other topics relevant to the vision of the community.¹²

King County began removing its subarea planning capabilities in 1994, starting with the first plan created under the GMA. A Planning Department was disbanded in 1995, and the staff that had subarea planning skills were either laid off or re-assigned. The decision to eliminate the planners was not supported by all county department management.¹³

Currently, DDES is responsible for developing and administering zoning and building codes. The public is involved in DDES' policy formation through public comment periods and hearings, and, at times, citizen advisory committees. Once the code is adopted, certain land use decisions and appeals from DDES decisions go to the Hearing Examiner, which replaced the planning commission when the Charter was adopted. The Council holds hearings and makes final decisions on appeals from certain Hearing Examiner decisions.

Public Comments –

Establish a Charter requirement for the creation and management of comprehensive subarea plans for unincorporated King County scoped and modeled similar to those produced by municipalities. – Rick Spence, Four Creeks Unincorporated Area Council

There is a fragmented and inadequate policy development process for rural areas. The process has not been reevaluated since its inception. – Dick Bonewits, Maple Valley Unincorporated Area Council.

Options –

Subarea/community planning could be implemented in a number of ways. The 1997 Charter Review Commission recommended the creation of planning commissions by ordinance, to provide the opportunity for meaningful community land use policy input. It suggested that “where officially recognized Unincorporated Area Councils exist, they should serve this purpose. Otherwise, members should be appointed from within each of the designated unincorporated subareas. The planning commissions should report to the King County Council.”

The Four Creeks UAC has recommended that the charter be revised to require the creation of “authoritative comprehensive subarea plans for unincorporated areas in cooperation with citizens of the subarea and neighboring areas.” This plan would not necessarily require planning commissions per se, but the process would need to be actively managed by county employees.

¹² Tom Carpenter, Four Creeks Unincorporated Area Council

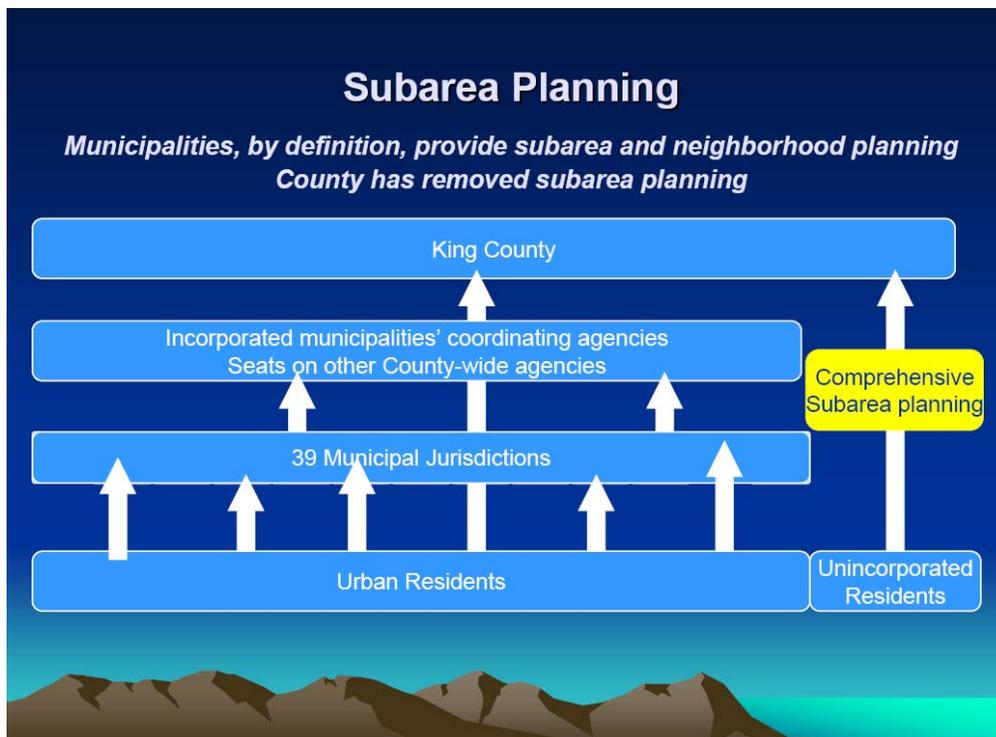
¹³ Ibid.

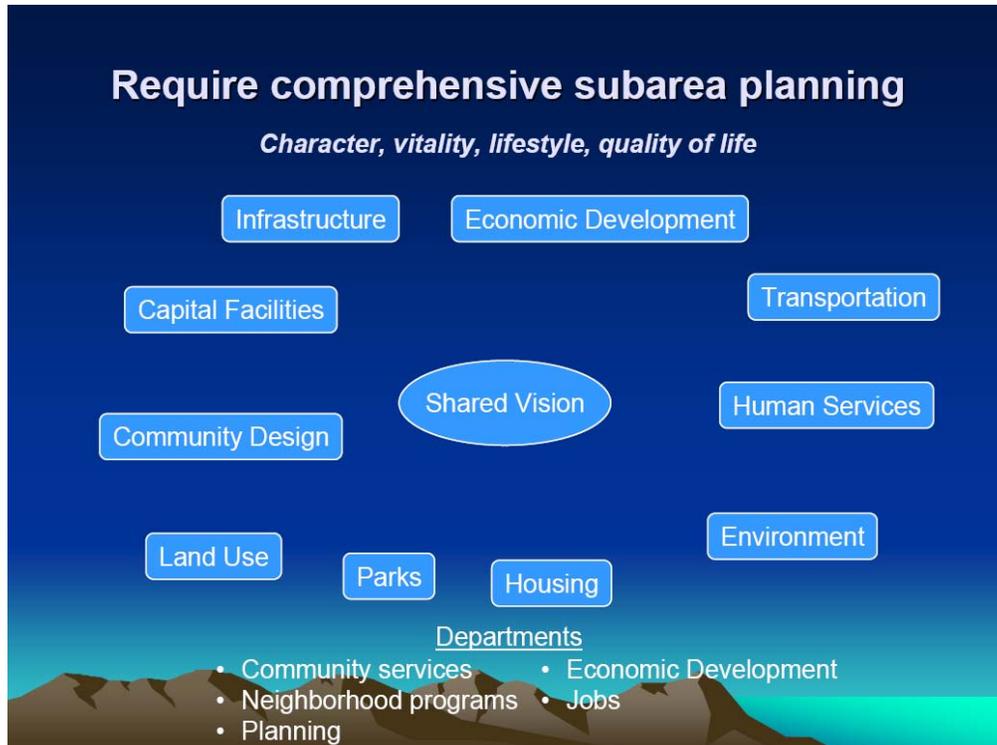
The Four Creeks UAC noted the following “critical success factors for subarea planning”:

- Prerequisite: Based on a dynamic vision held by the subarea residents
- Required for PAAs and areas represented by UACs. Determine if other areas should be included
- Established “intended outcomes” that create the basis for measures of accomplishments
- Previous subarea plans were dominated by land use; this calls for comprehensive planning
- Recognizes each subarea and neighborhood has both common and unique characteristics
- Takes the long-term view
- Includes any required comprehensive transition plans
- Cooperative arrangement between KC and neighboring municipalities
- Subarea may better be called “community” or “neighborhood” plans

Because subarea planning is not currently a charter topic, however, the Commission would most likely suggest planning be established for unincorporated areas by ordinance.

Figures 8 and 9: Four Creeks Subarea Planning Proposal





Source: Four Creeks UAC, presentation to the Charter Review Commission, 5/29/2007

Pros/Cons –

Pros: Subarea planning would give unincorporated residents a strong voice in their communities’ futures, and help to resolve conflicts with the county over land use planning (one of the biggest issues for unincorporated residents). Implementing subarea planning is a relatively low-cost solution that functions within the existing structures of county government.

Cons: Including unincorporated areas in planning does not speak directly to the major concern of residents: greater representation in county government. The 1997 Charter Review Commission noted that “there has been resistance at both the legislative and County level to delegating quasi-judicial land use decision-making to planning commissions. The Charter gives that authority to the Hearing Examiner”.

Rural/Unincorporated Advisory Council

Background – In 2005, a local grassroots group called Rural Majority proposed a set of policies to the council aimed at improving life for rural landowners and protecting the rural area. One key policy was a proposal to improve communications between King County, rural residents, and property owners by establishing a Rural Advisory Council. Rural Majority collected 12,000 signatures supporting this idea. The council did not act upon Rural Majority’s proposals.

This council or commission could meet regularly, or fairly infrequently in response to particular issues such as proposed land use changes.

Public Comments –

Create a rural advisory commission to advise the council on rural affairs. UACs, the agriculture commission, and the rural forest commission are too narrow in focus and geographic region to meet this need. – Ken Konigsmark, citizen

Pros/Cons –

Pros: a standing advisory council would serve as a point of contact for unincorporated area residents and a forum for their concerns.

Cons: a council would not necessarily be a permanent fixture of government, and would have only advisory powers. The county council recently decided not to enact this suggestion.

Townships

Background – A township is a basic division of a county, a primary unit of local government with powers to levy taxes, pass local ordinances and regulations, and provide various services as authorized by state statutes and elected officials. Townships are common in the Midwest and Eastern United States. If townships were in place in King County, the county would no longer be the local service provider for the unincorporated areas. The township would be the primary local government for unincorporated area residents, and the township’s leadership would represent residents’ interest with the Executive and Council.

Townships were originally authorized by Article XI § 4 of the State Constitution. In 1997, however, the Legislature repealed the provision that provided for the township form of government. A reversal of this decision would be needed to institute townships in King County.

The King County Commission on Governance recommended that the county should “consider and develop a modern township concept or an alternative representation model.” The Commission noted that “the term ‘township’ works because people identify instantly with a simple service model of government that is not simply another layer of government or a mini-city.” The township’s board would likely have defined powers in terms of zoning, land use, and variances, consistent with approved land use policies and the county’s comprehensive plan. The Commission stated that “a review of township action by the Council would be appropriate, but probably should require a supermajority to override Township action.”

Comments –

Townships would be a good model to improve rural governance, but the state Attorney General invalidated the possibility. Try to get that decision reversed. – David Field

The CRC should explore the option of the township model. - Peter Lamana

Townships are not a good model for our area – Dick Bonewits, Greater Maple Valley UAC

Options – A change to state law could be recommended to the state Legislature.

Pros/Cons –

Pros: The establishment of townships would ensure that unincorporated area residents have a local government that is dedicated to that purpose, providing for local services and representing the people. The county would be relieved of its duty to perform two roles, as both a regional and local government.

Cons: Currently not permitted by state law. The township model also would require a significant amount of organizational work and funds to establish, on the part of the new townships and the county. Residents may find townships to be “just another layer of government” that does not resolve concerns with under-representation on the council.

Staffing changes

Background – A number of citizens, and Councilmember Lambert, have called for increased staffing for unincorporated councilmembers.

Others have suggested that more and different staff are needed on the Executive side to better serve the needs of unincorporated residents, including the possible creation of departmentally-based rural liaisons overseen by the Executive.

Public Comments –

Take the responsibility for rural area policy development, out of DDES and the other local services departments and put it back in the Executive policy planning staff as it previously was several years ago. – Dick Bonewits, Maple Valley Unincorporated Area Council

Change the staffing of the policy planning staff to include at least two, or three, professional policy planners with extensive "hands on" rural area experience and perhaps in the urban UAC's. – Dick Bonewits, Maple Valley Unincorporated Area Council

Provide for proportional staffing and funding to Council District offices that represent local government functions for unincorporated areas. Council District offices are staffed and funded equally although the responsibilities for local government functions and the corresponding staff workloads vary according to how much of each district is unincorporated. Staffing levels should reflect the amount of local government services that need to be provided by each district. – Councilmember Kathy Lambert

Options –

1. Councilmembers with unincorporated areas in their districts should have more staff:

The proportion of unincorporated area-focused councilmembers to non-unincorporated councilmembers (3/9) is approximately the same as the proportion of unincorporated to incorporated area residents (1/5). However, unincorporated area councilmembers represent residents who utilize the county as both their local and regional governments, which generates additional work for those councilmembers. This situation has resulted in calls by some members (such as Councilmember Lambert) to increase the number of staff assigned to those members.

Pros: supports directly elected officials in better serving their unincorporated area constituents. Relatively inexpensive.

Cons: is not a permanent solution. Does not create a dedicated focus for policy or planning on the Executive side.

2. More and/or different staff on the Executive side:

Staff could be added in the form of additional Community Service Representatives in the Department of Community and Health Services.

The Executive proposed a Rural Services Initiative in the 2008 budget. The Initiative's mission was to "sustain vibrant rural communities while protecting rural lands, rural character and rural lifestyle". The Initiative was not funded by the Council (see the Council's response below).

The Initiative proposed:

1. A rural sub-cabinet that will function as the leadership team for Executive rural programs and initiatives. This sub-cabinet would consist of the heads of the departments that provide local services, in addition to Executive office leadership. Departments include the Department of Community and Human Services, Development and Environmental Services, Executive Services, Public health, and the Divisions of Parks and Recreation, Road Services, and Water and Land Resources.
2. A new Rural Services Manager who will be accountable for coordinating rural service delivery across departments.
3. A team of geographically-based Community Liaisons who are knowledgeable about and responsible to the interests and concerns of different parts of the rural area.
4. The continuation of successful interagency teams, and the creation of a new interagency Rural Planning Team.
5. Development and execution of a coordinated annual work program with clear and measurable objectives.
6. Ongoing performance measurement to evaluate the success of the initiative.

The Initiative's Community Liaisons were the heart of this plan. They would be responsible for keeping in close touch with rural residents and organizations, and would serve as a conduit for information between residents and the Rural Sub-Cabinet. The liaisons, and their supervisor, the

Rural Services Manager, would also advocate for necessary changes with department heads and Executive staff.

There were no new positions associated with this initiative, and the costs of implementation would have been absorbed by those departments currently providing services in the rural areas.

The Council's response to the Initiative's proposal was to place an Expenditure Restriction on the DNRP budget, allowing time to have an inter-branch working group further develop the concept. The rationale was as follows:

“The council finds that there is a need to: (1) establish a clear vision and policy framework regarding the county's delivery of services to the rural area; (2) improve customer service to rural and unincorporated area residents through effective and seamlessly delivered quality services; and (3) strengthen knowledge among county staff regarding the rural area and the rural way of life. The council finds that it is essential to review a range of options that may exist to address these needs, such as the establishment of an office of rural and unincorporated affairs or the consolidation of many rural and unincorporated area services in one department.

It is the council's intent, in 2008, to develop a comprehensive plan for rural and unincorporated area service delivery. The comprehensive rural and unincorporated services plan shall address the needs identified above and will be based upon a study of the options listed above as well as other options that might be identified through a review of similar jurisdictions. The council intends to establish an interbranch work team in order to develop this comprehensive rural unincorporated services plan. The interbranch work team shall include, at a minimum, staff from the county council, the rural ombudsman, the department of natural resources and parks, the department of transportation, the department of development and environmental services, the department of public health, the sheriff's office, the office of business relations and economic development and the office of management and budget.”

Respectfully submitted by: Corrie Watterson Bryant, November 8 2007