

MOTION NO. 2605

A MOTION endorsing a Memorandum of Understanding on Regional Planning, declaring the intention of King County to join the reorganized and restructured Puget Sound Council of Governments and authorizing the County Executive to pay the member dues assessment to said organization.

WHEREAS, in March 1976 the King County Council requested the cities and towns of King, Kitsap, Pierce and Snohomish Counties to join in the formation of a 12 person negotiating committee to develop a compromise proposal for a regional planning organization in the Central Puget Sound Region, and

WHEREAS, after a series of meetings and negotiating sessions, said committee has developed a Memorandum of Understanding for an organization that reflects a consensus of their respective viewpoints, and

WHEREAS, the Memorandum either resolves or provides a basis to resolve the issues and concerns that lead to King County's withdrawal from the present regional planning organization.

NOW, THEREFORE, BE IT MOVED by the Council of King County:

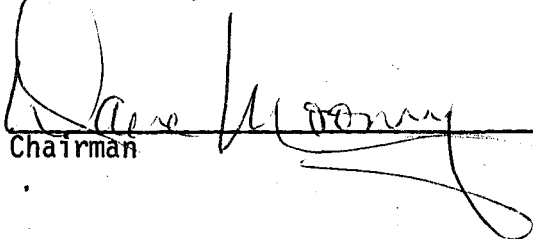
The King County Council endorses, ratifies and approves the attached Memorandum of Understanding developed by the Negotiating Committee and hereby declares our intention to join as a member, the reorganized and restructured Puget Sound Council of Governments on August 1, 1976.

BE IT FURTHER MOVED by the Council of King County:

The County Executive is authorized, consistent with the Memorandum, to disburse that portion of the funds set aside in Ordinance 2544, Section 43 for a regional planning organization necessary to pay member dues assessments from August 1, through December 31, 1976.

PASSED this 26th day of July, 1976.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chairman

ATTEST:


Clerk of the Council

1 MEMORANDUM OF UNDERSTANDING

2 PREAMBLE

3 1. Historical Development. In September of 1975,
4 Pierce and Snohomish counties officially withdrew from the
5 Puget Sound Council of Governments. (PSCOG). During the same
6 month, King County passed a resolution stating its intention
7 to withdraw effective December 31, 1975. King County did
8 subsequently withdraw from the Puget Sound Council of
9 Governments.

10 In order to resolve the differences that existed
11 between the local governments that are members of the PSCOG
12 and the aforementioned counties, a Negotiating Committee was
13 established consisting of representatives from the counties
14 of King, Pierce, Snohomish and Kitsap; representatives from
15 Seattle, Tacoma, Everett and Bremerton; and representatives from
16 the other cities of King, Pierce and Snohomish counties. The
17 Negotiating Committee met on numerous occasions to propose
18 a revised and restructured Puget Sound Council of Governments.
19 This Memorandum of Understanding is a product of the Negotiating
20 Committee's efforts.

21 2. Purpose of the Agreement. The purpose of this
22 Memorandum of Understanding is to specifically state those
23 matters which have been agreed upon by the Negotiating Committee.
24 The agreement is intended to be the basis for later documents
25 which will carry out the intent of the Negotiating Committee.
26 The agreement will enable the counties to rejoin the Puget Sound
27 Council of Governments while the subsequent documents are
28 prepared and executed to accomplish the revising and restructuring
29 of the Puget Sound Council of Governments and to permit federal
30 funding to continue during the time of transition from the
31 previous organizational structure and work program to the revised
32 organizational structure and work program.

1 WHEREAS, the representatives desire to jointly
2 undertake A-95 review, continuous, cooperative regional
3 development, land use, housing, and transportation planning
4 that results in plans and programs consistent with the
5 adopted Regional Development Plan for the central Puget
6 Sound area, and

7 WHEREAS, it is agreed that the Puget Sound Council
8 of Governments shall perform the functions required by the
9 office of management and budget circular A-95, "Federal and
10 Federally Assisted Programs and Projects Evaluation, Review
11 and Coordination", and

12 WHEREAS, the local governments of the undersigned
13 representatives are authorized and empowered to enter into an
14 agreement to accomplish regional planning, therefore

15 IT IS MUTUALLY AGREED AND UNDERSTOOD:

16 A draft interlocal agreement and amended bylaws shall
17 be presented to the reconstituted Executive Board for their
18 consideration prior to request for adoption by member govern-
19 ments. This document shall generally deal with the following:

20 1. Designated Organization. The Puget Sound
21 Council of Governments shall be established as a regional
22 planning organization to carry out the following functions:

23 A. undertake through its membership partici-
24 pation, A-95 review and continuous, cooperative regional
25 development, land use, housing, and transportation planning,
26 as set forth in the Annual Work Program (Exhibit A); adopted
27 by the Executive Board and the full Council as set forth in
28 Paragraph 4.C.(1); and

29 B. monitor federal legislation and regulations
30 adopted pursuant to such regulations as directed by the
31 Executive Board; and

1 C. engage in legislative lobbying activities
2 at the state and federal level to the extent legally permissible
3 as directed by the Executive Board;

4 The Puget Sound Council of Governments shall be estab-
5 lished as a separate legal and administrative agency with the
6 powers and authorities normally granted to such agencies.

7 The Puget Sound Council of Governments shall consist of the
8 full council, with the management vested in an executive
9 board, and subregional planning bodies. The regional
10 planning body, the executive board; and subregional planning
11 bodies shall be organized and have such authority and
12 responsibility as hereinafter provided. The functions of the
13 Puget Sound Council of Governments may be amended by two-
14 thirds (2/3) vote of the members after the reorganization and
15 reestablishment of the Puget Sound Council of Governments as
16 the central Puget Sound regional forum has been accomplished.

17 2. The full council of the Puget Sound Council of
18 Governments:

19 a) Membership. The Puget Sound Council of
20 Governments shall be composed of representatives from the
21 general purpose local governments located within the boundaries
22 of the four county region of King, Pierce, Snohomish and Kitsap
23 counties that adopt or become parties to the agreement
24 establishing the Puget Sound Council of Governments.

25 b) Voting. The members to the Puget Sound Council
26 of Governments, shall have voting strength in proportion to
27 the population within their jurisdiction. For the purposes
28 of this agreement, the population for the counties is defined
29 as that population within the unincorporated area of the
30 county.

1 3. Executive Board.

2 a) Membership. The membership of the Executive
3 Board shall be as follows:

4 King County	4 representatives
5 Seattle	3 representatives
6 Other towns and cities located within King County	2 representatives
7 Kitsap County	2 representatives
8 Bremerton	1 representative
9 Pierce County	3 representatives
10 Tacoma	2 representatives
11 Other towns and cities located within Pierce County	1 representative
12 Snohomish County	2 representatives
13 Everett	1 representative
14 Other towns and cities located within Sno- homish County	1 representative

15 Total Membership of 22.

16 1) Appointment of Members.

17 (i) In the case in which member jurisdictions
18 are permanently assigned positions on the Executive Board, the
19 method of appointment is at the discretion of the member
20 jurisdiction.

21 (ii) If the representative is to be chosen
22 to represent a number of non-central city member jurisdictions,
23 the method of appointment is at the discretion of the
24 subregional member jurisdictions.

25 (iii) Each Executive Board member shall be
26 an elected official and may have one designated alternate.
27 The alternate must be an elected official also, from the same
28 subregional organization.

29 (iv) The name, address and phone number
30 of all representatives and their designated alternates shall
31 be filed in writing with the Board of Directors.
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1 b) Officers.

2 (1) President.

3 (i) Election. The President of the Puget
4 Sound Council of Governments shall be elected by the Council
5 from the Executive Board membership. He shall serve as
6 President of the Executive Board.

7 (ii) Term of Office. The term of office
8 of the President shall be for one year.

9 (iii) Duties. The President shall conduct
10 the annual meeting of the PSCOG and the meeting of the
11 Executive Board. He shall be responsible for the preparation
12 of the agenda of the Executive Board and the annual meetings of
13 the Puget Sound Council of Governments. He shall ensure that
14 the functions of the Puget Sound Council of Governments are
15 carried out to the best of his ability. He shall have the
16 responsibility to direct the Executive Director and the
17 staff. He shall make such reports as needed.

18 (iv) Vacancy. In the event of the vacancy
19 in the office of the President, the Vice President shall
20 succeed to the office of the unexpired portion of the term.
21 In the event there is a vacancy in the office of the President
22 and Vice President, the Executive Board shall elect a new
23 President, who shall appoint a new Vice President.

24 (2) Vice President.

25 (i) Selection. The Vice President shall be
26 appointed by the President. He shall be a member of the
27 Executive Board and from a different subregional than the
28 President.

29 (ii) Term of Office. The term of office
30 of the Vice President shall be for one year.

31 (iii) Duties. The Vice President shall
32 serve also as Vice-President of the Executive Board.

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1 (iv) Vacancy. In the event there is a vacancy
2 in the office of Vice-President, the President shall appoint
3 a new Vice President for the unexpired portion of the term.

4 c) Voting:

5 (1) Each member of the Executive Board shall
6 have one vote.

7 (2) All actions of the Executive Board shall be
8 majority vote unless otherwise provided.

9 (3) A two-thirds (2/3) majority vote may be
10 called for by any member of the Executive Board on any issue
11 unless otherwise specifically provided. When a simple majority
12 is required on a vote, it shall be one-half (1/2) plus one of
13 those present and voting. When a two-thirds (2/3) majority
14 vote is required, it shall be a two-thirds (2/3) majority of
15 those present and voting.

16 d) Meetings.

17 (1) Timing. The Executive Board shall meet at
18 least once monthly at its designated date and time or upon
19 request of the President, or upon call of two representatives,
20 providing those representatives are from different sub-
21 regional organizations.

22 (2) Notice.

23 (i) Regularly scheduled meetings. Agenda
24 with supporting materials shall be mailed at least seven (7)
25 days in advance to the designated address of the members of
26 the Executive Board.

27 (ii) Special meetings. Both telephone and
28 written notice shall be given to members of the Executive
29 Board of any special meeting. Written notice shall be five
30 (5) days in advance. The agenda shall be limited to those
31 items specified in the notice.

1 e) Responsibilities and Authority. The Executive
2 Board will have the authority to direct the affairs of the
3 Puget Sound Council of Governments between the annual meetings.
4 It shall exercise on behalf of the Puget Sound Council of
5 Governments all delegated powers and managerial and
6 administrative authority.

7 f) Quorum. A simple majority of representatives
8 of the Executive Board shall constitute a quorum.

9 g) Appeals.

10 (1) An appeal procedure will be established
11 for the Puget Sound Council of Governments and the Executive
12 Board shall be the final appeals body.

13 (2) Any member jurisdiction may appeal by appro-
14 priate legislative action of such jurisdiction to the Executive
15 Board for a determination of subregional or regional
16 significance. A two-thirds (2/3) majority of the Executive
17 Board shall be required to establish an issue as a matter of
18 regional significance.

19 (3) Any member jurisdiction believing the
20 action of a subregional organization to be arbitrary and
21 capricious may appeal such action to the Executive Board by
22 appropriate legislative action. The Executive Board by a
23 majority vote may sustain the action of the subregional
24 organization or remand the action back to the subregional
25 organization for reconsideration and final action.

26 4. Sub-Regional Planning Organization.

27 a) Membership. Each subregional planning
28 organization shall consist of the general purpose local
29 governments within each subregion, and other public agencies
30 within the subregion who receive the approval of the subregion.
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1 b) Voting Structure. Each subregional planning
2 organization shall establish its own method of voting;
3 however, the initial voting structure shall be on a per capita
4 basis.

5 c) Authority and Responsibilities.

6 (1) General Responsibilities. The subregional
7 planning bodies are to be the primary planning organization
8 of the Puget Sound Council of Governments. They will carry
9 the principle burden for the planning that is done for
10 regional plans and policies. The primary function of the
11 regional staff is coordinate the activities between and
12 among subregional bodies and to establish uniform methods
13 for accomplishing the agreed upon objectives of the
14 planning organization. The planning process is to evolve
15 from the plans adopted by general purpose local governments
16 which will be coordinated and agreed upon at the subregional
17 level and integrated into regional plans and policies. All
18 issues are presumed to be subregional issues unless deemed
19 otherwise by the Executive Board of the Puget Sound Council
20 of Governments.

21 (2) Subregional Issues. The subregional
22 planning organization shall have the power to review and
23 take action on A-95 applications and environmental impact
24 statements of less than regional significance and to
25 establish additional planning functions and activities to
26 be carried out as deemed necessary and pertain to the authority
27 and responsibility of its members and are of less than
28 regional significance.

29 The subregional planning organization has
30 authority to initiate topics for consideration by the
31 Executive Board or the full conference.

1 (3) Regional Issues. Subregional planning
2 organizations shall have the right to review and the
3 opportunity to comment, prior to final approval or recom-
4 mendation for approval by the Executive Board, on the annual
5 budget, regional transportation plan, prospectus, transpor-
6 tation improvement program, transportation systems program,
7 regional development plan, A-95 review and environmental
8 impact statements of regional significance and other
9 programs as may be undertaken by PSCOG including the unified
10 work program for a fiscal year. Such right to review and
11 opportunity for comment shall be a pre-condition for final
12 approval or recommendation for approval by the Executive
13 Board or full Council.

14 5. The Work Program.

15 The Work Program as proposed by the counties and
16 amended by the Negotiating Committee shall be submitted to
17 the present Executive Board of the Puget Sound Council of
18 Governments for submission as an amendment to the work
19 program proposed for FY '77 by the Puget Sound Council of
20 Governments. When the Work Program is submitted as an
21 amendment the Executive Board will commence to adjust staff
22 assignments and staff levels consistent with the new Work
23 Program.

24 6. Bylaws.

25 The Executive Board of the Puget Sound Council of
26 Governments shall submit to the full conference and recommend
27 for adoption the amendment to the Bylaws restructuring the
28 Executive Board consistent with this agreement pending the
29 reorganization of the Puget Sound Council of Governments
30 and the rejoining of the counties.

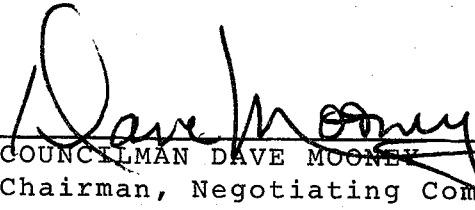
1 7. Interim Committee.

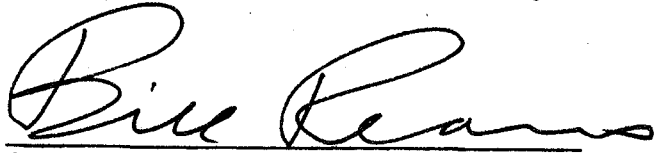
2 The Negotiating Committee shall act as an interim
3 committee to consider and make recommendations with all
4 matters which are necessary to accomplish the transition
5 from the previous organizational structure and work plan to
6 the new organizational structure and work plan. The
7 Negotiating Committee will be kept informed of all proposed
8 staff reductions and reassignments. The Committee shall
9 have the authority to make recommendations to the Executive
10 Board until the Executive Board has been reorganized and
11 the members have been seated on the new Executive Board.

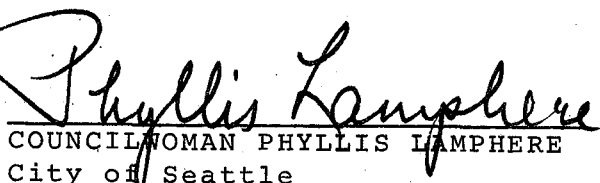
12 8. Matters not Covered in this Agreement.


13 It is deemed that all matters not covered in this
14 agreement are not adequately provided for in the current
15 Articles and Bylaws of the Puget Sound Council of Governments.
16 It is understood that this agreement will be incorporated
17 into the appropriate documents upon the reorganization of
18 the Puget Sound Council of Governments. It is further
19 understood that the parties to this memorandum are in
20 agreement and will recommend to their respective governments
21 the reorganization of the Puget Sound Council of Governments
22 and the rejoining of the reorganized Puget Sound Council of
23 Governments on the condition that all the terms and con-
24 ditions stated in this agreement will be included in the
25 appropriate documents upon the reorganization of the Puget
26 Sound Council of Governments and that no provisions will be
27 incorporated in those documents which are inconsistent with
28 this agreement.

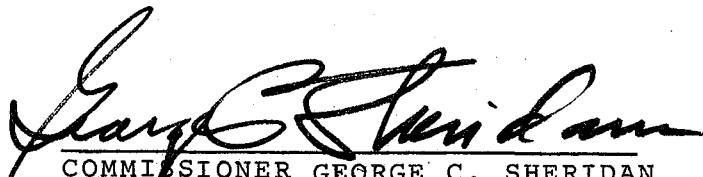
1 DATED this 22nd day of June , 1976.

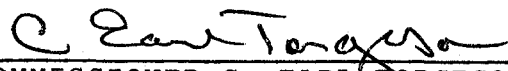
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5 COUNCILMAN DAVE MOONEY
6 Chairman, Negotiating Committee

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9 COUNCILMAN BILL REAMS
10 King County Council


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13 COUNCILWOMAN PHYLLIS LAMPHERE
14 City of Seattle

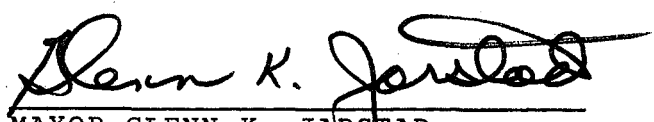
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17 COUNCILMAN PAUL SHINODA
18 City of Snohomish


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21 COMMISSIONER GEORGE C. SHERIDAN
22 Pierce County Commissioner

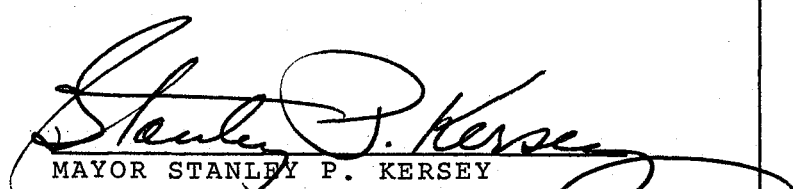
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25 COMMISSIONER C. EARL TORGESON
26 Snohomish County Commissioners

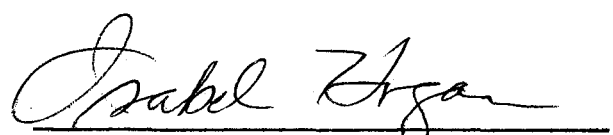
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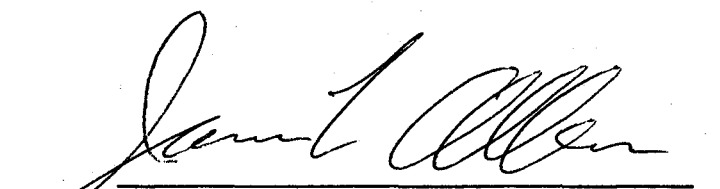

COUNCILWOMAN JOYCE EBERT
Everett City Council



MAYOR GLENN K. JARSTAD
City of Bremerton


COMMISSIONER GENE LOBE
Kitsap County Commissioners

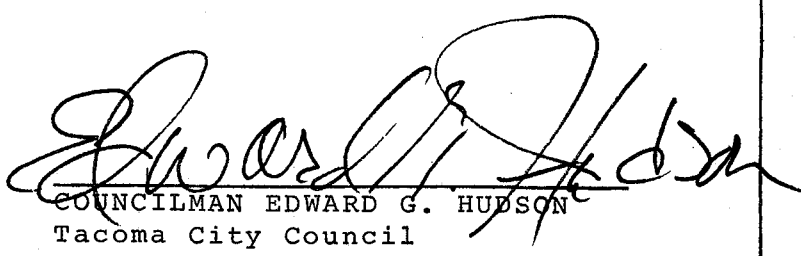

MAYOR STANLEY P. KERSEY
City of Auburn


MAYOR ISABEL HOGAN, Alternate
City of Kent


MAYOR JAMES L. ALLEN, Alternate
Town of Milton


MAYOR EVERETT FOSTER
City of Sumner

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COUNCILMAN EDWARD G. HUDSON
Tacoma City Council

MOTION 2605

**MEMORANDUM OF UNDERSTANDING
EXHIBIT A
JUNE 22, 1979**