

August 23, 1991
METRORDA.JLB (ssj:clt)

Introduced by: Barden
Gruger
Nickels

Proposed No.: 91 - 562

ORDINANCE NO. **10066**

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AN ORDINANCE providing for the assumption of the functions of the Municipality of Metropolitan Seattle by King County pursuant to Chapter 36.56 RCW, and for the submission to the qualified voters of the county of a proposition ratifying said assumption and establishing a date of election.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings and declaration of purpose. The council makes the following findings:

A. It is in the best interests of the citizens of King County for the functions of the Municipality of Metropolitan Seattle (METRO) to be assumed by King County.

In the past METRO has achieved major successes in both water quality and transit, but recent history has demonstrated that it would benefit the citizens of King County to have decisions on these issues made in a coordinated manner together with decisions on land use, growth management, and other issues of county-wide concern.

B. The United States District Court for the Western District of Washington has ruled, as a result of litigation titled Cunningham et al v. METRO (No. C89-1587D), that the current system of selecting Metro Council members results in impermissibly disproportionate representation and hence violates the Equal Protection Clause of the 14th Amendment to the United States Constitution. The Court has ordered that a fully adopted measure resolving the constitutional violations found be filed with the court by April 3, 1992. The timing of this requirement was expressly intended by the Court to give the Regional Governance Summit Process an opportunity to reach a consensus regarding the structure of regional government and to allow any necessary elections to be held.

1 C. The Regional Governance Summit has provided a forum for
2 detailed discussions by elected officials representing King
3 County, the City of Seattle, and suburban cities of King County
4 regarding the appropriate form of governance for county-wide
5 issues including transit, water quality, transportation, growth
6 management and other issues. The Regional Governance Summit
7 proposal provides for the formal involvement of representatives
8 of both incorporated and unincorporated areas of the county in
9 decisions of a regional nature. The active involvement of all
10 affected sectors of local government in decisions on functions
11 presently provided by METRO will continue if King County
12 assumes the functions of METRO under the proposal.

13 D. In order to make sound choices on the use of the
14 region's scarce natural and fiscal resources, democratic
15 government demands direct representation and accountability to
16 the citizens. The assumption by King County of the functions
17 of METRO will provide a government that King County citizens
18 can understand and vote on directly.

19 E. Decisions regarding water quality and transit planning
20 must reflect and further the goals of the region in land use
21 planning and growth management. This can better be
22 accomplished by uniting in the same government the land use,
23 transportation planning and growth management functions of the
24 county with the sewer and transit functions currently carried
25 out by METRO.

26 The assumption by King County of the functions presently
27 performed by METRO will reduce the number of overlapping
28 governments and will better coordinate decisions of regional
29 significance. An enlarged county council will provide a
30 decision making body with a manageable number of members and
31 assure direct representation to the citizens of discrete
32 communities. The regional government will continue to be
33 directly accountable to the voters for its decisions.

34 SECTION 2. Pursuant to the provisions of Chapter 36.56
35 RCW, and upon both: (i) the approval of this ordinance and its

1 ratification by the qualified voters of King County, and (ii)
2 voter approval of the proposed amendment of the county charter
3 set forth in Ordinance 10065, King County shall on the date
4 established in Section 5 of this ordinance assume all rights,
5 powers, functions and obligations of the Municipality of
6 Metropolitan Seattle, the Metropolitan Council shall be
7 abolished and the legislative and executive authority of King
8 County as provided for in the King County Charter shall be
9 vested with all rights, powers, duties and obligations
10 otherwise vested by general state law in said Metropolitan
11 Council.

12 SECTION 3. Ninety days in advance of the date for the
13 assumption by King County of the rights, powers, functions and
14 obligations of METRO, the county council shall by ordinance
15 establish an executive department of metropolitan services,
16 which shall provide those mass transit and water quality
17 services authorized in Chapter 35.58 RCW.

18 SECTION 4. Revenues and expenditures authorized by state
19 law solely for metropolitan municipal corporation purposes
20 shall be preserved and accounted for as first tier enterprise
21 funds separate from other county funds, and shall be
22 specifically pledged to services authorized by chapter 35.58
23 RCW, or as otherwise provided by state or federal law.

24 SECTION 5. The effective date of the assumption by King
25 County of the rights, powers, functions and obligations of the
26 Municipality of Metropolitan Seattle provided for in this
27 ordinance shall be January 1, 1993; provided, however, that
28 planning activities necessary to effectuate said assumption,
29 including planning activities carried out by King County alone,
30 or by both King County and the Municipality of Metropolitan
31 Seattle pursuant to duly negotiated interlocal agreements, and
32 the expenditure of county funds for such planning activities
33 prior to the effective date of assumption is hereby authorized.

34 SECTION 6. Upon approval of this ordinance and its
35 ratification by the qualified voters of King County, in the

1 manner specified in RCW Ch. 36.56, and upon voter approval of
2 the proposed amendment of the county charter set forth in
3 Ordinance 10065, this ordinance shall be construed to have met
4 the requirements of Chapter 36.56 RCW and shall be deemed to
5 have effectuated the assumption by King County of the rights,
6 powers, functions, and obligations of the Municipality of
7 Metropolitan Seattle.

8 SECTION 7. It is hereby found that an urgent need exists
9 for consideration by the electors of King County of the
10 proposition set forth in this ordinance. Pursuant to RCW
11 29.13.010, it is hereby deemed that an emergency exists
12 requiring the submission to the qualified electors of the
13 county at a special county election to be held therein on
14 November 5, 1991, in conjunction with the statewide general
15 election to be held on the same date, of the proposition set
16 forth in this ordinance. Pursuant to RCW Ch. 36.56, this
17 ordinance shall be referred to the qualified voters of the
18 county at the general election of November 5, 1991, and the
19 manager of the division of records and elections shall cause
20 notice of this proposed ordinance in accordance with the state
21 constitution and general law.

22 Notwithstanding any other provisions of the King County
23 Code, this proposed ordinance shall be submitted to the voters
24 of King County for ratification with a ballot title in
25 substantially the following form:

26 'Shall King County assume the rights, powers, functions
27 and obligations of the Municipality of Metropolitan
28 Seattle (METRO) as authorized by state law, with said
29 assumption being contingent upon voter approval of King
30 County Proposition _____ providing for a thirteen
31 member metropolitan county council with
32 intergovernmental committees to review county-wide
33 policy plans, all as provided in Ordinance No. 10066.

