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Rita Perstac

Eileen V. Quigley

Yvonne Sanchez

Lynna Song

Lucy Steers

Mylon Winn

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\*Resigned

## 1996-97 KING COUNTY CHARTER REVIEW COMMISSION

#### UNINCORPORATED AREA ISSUES: SUMMARY REPORT AND RECOMMENDATIONS

**JUNE 1997** 

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Unincorporated Areas

#### **ACKNOWLEDGEMENTS**

The 1996-97 Charter Review Commission acknowledges that its work could not have been accomplished without the support and contributions from many individuals and organizations, including . . .

- ... Governor Gary Locke, who, as King County Executive, made the initial appointments to the Commission and created a solid foundation for the Commission's work by establishing its mission and making a commitment of resources to carry out that mission;
- . . . King County Executive Ron Sims who supported the Commission throughout the charter review process, first as a member of the Metropolitan King County Council and then as County Executive, and who encouraged the Commission to think independently and creatively in identifying problems and developing solutions to improve the effectiveness and efficiency of King County government;
- . . . Metropolitan King County Council Chair Jane Hague and the members of the Metropolitan King County Council who maintained an active dialogue with the Commission about charter issues throughout the review process—especially regarding regional committee and unincorporated area issues— and who encouraged the Commission to be creative in seeking solutions to improving King County government operations, especially those that address the regional committees and the unincorporated area;
- . . . the Department of Transportation, Department of Natural Resources, and Prosecuting Attorney's Office for the generous loan of staff, space, and resources without which the charter review process could not have gone forward; and
- ... the many citizens who have collectively contributed hundreds of hours of their time in not only reading the Commission's work, but also attending meetings, making phone calls, filling out comment cards, and writing letters.

### 1996-1997 King County Charter Review Commission Unincorporated Area Issues: Summary Report and Recommendations

#### June 1997

#### **EXECUTIVE SUMMARY**

#### **PURPOSE**

The purpose of this report is to compile the background material the Charter Review Commission considered for unincorporated area local governance issues and possible solutions. Specifically, it is intended to be a stepping stone for the recommended task force, the Unincorporated Area Councils, and the Council Committee for Unincorporated Areas in moving ahead on unincorporated area local governance issues. It is hoped that this report will speed progress towards an implemented solution that will improve local government decision-making for the unincorporated areas in King County and regional government decision-making for all of King County.

#### RECOMMENDATIONS

The Commission was challenged by County Councilmembers and by the unincorporated area citizens to develop solutions to the problems of unincorporated representation in County decisions affecting the unincorporated areas. The Commission concluded that, . . .

... fundamentally, there needs to be a clearer separation between the County's regional and local decision-making processes.

The Commission recommends the County Council establish an unincorporated area governance task force comprised of representatives from the unincorporated areas, the City of Seattle, suburban cities, special purpose districts, and the County Council. (A minority report on the Commission's recommendation was submitted and is included as Appendix F.) The task force will be charged with the following: developing the structure for a new unincorporated area legislative body; defining its duties and responsibilities; recommending revenue sources; and recommending a budget allocation process. In recognition of the complexity of the task, the Commission also advises that the members of the task force have a strong working knowledge of county government. The Commission recommends that at least half of the task force members

reside in the unincorporated area. The task force should also include the other interested parties mentioned above, however, in order to help ensure its results are broadly acceptable to all. Any new governmental body needs to be the product of a cooperative effort. Profound agreements will need to be hammered out between the King County Council and the unincorporated area citizens. It is expected the results of the work of this task force will be a useful tool for other urbanizing counties as well.

The Commission was a volunteer, advisory body with a limited time in which to do its work. Since the Commission disbanded after making its report to the Executive and Council in June 1997, . . .

. . . the Commission challenges the County Council and the Unincorporated Area Councils as well as others in the unincorporated area to continue the work of the Commission by moving forward the development and implementation of a solution that will more clearly separate regional and local decision-making and create representative and responsive local government for the unincorporated areas.

#### PART I: BACKGROUND ON UNINCORPORATED AREA ISSUES

The role of county government in Washington has changed dramatically since Washington became a state in 1889. County government was, and still is, an arm of the state charged with administering state and regional functions such as elections and criminal justice. When King County was created, it contained only a smattering of cities and served as the local government for most of the residents of the County. As needs for such services as water supply and fire protection increased throughout unincorporated King County, special districts were created to address those needs. Services in unincorporated areas are now provided by a myriad of special purpose governments and by King County. King County also is the regional government for purposes of delivery of many services. (See Appendix G for a listing of local and regional services provided by King County.) Over time, as King County has greatly increased regional service responsibilities, its ability to balance regional and local roles and responsibilities has been the focus of discussion and debate.

Prior to 1970, about 35 percent of the population of King County lived in unincorporated areas. In the following 20 years (1970-1990) most of the county's growth occurred in unincorporated areas. Since 1990, annexation and incorporation has shifted over 200,000 people into cities. In 1997, about 405,000 people or 25 percent of the population live in unincorporated areas (estimate effective August 1997 when the Maple Valley and Covington incorporations take effect). Of those, about 275,000 live in urban unincorporated areas and about 130,000 live in rural unincorporated areas. King County serves as the local government for unincorporated area citizens. By way of comparison, the City of Seattle has about 535,000 people, Bellevue has about 104,000 people, Federal Way has about 75,000 people, and Kent has about 60,000.

In 1970, King County had a total population of 1,159,300 of which 410,700 (35.4%) lived in unincorporated areas. By the year 2010, a population of 1,856,400 is forecast for King County, with under 300, 000 (under 16%) expected to be living in unincorporated areas.<sup>1</sup>

Beginning in the 1980s, the pace of development increased considerably in both urban and rural unincorporated areas. In response to rapid development, the Growth Management Act (GMA) established a number of mandates that dramatically impacted the unincorporated area. The GMA required that an urban growth boundary be drawn to delineate urban areas within which urban growth was to be encouraged, and outside of which it was to be discouraged. Development has continued to occur in both areas at a rapid rate. The Countywide Planning Policies (CPPs) were negotiated and adopted by King County and the cities within King County in 1992 in response to the GMA. The CPPs state that in areas designated for urban growth, urban level local services should be provided by cities after annexation or incorporation. The GMA does not allow incorporation on the rural side of the urban growth line.

It has been observed in Commission discussions that the GMA intended the urban/rural boundaries to be 20-year actions, i.e. that they were to be drawn to accommodate growth for the

<sup>&</sup>lt;sup>1</sup> Chandler Felt, King County Office of Budget and Strategic Planning.

next 20 years and be revisited and adjusted as needed in the future. A combination of factors has led to a number of annexations and incorporations creating impacts for the County which have yet to be fully resolved.

Discomfort with the rapid changes that were occurring and a desire to have a greater degree of control over those changes spurred concerned citizens to seek, and in many cases obtain, voter approval of incorporation as a new city or annexation to an existing city. Many citizens in the unincorporated areas have expressed a desire to remain unincorporated, but feel they must annex or incorporate in order to gain some self-determination and an adequate voice in their local government.

In the rural unincorporated area, the same conditions have lead to a movement initiated in 1992 to establish a new county (Cedar County) consisting of a portion of rural unincorporated King County. After encountering several obstacles, the Cedar County movement has chosen to take its case to the State Supreme Court, where a decision awaits as of this writing. There have been several other new county proposals in Western Washington, from Whatcom County down to Clark County. The movements have been born in part of frustration with county government over land use, environmental issues, and access to government. In King County, a particular sore point for rural area citizens is that the vast majority of King County Councilmembers are city residents representing mostly city-dwelling constituents, and who impose their urban ideas upon rural King County when acting in their capacity as local government for the unincorporated areas.

With population increases and the advent of the Growth Management Act, King County's roles and responsibilities as a regional government have vastly increased. In November 1992, voters approved the merger of the King County and Metro Council<sup>2</sup> governments further enhancing this regional role. When the merger took effect in January 1994, King County assumed responsibility for countywide transit and water pollution control services. While King County has long been a regional provider of a number of services and a major force in regional issues, the King County/Metro merger was viewed as a major step towards King County becoming a truly regional government.

As part of the merger, three Regional Committees with representation from King County, the City of Seattle, and the Suburban Cities were established—Regional Policy Committee, Regional Water Quality Committee, and Regional Transit Committee. The King County Councilmembers sitting on the Regional Committees include Councilmembers from districts with unincorporated residents. At the same time the new Regional Committees started meeting, the County Council established the Committee for Unincorporated Areas (CCUA) in 1994. The purpose of CCUA was to provide a focus for addressing unincorporated area issues. CCUA was created to be a forum for discussion of issues, rather than a decision-making body on substantive

<sup>&</sup>lt;sup>2</sup> Metro Council was a federated regional government with 41 members consisting of the King County Executive and Councilmembers, City of Seattle Mayor and Councilmembers, suburban elected officials appointed by cities or caucus of small cities, sewer district commissions appointed by caucus or sewer districts, and citizens appointed by the Councilmembers who had a majority of their district in unincorporated King County.

issues of the greatest concern to the unincorporated area, such as transportation and land use. Instead, these issues were dealt with by other Council standing committees.

However, the Council Committee for Unincorporated Areas recently was authorized to consider more substantive issues. The King County Council adopts its committee structure by motion every year. In February 1997, the County Council adopted Motion 10086 which provided that:

Committee for Unincorporated Areas shall consider and make recommendations on King County motions and ordinances which 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.

While this motion leaves some questions unanswered, it does indicate that the County Council is attempting to respond to unincorporated area citizens' concerns about their involvement in the decision-making process. Unanswered questions include the definition of unincorporated area matters and how other Council committees (such as Transportation and Growth Management) will relate to CCUA.

In 1995, in an effort to ensure that the unincorporated area voice was not overlooked in the County's expansion of its regional responsibilities, the Executive and Council considered an ordinance that would have allowed for the creation of Unincorporated Area Councils (UACs) with an elected board and a strong role in land use plans and zoning for their areas. Additionally, it was envisioned that the UACs would serve as a focus for reviewing and discussing unincorporated area services such as roads and parks. The King County Prosecutor's Office concluded that the proposal involved an unlawful delegation of the Council's authority.

Subsequently, the proposal was revised and implemented by Executive Gary Locke through an Executive Order (No. PRE 7-1 AEO). Executive Locke's action enabled the creation of Unincorporated Area Council (UACs) with advisory powers rather than the stronger role envisioned in the previously proposed UAC ordinance. The UACs would be recognized community groups which organized themselves 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, subarea plans, and other plans and issues specifically affecting the citizens within the UAC boundaries. This includes, but is not limited to:

- Identifying issues of concern related to affordable housing, environmental protections, open space, water quality, surface water management, economic development, and growth management;
- Developing and recommending priorities for services and methods of services delivery for public safety, public health, human services, transportation, transit, parks, recreation, and arts and heritage programs;
- Serving as a resource for input and advice on community or subarea plans; and,

 Reviewing proposed County spending in the community and recommending priorities or alternatives.

During the Charter Review Commission's issues scoping process in February 1997 and through other comments received by the Commission, many concerns were raised about the need to provide a stronger voice for unincorporated citizens in King County decisions affecting them. One suggested way to accomplish this was to strengthened the UACs. Even among the UACs themselves, however, became apparent that there is no consensus on the future role of the UACs, including whether or not they can be an effective voice for unincorporated areas and whether or not they need to be strengthened. This is understandable since the UACs were recently recognized officially by the Council and are responding to a time of great change in the unincorporated area. Also, they represent communities which have very different interests. The UACs themselves have very different histories, some are based on long established community councils and others are newly formed. At the time of this report, there were five officially recognized UACs, representing about 30 percent of the unincorporated area population in King County. The five UACs are:

- Four Creeks Unincorporated Area Council
- Greater Maple Valley Area Council
- North Highline Unincorporated Area Council
- Vashon-Maury Island Community Council
- West Hill Community Council

#### PART II: ISSUE DEVELOPMENT

During February 1997, the 1996-97 Charter Review Commission conducted an "issue scoping" 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. One of the top issues to emerge was dissatisfaction among residents of the unincorporated areas with how decisions affecting them were being made by the King County Council. The Commission was urged to come up with creative solutions to this problem. 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 effected by the decisions.

The Commission committed to making substantive recommendations that would result in better representation and separate decision-making powers for unincorporated area citizens. Both those who provided comment and the Commission felt that these issues need to be dealt with in the near future.

Several options that were suggested by the public and by Commission members for possible improvements were carefully considered. Those options included:

- Strengthen the newly created 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.
- Strengthen the County Council's Committee for Unincorporated Areas (CCUA). Give it the same relationship to the County Council as the Regional Committees have with the Council (the key provision being that a two-thirds vote of the Council is required to override the Regional Committee decisions).
- Require members of the County Council to vote on matters of unincorporated area jurisdiction based on the percentage of unincorporated area population in their districts.
- Change the method by which County officials are elected. Suggestions included creating a directly elected body of and for the unincorporated area and changing to elections on a proportional vote rather than the present winner-take-all method.
- Establish a Planning Commission. This would give a voice to the unincorporated area on land use decisions.

#### PART III: RECOMMENDATIONS DEVELOPMENT

At the same time as the Charter Review Commission was considering the issue of how King County can more effectively govern the unincorporated area, it was considering the issue of how King County can become a more effective regional government. An underlying conclusion was that regional and local decision-making needed to be more clearly separated. Proposals to strengthen the UACs, to strengthen the Council Committee for Unincorporated Areas, and to establish planning commissions were reviewed, but found not to go far enough. The existing township statute was found to be inadequate. To best serve King County's regional role and the need for local governance in the unincorporated areas, the Commission concluded that . . .

... fundamentally, there needs to be a clearer separation between the County's regional and local decision-making.

After reviewing suggested solutions in March 1997, the Commission concluded that a substantive change in the structure of King County government was needed to address unincorporated area problems and to make the County a more effective regional government. The Commission concluded that a separate entity of limited jurisdiction would be the ultimate solution. The Unincorporated Area Governance Ad Hoc Committee was established and charged with the task of developing a conceptual proposal as a form of local government for the unincorporated areas. The Ad Hoc Committee developed a set of principles to guide its work.

#### **Guiding Principles**

- Regional and local decision-making need to be separated.
- The decision makers for unincorporated area issues need to be held accountable to the unincorporated area voters.

- Unincorporated area governance needs to be less than a city so that it does not discourage annexation or incorporation in the urban unincorporated areas.
- A new entity needs to be implemented without adding new taxes or taxing authority.
- Unincorporated area governance must have final decision-making authority on matters of unincorporated area-only jurisdiction.
- Unincorporated area governance needs to provide for "jurisdictional" representation on regional decision-making.

#### ORIGINAL RECOMMENDATION

The Ad Hoc Committee met six times between April 10 and May 28, 1997 to develop the concept<sup>3</sup> for an Unincorporated King County Council (UKCC). The Ad Hoc Committee initially proposed a model for a UKCC which would be a separately elected, at-large, nonpartisan, five-member governing body that would make decisions regarding matters of unincorporated area jurisdiction, including delivery of services to be funded from King County's existing revenues. However, recognizing that there was not sufficient time to develop implementation details in time for the November 1997 ballot, the Ad Hoc Committee proposed that a charter amendment be placed on the November 1997 ballot that would require the UKCC to be established by January 1, 2000 and requiring the County Council to establish by ordinance a task force to develop the details of the new council. Such details included defining "matters of unincorporated area jurisdiction" and determining how funding allocations would be made from King County's existing revenues. (See original recommendation as described in Appendix B and C.)

The Ad Hoc Committee considered the issue of percentage voting, i.e., weighting County Councilmembers' votes on matters specific to the unincorporated areas by the proportion of unincorporated area citizens residing in their districts. Under this approach, County Councilmembers with weighted votes on matters specific to the unincorporated area would give these areas direct representation on service delivery and policy issues affecting only them. The Ad Hoc Committee concluded this should be a transitory charter amendment to sunset when the Unincorporated Area Government becomes effective in 2000. (As noted later, percentage voting as proposed by the Ad Hoc Committee was determined to be constitutionally flawed and was not pursued.)

Meanwhile, the Commission's preliminary recommendations on other issues were developed by other working committees as follows:

1. Unincorporated Area Councils: Should the Unincorporated Area Councils' process be strengthened to give a better voice to the unincorporated area in County decision-making? The Commission's conclusion was that the UAC process is in an early evolutionary stage and needs time to develop before charter changes can be identified

<sup>&</sup>lt;sup>3</sup> See Original Concept in appendix.

and proposed to voters. There are also legal limitations on the degree of decision-making power the UACs could exercise, especially as currently constituted.

- 2. Council Committee for Unincorporated Areas: Should the Council Committee for Unincorporated Areas have the same voting relationship with the County Council as the Regional Committees have in order to give a focus on unincorporated area issues? The Commission's conclusion was that any changes to CCUA should be accomplished by the Council through ordinance and motion (as the CCUA and Council procedures are created by ordinance and motion), but cannot go far enough in solving the problem.
- 3. Planning Commission: Should King County establish one or more planning commissions for the County's unincorporated areas? The recommendation was to create planning commissions by ordinance for meaningful community land use policy input. Where officially recognized Unincorporated Area Councils exist, they should serve this purpose if they so choose. Otherwise, members should be appointed from within each of the designated unincorporated subareas. The planning commissions should report to the King County Council, or to the UKCC when created.

#### REVIEW OF ORIGINAL RECOMMENDATION

The Commission wants to acknowledge the hundreds of hours that citizens collectively contributed to the Commission's work. Each individual comment involved not only the time to make the call, fill out a comment card or write a letter, but also the time to read the Commission's work. To the extent possible within a tight time line, the proposals addressing unincorporated area issues were shared with key interest groups, including the UAC board members and the members of the Council's Committee for Unincorporated Areas. Several unincorporated area citizens faithfully attended Commission meetings and were valuable sources of input during committee discussions. As a volunteer body itself, the Commission was especially appreciative of the Four Creeks and Vashon-Maury Island UACs which invited representatives of the Commission to meet with them and the nearly 75 UAC board members and other citizens who spent over three hours discussing Commission recommendations for the unincorporated area at a County Council-sponsored workshop. Additionally, the County Council's Committee for Unincorporated Areas and individual Councilmembers have generously taken time to share their views with the Commission.

As a result of this input, the Commission observed the following:

#### About the UACs . . .

• The UACs clearly need more time to develop. County Councilmembers and the UAC members are still working to define the roles, responsibilities, and relationships of the UACs. Until this evolves further, it is difficult to assess the effectiveness of the UAC process in providing a voice for the unincorporated areas in King County decisions affecting them. It is unclear what "effective" means to the UACs. This is an important element to the resolution of their development.

- Among the UACs, there is strong interest in having final decision-making authority over unincorporated area matters, primarily concerning land use matters. It is unclear whether they agree it should go as far as to include service delivery and resource allocation decisions or what this authority might be. There does not appear to be recognition among the UACs that there are legal, as well as practical, limits to transferring this authority from King County to the UACs.
- The UACs as presently constituted represent only about 30 percent of the estimated 405,000 persons living in unincorporated King County (as of August 1997).

#### About the King County Council . . .

• Most County Councilmembers are not interested in giving up power to another body for local decisions which may have little impact on the urban areas many of them represent or on the region as a whole.

#### However, . . .

• Both the UACs and many County Councilmembers seem to be open to the possibility that improvements in the unincorporated representation can be made. Any major changes will need time for all parties to develop and thoroughly understand—more time than was permitted under the Commission's schedule.

#### REVISED RECOMMENDATION

As a result of the May 29, 1997 CCUA/UAC workshop on the Commission's draft charter recommendation for unincorporated area governance, a majority of Commission members remained committed to the notion that there needs to be a separate legislative authority (decision-making body) for the unincorporated areas of King County in order to improve both local and regional governmental functions. Commission members believe that the ultimate solution probably requires state legislative action, particularly regarding revenues, for a new unincorporated governance structure. In the meantime, the Commission and unincorporated area residents strongly feel that something needs to occur sooner rather than later that can be implemented at the County level following approval of a charter amendment. After the initial presentation of the UKCC proposal to the full Commission on May 29, 1997 and the CCUA/UAC workshop that same day, it was clear that more time was needed to finalize the proposal and the implementing details in order to gain public support and acceptance. The Commission's tight schedule did not provide the necessary time to accomplish this. Consequently, the Ad Hoc Committee's proposal was revised to recommend that a task force be appointed by the County Executive and confirmed by the Council. The task force would work from October 1997 through June 1998 to develop the details of an UKCC proposal for placement on the ballot as a charter amendment in November 1998. If approved by the voters, the elected offices for the new UKCC would be elected in November 1999 and take office on January 1, 2000.

The revised recommendation, as approved by the Commission, is that . . .

... the County Council establish by ordinance a task force by October 1997 which will be comprised of representatives from the unincorporated areas, the City of Seattle, suburban cities, special purpose districts, and the County Council. The task force will be charged with developing, by June 1998, the structure for the new unincorporated area legislative body, a definition of its duties and responsibilities, and recommended revenue sources and budget allocation process. These recommendations are to be incorporated into a charter amendment proposal to be placed on the November 1998 ballot.<sup>4</sup>

The Commission recommends that at least half of the task force membership reside in the unincorporated area. However, for the purpose of achieving a balanced recommendation, it is important that the other groups mentioned also be included. Any new governing mechanism should evolve from a cooperative effort. Profound agreements will need to be forged between the King County Council and the unincorporated areas. It is expected that the results of the work of this task force will be a useful tool for other urbanizing counties as well.

#### **CONCLUSION**

The Commission was challenged by both the County Council and the unincorporated area citizens to develop creative solutions to the problems of unincorporated representation in County decisions affecting the unincorporated areas. The Commission was a voluntary, advisory body and with a limited time to complete its work. When the Commission disbanded after making its report to the Executive and Council in June 1997, . . .

. . . the Commission challenges the County Council and the Unincorporated Area Councils as well as others in the unincorporated area to continue the work of the Commission by moving forward the development and implementation of a solution that will more clearly separate regional and local decision-making and create representative and responsive local government for the unincorporated areas.

<sup>&</sup>lt;sup>4</sup> A minority report was submitted on the Commission's recommendation and is included in Appendix F.

#### **APPENDICES**

- A. Commission Ad Hoc Committee Goals
- B. Unincorporated King County Council (UKCC) Original Proposal Concept Outline
- C. Questions and Answers About the UKCC Concept
- D. Unincorporated Area Governance Task Force as Approved by the Full Commission
- E. Unincorporated Area Governance Alternatives (table)
- F. Minority Report on the Commission's on the Unincorporated Area Recommendation
- G. Local and Regional Services Table
- **H. Issues Scoping Comments** Public comments on unincorporated area issues (table listing the comments)
- **I.** Summary of Comments from May 29, 1997 UAC/CCUA workshop on the Commission's preliminary recommendations sponsored by the Council Committee for Unincorporated Areas

#### COMMISSION AD HOC COMMITTEE GOALS

GOAL: Build upon progress of the King County/Metro merger moving toward a truly regional government for King County.

The guiding principles the unincorporated area governance ad hoc group used in developing the alternatives were:

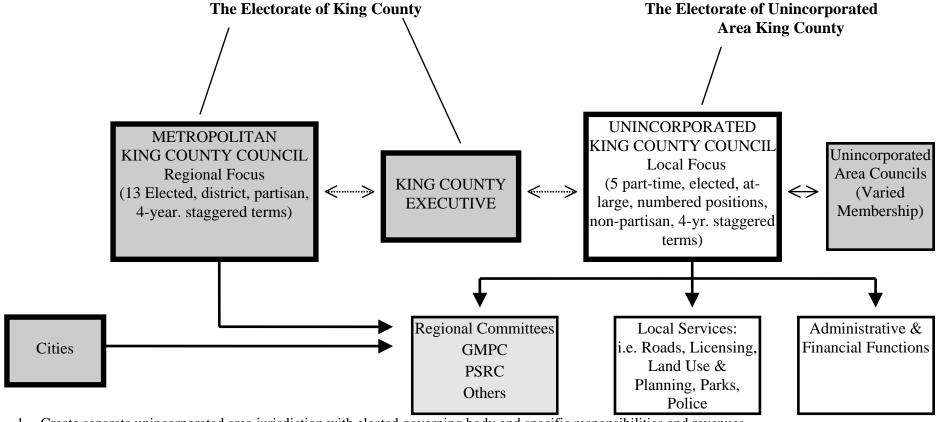
- Regional and local decision-making need to be separated.
- The decision makers for unincorporated area issues need to be held accountable to the unincorporated area voters.
- Unincorporated area governance needs to be less than a city, so that it does not discourage annexation or incorporation in the urban unincorporated areas.
- A new entity needs to be implemented without adding new taxes or taxing authority.
- Unincorporated area governance must have final decision-making authority on matters of unincorporated area-only jurisdiction.
- Unincorporated area governance needs to provide for "jurisdictional" representation on regional decision-making.

## UNINCORPORATED KING COUNTY COUNCIL (UKCC) ORIGINAL PROPOSAL CONCEPT OUTLINE

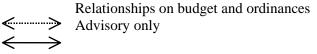
(Presented to the Charter Review Commission, May 29, 1997)

#### **Unincorporated King County Council (UKCC) Implementation**

- 1. **UKCC** By charter amendment create a new Unincorporated King County Council that essentially divides the legislative branch into unincorporated area governance and regional governance. The general principles of the "Entity" are as follows:
- Five part-time members, elected at-large, numbered positions, nonpartisan, 4-year staggered terms, paid a stipend per meeting.
- Funding absorbed by the County legislative branch. No additional funding resources necessary.
- Final decision-making authority on policy issues on matters which pursuant to state law and further defined by a task force (#2) affect only the unincorporated area of the County.
- Membership on regional committees, Growth Management Planning Committee, and other regional entities (jurisdictional representation).
- The Metropolitan King County Council would continue to have powers to levy taxes, appropriate revenue, adopt budgets (including for the UKCC), establish compensation schedules for all County officers and employees, etc.
- As population of unincorporated area decreases, the number of elected representatives decreases to no fewer than 3.
- Effective Jan 1, 2000
- 2. **UKCC Task Force** By charter amendment establish a transitory provision creating an Unincorporated Area Governance Implementation Task Force to develop the mechanics of the new "Entity". Their recommendations would be submitted to the County Council who may pass on the recommendations to the voters or submit alternatives. The guidelines of the task force are as follows:
- A 15-member citizens task force, of which at least 50 percent of the members reside in the unincorporated areas.
- Appointed by the Executive, confirmed by Council, but able to work in an official capacity if Council takes no action within 30 days of appointment.
- Completion of recommendations by December 1998, recommendations could go on the ballot by May 1999, so new representatives would be elected November 1999.
- Scope of recommendations would include establishing criteria for matters of unincorporated area jurisdiction, funding mechanisms, and staff support.



- 1. Create separate unincorporated area jurisdiction with elected governing body and specific responsibilities and revenues.
- 2. Governing body to have final decision-making authority over issues within their jurisdiction and within the limits of GMA.
- 3. Membership on Regional Committees, GMPC, PSRC, and other regional entities.
- 4. Metropolitan King County Council will be a regional service provider.
- 5. The Unincorporated King County Council will receive a budget allocation from the Metropolitan King County Council commensurate with its administrative and service requirements.



NOTE: Shaded area denotes "existing" county structure

## QUESTIONS RAISED BY THE PUBLIC AND THE COMMISSION WITH AD HOC COMMITTEE RESPONSES

(Prepared by Ad Hoc Committee member Phyllis Lamphere)

**QUESTION:** What is the rationale for this proposal?

**ANSWER:** In 1992, the voters of King County took the first step toward designating King County as the regional service provider when they voted to merge Metro and King County. Metro had been judged non-accountable, and King County already had a number of regional functions but was losing its tax base as annexations and incorporations took place. It was a recognized entity under state law, with its own home rule charter and its own elected officials which could be developed into a regional service provider. In the merger, the citizens eliminated one quasi-governmental entity.

This proposal is the second step, i.e., freeing the Metropolitan King County Council of local responsibilities so that it can concentrate on regional needs. Implicit in the support of the merger by the "good government" groups (e.g., the League of Women Voters and the Municipal League) was that the County was moving toward a "two tier" form of government, one tier local and the other regional.

**QUESTION:** Why is this so important?

**ANSWER:** It is fundamental in a democracy that every citizen should have his/her own local government, run by local officials whom he/she directly elects and can hold accountable to represent his/her local interests in other governmental forums. That's why townships were the first (although limited) form of government, after the town meeting, and why they exist today in many states where everyone is either in a city or a township.

Secondly, it is difficult for an elected official to wear two hats. An official is either thinking locally or thinking regionally, and the two views are not always compatible. In such cases, which hat does a representative wear? In regional forums, the local elected official should bring to the table the best interests of his/her constituents.

**QUESTION:** Isn't this proposal premature? How do we know we won't be creating more problems than we're solving?

**ANSWER:** The most common comment we heard at our public meetings was that citizens in the unincorporated area feel disenfranchised. Many of them believe they have no one they can count on to represent their interests or listen to their problems.

The Commission took a position early on that if a major purpose of our efforts was to strengthen King County as a regional government we would have to do something for the unincorporated

area. That's why the Commission asked the Structure Issues Committee to come up with a proposal, and why that committee formed an Ad Hoc Task Force to take the time necessary to research potential options.

Most importantly what we are saying to the Metropolitan King County Council is, "Do something to offer the unincorporated areas more self-determination. Here's one idea. Hold hearings on this and other proposals in the next 60 days and decide yourselves whether a charter amendment should be put on the ballot."

**QUESTION:** When the County elections are partisan, why are you recommending that this new entity be nonpartisan?

**ANSWER:** All local governments in this County are nonpartisan. This new entity, as the local government for the unincorporated area, should be likewise.

**QUESTION:** Why are you recommending five numbered positions on the Unincorporated King County Council, elected at-large? Campaigning in such a large district would be arduous and costly.

**ANSWER:** Were you to divide the unincorporated area into districts, you would have to redistrict as each annexation or incorporation took place. With numbered positions, the common practice is to associate a number with an area, such as northwest, central, southwest, northeast and southeast, and thereby achieve balance on the elected body.

Note that as the unincorporated area shrinks so will the number on the UKCC. The area itself will be made up of the rural area outside the Urban Growth Boundary, plus pockets within. Admittedly, representing such an odd district will be difficult.

**QUESTION:** If land use is the major concern of unincorporated area citizens, what will prevent this new government from adopting ordinances that would undermine the purpose of growth management?

**ANSWER:** State law and countywide growth policies set forth the rules every jurisdiction must live by, as cities must do now. These override purely local preferences in every case.

**QUESTION:** Wouldn't the UKCC be a deterrent to annexation or incorporation of unincorporated areas inside the Urban Growth Boundary?

**ANSWER:** The extent and level of services provided to unincorporated areas will not come up to urban standards. Therefore, a UKCC would not satisfactorily serve the fast-growing unincorporated areas for long.

**QUESTION:** Cannot pockets of unincorporated area within the Urban Growth Boundary be forced by state law, i.e., amending the GMA, to be annexed or incorporated?

**ANSWER:** Yes, if the legislature were so inclined, but since the GMA is a 20-year plan, who will decide when the time is ripe to force such action? Many of these pockets will remain unincorporated unless or until the economics press them into incorporation or annexation.

**QUESTION:** Why create a new level of government when the citizens are crying for less government? Wouldn't this be just another buffer between the citizen and his/her elected officials?

**ANSWER:** The UKCC proposal calls for a separation of responsibilities, not a "piling on" of same. It separates the local from the regional services the County now provides and brings the local services closer to the people. We can identify staff and resources committed right now to serving the unincorporated area. Functions such as record keeping, land use planning, police patrol and legal counsel would be decentralized, but with few exceptions this would mean relocating staff, not adding staff beyond minimal administration.

The UKCC would give the citizen direct access to six local government officials in matters of local services and/or policy (the five UKCC Councilmembers and the County Executive who would sign UKCC ordinances). In matters of regional concern, the citizens would have direct access to their MKCC Councilmember and their County Executive, plus the fact that their voice would be heard in all regional forums through the representation of UKCC members. Strictly local matters would be debated and resolved locally.

**QUESTION:** Why can't the existing Unincorporated Area Councils provide this local representation function when their primary concern seems to be land use?

**ANSWER:** Not all of the unincorporated areas are organized into community councils, and not all of the UACs are elected. However, established UACs would have the best opportunity to elect one of their own to the UKCC (numbered positions facilitate this) and would continue to function in an increasingly stronger advisory role just as community councils have done within cities. Furthermore, they would have immediate access to their UKCC members and could engage them in the discussion of issues from the outset. Additionally, UACs should play a major role in nominating transition task force members.

**QUESTION:** What about the funding? More government costs more money!

**ANSWER:** The resources and staff currently committed to unincorporated area issues will still be available. The additional administrative costs should be met within the budget for the legislative branch which would now comprise the MKCC and the UKCC.

The Growth Management Policy Committee is currently in the process of determining what are local services and what are regional services and what costs are associated with each. Even without the UKCC the County will have to find a way to pay for regional services that do not have their own funding base. King County is running out of money as new cities erode its tax base. As new or expanded local governments develop, there are established processes within state law and the determinations of the Boundary Review Board to set the tax base for the UKCC as well as any new or expanded local government. If there are insufficient revenues for regional services, we will have to address that issue directly.

#### PROPOSED ORDINANCE LANGUAGE

// CBC:::i	Introduced By:	
CRC:cjj ord-uag	Proposed No.:	
	ORDINANCE NO	

AN ORDINANCE establishing an Unincorporated Area Governance and King County Elections Task Force to consider representation of unincorporated areas of King County and models of electing a regional Council and to submit recommendations to the Metropolitan County Council.

#### BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

- <u>SECTION 1</u>. **Establishment of an Unincorporated Area Governance and King County Elections Task Force.** A. Created. There is hereby established an Unincorporated Area Governance and King County Elections Task Force, hereinafter called the Task Force.
- B. Timeline. The Task Force shall be established by September 1, 1997. The Task Force recommendations for unincorporated area governance are due to the County Council by June 1, 1998 so that any charter amendments may be placed on the November 1998 ballot.
- SECTION 2. Composition and Membership of the Unincorporated Area Governance and King County Elections Task Force. The Unincorporated Area Governance and King County Elections Task Force shall be composed of at least 15 members representing the unincorporated areas of King County, city of Seattle, Suburban Cities, special purpose districts, and King County. At least half of the Task Force shall be residents of the unincorporated areas of King County and shall include nominations from all the Unincorporated Area Councils. Nominees, preferably, should have broad county governmental knowledge. The members shall be appointed by the Executive and confirmed by the County Council.
- SECTION 3. Purposes of the Unincorporated Area Governance and King County Elections Task Force. A. The Unincorporated Area Governance and King County Elections Task Force shall:
- 1. develop fair and equitable representation for the unincorporated areas of King County in the form of a separately elected legislative body, define the duties and jurisdiction of such legislative body, and recommend revenue sources and a budget allocation process for providing services to said unincorporated areas; and
- 2. examine alternative models of electing a regional County Council and recommend changes in the King County Charter and ordinances to the County Council.

B. In considering recommendations, the Task Force shall take into account the statements of Intent, Guidelines and Missions developed by the 1996-1997 King County Charter Review Commission and set forth in Attachment A to this ordinance.

SECTION 4. Administrative Support for the Unincorporated Area Governance and King County Elections Task Force. Administrative support for the Unincorporated Area Governance and King County Elections Task Force shall be provided by the County Executive. The County Executive shall, if necessary, submit a supplemental budget proposal to provide support in 1997 and include in the proposed budget for 1998 sufficient funds to provide support in 1998. INTRODUCED AND READ for the first time this \_\_\_\_\_ day of PASSED by a vote of \_\_\_ to \_\_\_ this \_\_\_\_ day of \_\_\_\_\_\_, 19\_\_\_. KING COUNTY COUNCIL KING COUNTY, WASHINGTON Chair ATTEST: Clerk of the Council APPROVED this day of , 19 . King County Executive

Attachments: Attachment A

#### ATTACHMENT A

#### 1996-1997 King County Charter Review Commission Statements of Intent, Guidelines and Missions for the

#### **Unincorporated Area Governance and King County Elections Task Force**

**Intent.** The King County Charter Review Commission has determined a need to separate regional and local decision-making within the County. The Commission, as detailed in the report entitled *Unincorporated Area Issues: Summary Report and Recommendations*, recommends the creation of a separately elected legislative body for unincorporated King County to be the legislative authority for matters that are specific to the unincorporated area.

The King County Charter Review Commission has also recognized that as a result of the King County/Metro merger the County is moving to a more regional role. This role will become stronger with the separation of unincorporated area, local decision-making from the Metropolitan King County Council. As this happens an examination should be made of the representation and method of electing the Metropolitan King County Council, so that they may become truly regional.

**Guidelines.** The recommendations for the separately elected legislative body shall be consistent with but not limited to the following principles.

- A. There should be a clear separation of regional and local decision-making, services, and budget.
- B. The legislative body for the unincorporated area must have final decision-making authority on matters specific to the unincorporated area.
- C. The legislative body should have membership on regional committees, GMPC, and other regional entities (jurisdictional representation).
- D. The Metropolitan King County Council would continue to have powers to levy taxes, appropriate revenue, adopt budgets, establish compensation schedules for all County officers and employees, etc.
- E. The decision makers for unincorporated area issues need to be held accountable to the unincorporated area voters.
- F. Unincorporated area governance needs to be less than a city, so that it does not discourage annexation or incorporation in the urban unincorporated areas.
- G. The creation of the unincorporated area legislative body needs to be implemented without adding new taxes or taxing authority, except as provided by state law.

#### **Missions of the Task Force**

- A. One mission of the Task Force shall be to define a separately elected unincorporated area legislative body and make recommendations on the following:
- 1. a structure for the separately elected legislative body including charter amendments and/or state legislation as necessary to implement.
- 2. definition of the powers of the separately elected legislative body subject to applicable provisions of the state constitution and law.

- 3. identification of local unincorporated area responsibilities.
- 4. identification of revenue sources and a budget allocation process for the separately elected unincorporated area legislative body, staff support, and administrative needs.
- B. Another mission of the Task Force shall be to evaluate the election methods of regional legislative bodies and develop a model that will promote a regional focus for decision-making. This should include but not be limited to: representation issues, districting, and size of Metropolitan King County Council and the unincorporated area legislative body.

## UNINCORPORATED AREA GOVERNANCE ALTERNATIVES

Issue	Comment
Unincorporated Area Councils (UAC) Strengthened	The UACs are still in an evolutionary phase and defining their role with the County Council and administration.
Council Committee for Unincorporated Areas Strengthened (req 2/3 vote to override)	This creates a sub-council that includes members whose districts may be substantially incorporated. This is not as desirable as the UKCC alternative.
Unincorporated Planning Commission	As an advisory body, it does not give the unincorporated area meaningful representation on those issues.
Percentage Voting	This was considered as a transitory provision to give the unincorporated area stronger representation until the UKCC is implemented. As proposed, it was found to violate the one-person/one-vote rule.  Alternatives including creating a Committee/Commission for Unincorporated Area District were not pursued.
Unincorporated King County Council (UKCC)	Separately elected five-member body which has final decision-making authority over unincorporated area matters.

# UNINCORPORATED KING COUNTY COUNCIL (UKCC)

Issue	Comment
Unincorporated King County Council (UKCC)	Separately elected body which has final decision-making authority over unincorporated area matters.
<ul> <li>Inclusion of Rural and Urban Unincorporated Areas</li> </ul>	The urban areas will eventually be incorporated or annexed, but for now they need a local form of government.
• Funding	Funding issues need further attention. Task force will define allocation of existing resources to support the unincorporated area government.
<ul> <li>White Center (unincorporated area islands in urban growth area)</li> </ul>	Even without the unincorporated area government, White Center will be a problem. Cannot design around single problem of White Center which ultimately needs legislative solution.
"Matters of unincorporated area jurisdiction" needs to be defined	Definition will be developed by Task Force.

DATE:June 12, 1997

TO: Charter Review Commission Members

FR: Mylon Winn, Charter Review Commissioner Robert Counsell, Charter Review Commissioner Paul Barden, Charter Review Commissioner Bill Anderson, Charter Review Commissioner

RE: Minority report on the recommendations for the unincorporated area.

Question: Should the charter be amended to provide for a separately elected body for the unincorporated area so that citizens there have local governmental representation?

We have not seen a preponderance of evidence that points to the need for creating an Unincorporated King County Council or separate governance for the unincorporated areas. Maybe we should give democracy a chance. The new Metropolitan King County Council is still going through adjustments and changes after the Metro/King County merger. The unincorporated areas have the right to freely, legally, and in good character convert themselves to a majority whenever they can. They can do this by building coalitions with any and all citizens of King County or by petitioning and/or electing public trustees who support their views. We urge the King County Council to reject this proposed ordinance recommendation on the basis of the following statements.

- 1. The unincorporated area government establishes minority privileges, not rights! Somehow we have resurrected John C. Calhoun's argument to protect a minority which feels it is being abused by the majority. A "concurrent majority" government will only increase the privileges of the unincorporated minority at the expense of the incorporated majority. Residents of incorporated areas will not have as much access to these new county officials as the advocates of this recommendation assume will be the case. Instead, an unincorporated area resident will have five extra elected county officials to lobby and work on their behalf in determining countywide public policy. An assumption has been made that somehow the incorporated areas will always be against the unincorporated areas when determining County public policy. That logic assumes that this split cannot be mended and therefore is permanent. This does not make sense to those who are optimistic that cities will have many reasons to support unincorporated areas on issues which affect them jointly and vice-versa.
- 2. No facts have been presented to show that the current governmental structure has constitutionally, morally, or ethically failed to represent or meet its responsibilities to all of the citizens of King County. What has been presented are the musings of people who expect county government to walk on water, raise the dead, and perform tasks that serve their particular interests. The problem is that these claims obscure legitimate land use and service problems that are screaming for solutions.
- 3. A clear majority of the responses from the Unincorporated Area Council briefing hosted by the Council Committee for Unincorporated Affairs, dated May 29, 1997, were against the

proposed Unincorporated King County Council. Out of the 22 respondents, 15 were against and 4 requested that more time should be taken to review the issue. Only 3 were for this proposed ordinance change. These preferences are being ignored by the majority of the Commission, who are intent on getting this matter before the people. Hence, it is irrelevant that, on May 29th, a super majority of the people expressing an opinion opposed this recommendation.

- 4. The County has become more urbanized in recent years. As this has happened there has also been a need for the County Council to change its manner of doing business and to place more emphasis on providing services to rural unincorporated areas. It makes more sense to assert that the Council ought to pay attention and be more responsive to the unincorporated urban and rural areas. The claim made by some Councilmembers that only 10 to 30 percent of their district is unincorporated, but they spend 60 to 70 percent of their time working on their issues, creates a discrepancy between claims made by some citizens and the assertion made by some Councilmembers.
- 5. It does not make sense to add a layer of government as a new way of doing the job that's legally assigned to the Council. A new layer will not eliminate the dissatisfaction with the County Council's performance. Also, there is no evidence that citizens in unincorporated King County will be happy with a council that may or may not be representative of the population in unincorporated King County.
- 6. In order to support another body, funding will be necessary. The funding issue can be resolved by creating townships that have the authority to assess taxes. An alternative is to evaluate how services and funding are distributed to determine if municipalities are receiving more than their fair share. Our concern is that the recommendation will require a redistribution of funds to support a new body of government to do the job assigned to the County Council.
- 7. The primary issue in the rural area is land use. The County does not need another body if the Council would take an active role involving the unincorporated areas in land use planning. Instead of spending time to create this new body, we should spend time to assess how the Council can better respond to issues in the unincorporated area.
- 8. There is another concern that the new council may be just as easily taken over by an organized special interest as many claim the current County Council has been. If special interests or people from certain areas of the unincorporated areas are organized, they may be able to take over an Unincorporated King County Council, as well. If an organized special interest group is successful, the dissatisfaction being expressed will resurface. Hence, the recommendation is a band-aid solution to a problem that requires decisive Council action. We do not support appointing a citizen's group that is composed of others who will propose a solution that is suited to solve a symptom of a problem.

File: SERTAB.doc 3/31/97

#### TABLE I: SUMMARY OF COUNTY REGIONAL AND CITY/COUNTY LOCAL SERVICES IN KING COUNTY, WASHINGTON DRAFT 3/20/97

- \* -- Services which are locally implemented by the County on behalf of the State (the County's arm-of-the-State role)
- + -- Services provided by the County or cities at their discretion.

  V -- Services which exist specifically because of voter approval.
- IG -- Services which have a strong intergovernmental aspect such as contractual or interlocal agreements for funding, services and/or decision-making.
   B -- Services which have an advisory citizen or technical board or commission.

	REGIONAL COUNTY SERVICES	LOCAL SERVICE	RESPONSIBILITIES		
		PROVIDED BY THE COUNTY FOR ALL OR MOST CITIES BY INTERGOVERNMENTAL AGREEMENT	PROVIDED BY THE COUNTY WITHIN INCORPORATED AREA PROVIDED BY CITIES WITHIN INCORPORATED AREAS		
	Services provided by King County on a countywide basis without regard to jurisdictions. Most of these services are provided by the County as an "arm of the state" or other state mandates or County voter mandate. Other are discretionary services.	Services that are the statutory responsibility of the individual county or city (municipal services), but that are provided by the County on a countywide basis (or the balance of the county outside Seattle) through contracts or interlocal agreements with cities, the Puget Sound Regional Council and other entities.	Services that are provided by a city within incorporated areas only or by the County within the unincorporated areas only. In some cases, cities contract with the County to provide local services. Counties can provide (but may not choose to do so) almost all of the municipal services a city can provide. In King County's case for the unincorporated area, fire suppression, sewage collections and water supply are provided by special districts or as an extension of city services.  UNINCORPORATED AREAS INCORPORATED AREAS		
HEALTH AND WELFARE	*Alcoholism & Substance Abuse (IG)(B) *Burial of Indigent *Cooperative Extension *Developmental Disabilities (B) +Emergency Medical Services (IG) (V) +Harborview Hospital (facility)(B) *Involuntary Treatment *Mental Health (B) *Veteran's Assistance (B) +Women's Programs (B) Public Health (IG)PersonalEnvironmental	Library Services (B) Rural Library District (for balance of County and most cities) (KC appoints board only)	Senior Centers Youth Service Bureaus	Senior Centers Youth Service Bureaus	
LAW, SAFETY AND JUSTICE	*Adult Detention (felons) *Juvenile Detention  Law Enforcement *Civil Warrants *Criminal Warrants +Automated Fingerprint Identification System (AFIS) (IG) (V)	Adult Detention (pretrial) (IG) E-911 Emergency Communication (V, IG) Radio Communications Systems (V, IG) Law Enforcement (IG) -Marine Patrol	Law Enforcementpatrols, investigations, K-9, SWAT	(some cities have small adult detention facilities)  Law Enforcementpatrols, investigation, (K-9, SWAT for some cities)	

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  B -- Services which have an advisory citizen or technical board or commission.

REGIONAL COUNTY SERVICES	LOCAL SERVICE	RESPONSIBILITIES	
	PROVIDED BY THE COUNTY FOR ALL OR	PROVIDED BY THE COUNTY WITHIN INCORPORATED AREA	
	MOST CITIES BY INTERGOVERNMENTAL AGREEMENT	PROVIDED BY CITIES WITHIN INCORPORATED AREAS	
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+Search and Rescue *Emergency Service Coordination  *Superior Court  *Prosecutor (State offenses, county offenses, county legal advisor) *Public Defense	District Court (municipal cases) (IG)  Public Defense  Animal Control (IG)	Municipal Court (if not part of District Court System) Public Defense Prosecutor (County Cases) Public Defense Animal Control (some cities)	

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	REGIONAL COUNTY SERVICES	LOCAL SERVICE	RESPONSIBILITIES		
		PROVIDED BY THE COUNTY FOR ALL OR	PROVIDED BY THE COUNTY WITHIN INCORPORATED AREA		
		MOST CITIES BY INTERGOVERNMENTAL AGREEMENT F	PROVIDED BY CITIES WITHIN INCORPORATED AREAS		
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			UNINCORPORATED AREAS	INCORPORATED AREAS	
PHYSICAL AND ECONOMIC ENVIRONMENT	+AirportKing Co. International Airport	Land Use Planning (IG) Puget Sound Regional Council (IG) (B) Growth Management Planning Council (IG)	Land Use Planning Land Use Controls Development Fees	Land Use Planning Land Use Controls Development Fees	
	Transit (V)	Transportation Planning (IG)	Roads	Streets	
	*Flood Control  Sewage Treatment (V)	*Commute Trip Reduction (IG) (B) Solid Waste Disposal (IG) Surface Water/Basin Planning (IG)	Surface Water Control/Quality	Solid Waste Collection Surface Water Control/Quality	
		Water supply (plans) (IG) Groundwater protection (IG)	Sewer Districts	Sewage Collection Sewage Treatment (outside Metro service area) Water	
		Groundwater protection (10)	Fire Code +Historic Preserve.(B) +Arts (CB)	Fire Protection	
	+Arts Programs (B) +Regional Parks and Pools (V)		+Farmlands Preserve. (V) Trails and open space +Neighborhood Parks and	+Historic Preserve. (B) +Arts	
	(such as Marymoor Park, Federal Way Acquatic Center, Cougar Mountain) Stadium County Fair (and fairgrounds) (B)	Trails and Open Space Plan	recreation *Noxious weed control (B)	Trails and open space +Parks and recreation	
		Housing and Community Development Block Grant (IG) (B) +Job Training (IG) (B)			

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	REGIONAL COUNTY SERVICES	LOCAL SERVICE	RESPONSIBILITIES	
		PROVIDED BY THE COUNTY FOR ALL OR	PROVIDED BY THE COUNTY WITHIN INCORPORATED AREA PROVIDED BY CITIES WITHIN INCORPORATED AREAS	
		MOST CITIES BY INTERGOVERNMENTAL AGREEMENT		
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ADMINISTRATIVE SERVICES	*Assessments *Boundary Review Board (B) *Elections *Licensing (animal, auto, marriage) *Medical Examiner *Records *Treasurer *Vital Statistics		Licensing (special Licensing (general and special business) business licenses)	

#### Regional County Services

Air quality -- Puget Sound Air

- Pollution Control Board (KC is a member of)(IG)
- Regional Transit Authority (KC is a member of)

+Regional Parks and Pools (V)

(includes city regional parks and

facilities such as Seattle Center, Aquarium)

Meydenbauer Conference Center, Washington State Trade and Convention Center)

Local Services Provided Regionally by Interlocal agreement

+SKC Area Agency on Aging (Seattle provides by ILA with King County)

Local Services - Unincorporated Area

- Water Districts and Community Water Systems
- · Fire Protection Fire Districts

## CHARTER REVIEW ISSUE SCOPING PROCESS COMMENTS — Consolidated Input as of 3/19/97 on Unincorporated Area Issues

FM (From): C=Card T=telephone F=Fax L=Letter M=meeting E=e-mail

IC (Issue Committee Assignment) P = Public Involvement R = Regional S= Structural T = Technical FW = Forwarded to County Executive, County Council, or appropriate agency or individual.

ZIP - Note that if an individual made a point in more that one subject area, the zip code or source is coded

to indicate multiple responses.

	ZIP	COMMENT	TOPIC	IC
M	98108ac	Who is really responsible for the cities grabbing areas via annexations. The cities are grabby, but they only want the areas that make money. Let's go back to the straight lines.	Annex/ Incorp	R
С	98155	I was, and still am, appalled by the fighting and bickering by Lake Forest Park in trying to annex my neighborhood. I would like to see an automatic vote of <a href="mailto:the people">the people</a> . Not a governmental grab of an area.	Annex/ Incorp	R
M	98042yy	The County is losing revenues due to incorporations and annexations. The County increases taxes for citizens who are left in Unincorporated King County. This does not seem fair.	Annex/ Incorp	FW
М	98058xx	The Council is seen as providing fewer and fewer services to Unincorporated areas and therefore is forcing unincorporated areas to annex or incorporate.	Annex/ Incorp	FW
М	98014nn	Opposed to the creation of Cedar County	Cedar County	R,S
M	98032rr	There seem to be a lot of developers running in and out of the halls of the Council Chambers. The public is coming in the front door and the developers are coming in the back door. This is both wrong and unnecessary	Council Behavior	S
L	98101v	The County take over of Metro was a bad mistake as it was finally worked out mostly because it did not achieve the purposes [of a merger]. The major group which worked on the plan for several years agreed fully on the two-tier model, but the political negotiations (there's that partisanship thing again) screwed it up. The post merger leaders were given an impossible job because the concept was deeply flawed. As predicted, neither Metro nor the County is as good as they were separately before the merger, despite some good consolidating of services and the promise of the GMA. (Excerpted from a 3-page letter)	Merger	R
M	98108ad	Regarding the problems with unincorporated area representation, the urban and suburban areas of the County have a solution—annexation or incorporation. The problem is the rural areas that don't need all the service. The charter should be amended to allow the Unincorporated Areas Councils to have specific delegated powers concerning the zoning code and planning. This would be better than a weighted vote. Areas change and the percent varies with the changes. It would take some power away from the Council, but also some headaches.	Unic Area Rep	S

	ZIP	COMMENT	TOPIC	IC
С	98014	Stronger representation for unincorporated area. Given: the County's primary jurisdictions is in unincorporated areas. Given: The County has limited jurisdiction over incorporated areas. Given: Unincorporated area comprise about a third of the population, but have 23% of reps (less on committees). Therefore: The results in gross taxation without representation. (We should have the majority).	Unic Area Rep	S
M	98014nn	Propose changing to a bi-cameral legislative system. Keep the current Council to serve Countywide services. Have a second body to serve legislative functions for unincorporated (not rural cities) King County that is made up of 5 - 7 representatives. The second body would make decisions on land-use, comprehensive plans, agriculture lands, and resource lands. The two bodies would be joined in the budget process. The regional services body would have veto power over the second body to make sure it does not get too out of line.	Uninc Area Rep	Ø
С	98065n	Nonpartisan County government; 9-member Council, elected by district in primary then at-large in general election; allow charter amendments by petition (not only through Council); give regional committees more clout. Possible veto power over Council. review charter every 8 years. Charter commission can put recommendations on ballot.	Uninc Area Rep	S
С	98125aa	I do not believe that unincorporated King County needs additional representation given the population proportionally	Uninc Area Rep	S
M	00000UA	I agree that the Unincorporated Area Councils are not working. I serve on a 15 person Council; 300 people voted for the Councilmembers in the last election; the Council serves 13,000 people. The Council's operating budget was so small that the members passed the hat amongst themselves to raise enough money to copy, distribute, and mail meeting minutes. The Unincorporated Area Council's budget does not have sufficient money to send any sort of formal mailing to its constituents.	Uninc Area Council	R
М	98042uu	The Unincorporated Area Councils are not working. Citizens have to go to the King County Council for every little neighborhood issue, from a stop light to a local park.	Uninc Area Council	R
М	98168jj	The Highline Community Council has to collect money to pay for postage even though they are officially recognized by the County. However, because of their location, they have gotten a lot of support from their Council representatives (Ron Sims and Greg Nickels)	Uninc Area Council	R
С	00000	The common person is never listened to downtown. Big money and big lawyers control everything — especially land use. The Master Builders mean more than all citizens put together—Forget it—we incorporated! Next we need Cedar County to escape you people!	Uninc Area Rep	S
С	00000	Citizens have no voice in King County - just developers. We need Cedar County!	Uninc Area Rep	S
С	00000m	Not inclined to favor stronger representation of unincorporated areas.	Uninc Area Rep	S
С	98010	Unincorporated King County residents should be protected from laws and regulations passed by King County. Councilmembers whose districts less than 66% incorporated areas should be allows to vote on ordinances and laws that apply only to unincorporated areas.	Uninc Area Rep	S

	ZIP	COMMENT	TOPIC	IC
С	980140	Need bi-cameral legislature with one house representing only unincorporated County	Uninc Area Rep	S
С	980140	Provide for community Councils with limited local authority.	Uninc Area Rep	S
С	98029bb	I think a structure should be put in place so unincorporated areas have greater representation. When I was in jr. high the gas shortage struck. Friends in Seattle couldn't understand why my mom couldn't just put me on a bus to go to my piano lesson (it was physically impossible). I find little has changed. Seattle has no clue.	Uninc Area Rep	S
С	98031u	Absolutely, have meetings in the outlying areas at times people can attend.	Uninc Area Rep	S
С	98032i	Want stronger rep for unincorporated areas.	Uninc Area Rep	S
M	98038vv	Most people in Unincorporated King County think that the Council never listens to members of Unincorporated King County.	Uninc Area Rep	S
M	98042ab	Some power to the unincorporated area Councils would be a solution to the problems of unincorporated area concerns.  Hundred's of people worked on the Unincorporated Area Council ordinance. It was presented to Council. The Council took it up and then sent it back to the Unincorporated Affairs Committee. The proposal was supplanted by Executive Locke with Unincorporated Area Council's stripped of power. The Council was afraid of the requirement of giving "substantial weight" to the Unincorporated Area Council decisions. That is how afraid the Councilmembers are of people who participate in their government. When that process broke down, the option of annexation or incorporation was pursued in Covington. People have gone from frustration, to anger, and now despair. The stadium vote was the last straw for many.	Uninc Area Rep	O
M	98042tt	One of the driving factors in my community's decision to annex to Kent was the feeling of very poor representation in Unincorporated areas of King County.	Uninc Area Rep	S
M	98042yy	There are 6 or 7 County Councilmembers from Seattle who have just a little piece of unincorporated King County in his or her district. 1/3 of King County's residents are from unincorporated King County. Unincorporated King County residents should have at least four Councilmembers representing them, but they only have two.	Uninc Area Rep	S
С	98058j	All three of the area of focus examples you listed in this publication A) citizen initiative B) nonpartisan officers & C) rep unincorporated area. Also— ** something that would prevent officials from overriding public wishes — i.e. professional sports support from taxes — no, no, no.	Uninc Area Rep	S
С	98072	If the review commission does not come up with a way for unincorporated King County areas to have separate government by non-city representatives elected from the unincorporated areas only, the review commission is wasting it time and ours.	Uninc Area Rep	S
M	98072kk	The best thing the CRC or Council could do is give the unincorporated areas more representation.	Uninc Area Rep	S

	ZIP	COMMENT	TOPIC	IC
L	98101v	Implement the Metropolitan Study Commission's recommendations: (a) every citizen should live in a government of first jurisdiction, a city, or a special district with some plenary powers at the service delivery level, NOT an unincorporated area. (b) An area-wide (nonpartisan) government delivering wholesale utility services and the ordinary County functions plus coordination of land use polity should function as the lead agency in a two-tier government with direction representation in a legislative body from the first level governments. (Excerpted from a 3-page letter)	Uninc Area Rep	S
М	98116ae	I support the Unincorporated Area Council's having more power.	Uninc Area Rep	S
С	98117x	Yes, a structure should be devised to provide for proportional representation of unincorporated area on the three regional committees.	Uninc Area Rep	S
С	98121qq	We are open to ideas for representation of unincorporated areas	Uninc Area Rep	S
С	98188f	Unincorporated areas of King County should <u>not</u> have stronger representation.	Uninc Area Rep	S
М	LWVa	The League also supports stronger representation of Unincorporated areas of King County.	Uninc Area Rep	S
С	98109e	Incorporated should have a stronger representation.	Uninc Area Rep	S
М	98168jj	The CRC should look at the charter in terms of what is happening with the Cedar County movement	Uninc Area Rep.	S
M	98042uu	The County must look at the question of who is responsible for traffic. A project that was the County's responsibility suddenly became a project for the City of Kent due to incorporation. As a result of the incorporation, all of the citizens who would be affected by the 220th corridor improvements no longer had a say in how the improvements were handled because they don't live in the City of Kent.	Uninc. Area	R
M	98053ii	If King County is to be a provider of unincorporated area services, Council meetings should be held in areas where the services are provided and at times when people can attend. Also, the agenda should be made known ahead of time.	Uninc. Area	R,S
М	98168jj	Not enough people come to public meetings until the problem gets huge. Then they form a new city or County.	Uninc. Area	R,S
С	98004q	Non-incorporated areas are not well served by King County—they therefore incorporated.	Uninc. Area Rep	S
С	00000	Now that we've been nabbed by Des Moines (boo hoo!), I feel unincorporated King County needs some good representation! by nonpartisan people. We were happy with the County and hate the city Council of Des Moines.	Uninc. Area Rep	S
M	98011mm	Does the County have any ability to draw all of the unincorporated areas together regardless of where they are to allow better representation? Are they truly being represented when they are spread out as a small portion of different districts? The reaction of many areas is to incorporate, even though it is not preferable. Most of the votes are very close.	Uninc. Area Rep	S

	ZIP	COMMENT	TOPIC	IC
M	98014af	There is a strong feeling that King County has failed the unincorporated areas. With unincorporated area representation leading only 16 percent of committees, there is no way for the unincorporated area to get a majority. The unincorporated areas are run by a King County Council made up mostly of representatives from urban area while the unincorporated areas are still relying on County for basic services, roads, land use, and these decisions and assumptions are made by people from urban areas. The County cannot make decisions for incorporated areas so why can Councilmembers elected from the incorporated areas make decisions about unincorporated areas.	Uninc. Area Rep	Ø
M	98014af	The Unincorporated Affairs Committee is only a forum and has no power. The Council Unincorporated Affairs Committee is really not on par with the regional committees. It doesn't require a super majority of the Council to overturn the Unincorporated Affairs Committee recommendations. The issue of land use and zoning and community planning don't go to the Unincorporated Affairs Committee. They should. Put this committee in the hands of people who represent the unincorporated areas.	Uninc. Area Rep	S
M	98014af	People are frustrated. They go to Hearing Examiner meetings and feel like the hearings are just to blow off steam. They don't feel listened to or that they have the ability to input decisions. We have to lobby 8 or 9 Councilmembers, not just our Council representatives. This feeling needs to be addressed if it is not already too late. He personally feels that working with the County is a better idea than Cedar County, but many people aren't willing to do that and have given up. If Unincorporated Affairs Committee were put on par with the regional committees and given zoning and land us responsibilities, this would be a help. This would be a sign of change	Uninc. Area Rep	Ø
М	98014nn	There is not a Council district that has a major portion of its district in unincorporated King County. Incorporations are going up and the unincorporated area is quickly diminishing. It is at about 27 percent now.	Uninc. Area Rep	S
С	98014r	The charter needs to be modified to reflect the two distinct roles of County government. Two alternatives are proposed: (1) a Bicameral legislature and (2) elected Community Councils with authority over the local land use policy and regulations (from two-page discussion).	Uninc. Area Rep	S
М	98027ss	The County should secure the benefits of self-government and self-rule. Unincorporated residents feel like they are getting taxation without representation.	Uninc. Area Rep	S
М	98027ss	The County should have a regional Council and a County Council.	Uninc. Area Rep	S
С	98031cc	The unincorporated areas are under-represented.	Uninc. Area Rep	S
M	98032rr	Greater representation in unincorporated King County is necessary, as well as a balanced budget amendment.	Uninc. Area Rep	S
С	98038 a	Unincorporated King County residents should not be governed by city residents when it comes to enacting laws, regulation and ordinances that govern unincorporated areas.	Uninc. Area Rep	S

	ZIP	COMMENT	TOPIC	IC
M	98038vv	It is grossly unfair that the entire Council gets to vote on issues that affect only unincorporated areas of King County. I cannot vote out of office someone who makes decisions that directly affect me that I disagree with.	Uninc. Area Rep	S
M	98038vv	Cedar County has gained such significant support because people have become frustrated with the current system and feel that they have no alternative.	Uninc. Area Rep	S
М	98042tt	It does not make sense to have Council districts that do not have at least a part of unincorporated King County in their districts.	Uninc. Area Rep	S
М	98042uu	Citizens are choosing to incorporate into cities that have marginal finances because they feel like they don't have any other choices.	Uninc. Area Rep	S
С	98070 d	Unincorporated areas of King County need stronger representation with a charter giving them formal review rights in land use planning and budgetary process.	Uninc. Area Rep	S
L	98072dd	The cities within King County have two representative governments: their own city government plus that of King County. Land use rules are made by the city government for each city. Unincorporated King County citizens' land use regulations are made by mostly city residents to whom the unincorporated land area (amounting to about 75% of the County land mass) represents their rest-and-recreation area. Thus unincorporated-area landowners find themselves not only down zoned, but also locked away from traditional rural lifestyles; e.g., the basin-plan/rural areas with 65% of each parcel to be recorded as percent open space where even pastures and gardens are not allowed.  Something must be done to give rural landowners an EFFECTIVE voice in their own land use.	Uninc. Area Rep	Ø
С	98178 b	I also agreed that unincorporated areas should have stronger representation.	Uninc. Area Rep	S
С	00000k	The answers to your 3 examples questions are Yes! regional: stronger representation from unincorporated King County. *Citizens in unincorporated King County are becoming over powered by the cities. We are losing our farmland, our equestrian trails and linkages to other trails and becoming suffocated by the traffic and building (the UD's/MPD's/FCC's) are going to destroy the wildlife & rural nature of unincorporated areas.	Uninc. Area Rep.	S

# RESPONSES TO QUESTIONNAIRE FROM UNINCORPORATED AREA MEETING OF MAY 29, 1997

(Prepared by the Council Committee for Unincorporated Areas)

# 1. What do you believe is the most important issue concerning governance of the unincorporated areas?

Responsiveness to citizen concerns by our council representative. On the same issue, I have been given contradictory responses by Mr. Pelz's staff.

What concerns us most is the onslaught of outside interference. Councils should be allowed to grow and learn without outside interference.

Controlling land use especially the permitting of additional growth without providing roads and services first. We do not need more gridlock.

Land use - local decisions by people who know area best.

Whether they truly are or not many people feel disenfranchised. Some - as in proposed Cedar County - feel King County government is very far from them and their needs.

Land Use

What's good for the entire region. We need to think regionally. None of us know where we're going to live next.

Lack of representation and influence as well as resources.

Land use control. I favor the creation of planning commission which would give local input.

An effective voice in the local decision within the County.

Regulations that are burdensome need to be cut, reversed, etc. Regulations from regional government conflicting with established precedence and lifestyle are root of the problem. "Urban values" should not be forced on unincorporated areas.

Listening more to the UAC for they represent the people of their area. More action and response to problems being solved from various County departments.

People in unincorporated areas want to protect the quality of life in their areas. They want to protect wild life etc. The growth management act destroys all of this. Boeing should be moved to Kansas.

The most important issue is zoning and land use (zoning density) with regards to preservation of the environment and maintaining the quality of life. Zoning density in inappropriate in most areas causing irreversible damage to the land.

The most important issue concerning the governance of unincorporated areas is giving us a voice! We are ignored! We don't want to join Cedar County but, we want King County to respond to our concerns.

Giving the areas the chance to be counted to stop the urbanization of development in farming areas. Big business and money with developers are ruining our life style and environment. All the Soos Creek planning seems "down the tube" when money comes in.

Each area has unique concerns that need to be addressed at a local level. The formation of UACs does this.

Access to King County council Regional

Proper representation

Have King County Council be concerned only with unincorporated areas since the "cities" have government responsible for the incorporated area. Eliminate duplicate government

### 2. What is your opinion of percentage voting?

It sounds good but I'm not sure it is as fair as it could be.

Gee, what a question. How's about a definition. Stinks! How about, 1 man/woman 1 vote. Stop this madness!

Outwardly, it seems fair

Excellent idea but if it is found to be unconstitutional or illegal, consider recommending that MKCC members who have greater percentage of unincorporated area be allocated a greater % of budget for increase in staff to enable greater service.

This seems a cumbersome solution although there is definitely a problem with the County playing two roles-regional and local government.

#### Reasonable

I don't have a problem with it but how do you protect a small population area i.e. senate vs. house

No

I favor it! Have smaller regional council Have larger # of unincorporated districts with election by district and have a manager as the Executive hired by <u>both</u> bodies

No, don't agree with this type of voting.

I think idea should be researched with attn. General beyond prosecuting attn. Input. 2/3 vote of public would establish "constitutionality". Don't give up on the idea.

No.

I don't like it.

Unincorporated citizens need to be represented better by a balance of representation for those outside the cities.

I think its great! Check some southern states, they use it! (Lani Garnier helped put it into effect in some southern states) This happened during George Bush's Admin.

Yes!

It sounds interesting – but I don't know enough about the ramifications to say that I am for it or against it.

No.

Workable, but probably not the best solution.

Sounded like this already dead? But may have some merit.

## 3. What is your opinion of an additional elected body to deal only with unincorporated area issues?

My area of the County does not have a voice on the King County Council because we are not even represented on an unincorporated area council, let alone having to compete with the cities clout on the King County Council.

We need to be heard and not just dictated to from Seattle. Our issues are sensitive and special to each area and need to be heard and represented.

I am ant in favor of another layer of government between UAC and King County - If I lived in an area that was not represented by a UAC I would be in favor of the proposal.

No thank you

I think this is a very poor idea.

A waste - an opportunity for developers - buy the election votes and then isolate the unincorporated area voters from the council.

Obviously, Vashon Island has urgent issues and little faith in the responsiveness of their representative. I'd like to see the UAC have some time to develop and function maturely before changing the charter.

No way! Boo! Nada! It is very unnecessary!

Let the UACs deal with it.

Problematic if elected at large. Only rich developers would run or finance campaigns.

I question whether there has been enough time put in to development of this innovative idea. Have all possible ramifications been examined? Have all possible alternatives been considered? Is another layer of government necessary?

Initially, it seemed ok, but after tonight's meeting, I believe it would not solve the real problem of under-representation of unincorporated areas.

The elected body must be representative of the unincorporated areas. Jive members elected at large would not represent fairly the people of the unincorporated area.

I don't like the idea of an "additional" body but this appears to be a good way to have a single body to represent the incorporated. Areas and have a single voice (more clout)

No! No! No!

Very loco

This is another layer of government that is <u>not</u> required and eventually <u>will</u> lead to a tax increase.

5 people are not enough. At-large is totally impractical. Too difficult to run a campaign. Would not be representative or accountable.

*Yes, I agree there should be another body to address area issues.* 

More levels of government - not necessary -Avail the expertise of the citizens to the council for action on a regular basis but as community activists/volunteers/appointees/UAC "appointees" should be from <u>specific areas</u> and <u>partisan.</u>

We do not need additional body representing the UAC to the County election. The 5 person elected would not be a good representation of all unincorporated areas.

I don't want it.

### 4. What do you think the next step should be?

Check out percentage voting. All UACs and unincorporated voters need to organize!

Develop another proposal that keeps the representation of UACs the same –but creates a forum of local representation for the people living in unincorporated areas that don't have UACs.

Debate with the Council - Monitor the actions

Allow the UACs to work. If the UACs decide they need help - they may petition King County for that help at that time.

Appreciate the Urban unincorporated areas provide \$ for parks, community centers etc. and admin. Support to local utility districts to help with billing etc....

Find a way to encourage and stimulate more of a real partnership between UAC and council persons.

Leave the Councils alone. Well wait for the next commission.

We need more meetings like this.

Recommend more staff and budget for Councilmembers who have a greater percentage of unincorporated residents to serve.

I think the CRC should make a proposal to the KC Council for further study, public input, refinement and final referral to the people as a charter amendment in the future. I don't think public understanding could be reached by the November election. If this is a valid plan, a little delay will not destroy it.

Figure a way for the King County Council to be either redistricted or noted in differently to achieve better representation.

The next step should be to ——— a moratorium on future development until solutions are reached for more efficient transportation (RTA) modes. The RTA does not provide any help for South East King County in regards to stopping future grid lock.

*Educate the voters on pros and cons in a timely fashion.* 

Improve and strengthen the UACs

*Table the issue* 

Table your recommendation for now and allow the Unincorporated Area councils to work independent of the elected body.

Commission should recommend creation of the task force with the intent of creating a governmental entity for unincorporated areas.

*Create a method to form an agreement for the five incorporated. reps.* 

Keep UAC - grassroots for input. Leave charter as is - not ready for changes. More "customer service" by council is key with UAC. Land use decisions should be done by UACs. \* Look into Maggi Fimia's idea of council make up. Do not like flowchart order of interaction.

Leave UACs as is - give them a chance to grow and become a working body with the County Council and the King County Departments.

Dissolve the Growth Management Act and move Boeing.

## 5. How can unincorporated area councils be improved or strengthened?

My group. SCAR (Soos Creek Area Response) are interested in forming a UAC but we need your help! We need to get enough area to have enough votes to qualify.

Our area is small in numbers but large in area and facing staggering changes but we are not given a UAC recognition. We need to have a say. I live in Auburn and represent SCAR.

Allow us to make decisions concerning land use, at the UAC level

More/better communication between staff members of Council of UACs

Make sure that King County Councilmembers give fair time to their unincorporated areas.

Admin. Support

Councilpersons should encourage them to articulate citizens concerns and be responsive by taking action not by just promising some future concern.

Easier access to King County Council persons! Put in the "King County Council Loop" Stop putting down UACs We know the future of UACs - ask us. More resources to help UACs Attend UAC meetings

By providing mailing or other communications funding to UACs'

Better elections to give them land use authority and responsibility for land use in their back yard.

More publicity, with good explanation of what they can do for residents of the area—what they can (and cannot) do. They need come way to receive funding if they are to be viable bodies. They need good support from Council staff. A UAC and be more closely connected with local residents than the proposed UKCC could be. Can there be some guarantee of Councilmembers and staff paying attention to UAC recommendation?

Keep our district representatives on the King County Council. The UACs need to be able to strengthen their direct ties to the County Council.

The unincorporated area councils need a more timely communication line with advisory powers early in the process.

I would hope that councils would look to improve by taking a good hard look at how both small and large business have improved their efficiencies over the past few years i.e., making tough good long term decisions even if painful near term.

Well defined process for choosing members and the areas they represent.

Improve resource allocation across the regional and local areas and issues.

More accountability of County Council to UACs

I support the local planning commission proposal and the use of UACs in that role.

Funds should be allocated.

Formal election mechanism is necessary with elections by district.

The councils can be strengthened by having a district rep: to address issues with the King County Council.

Bob's comment is correct - unincorporated need to be heard by council and specifically by a representative from their district =  $\underline{no}$  at large members. More staff for unincorporated area, less staff for more urban district and staff at large to adjust for work flow on council. Beware - Section 232.20 Veto - 3 votes on 3 - member area government is dangerous politically - small group penalized

By the County giving resources to the UAC to help improve their areas.

Better communication and networking with County departments in resolving issues.

UACs need to have a voice in planning

\*Make the UACs the local focus for the charter review leave out the middle man.