

**COUNCIL SUMMARY BACKGROUND BRIEF:
KING COUNTY REGIONAL COMMITTEES AND OTHER ISSUES**

This briefing summarizes recent actions taken by the three regional committees formed as a result of the merge of King County and Metro. The three regional committees are the Regional Policy Committee, the Regional Water Quality Committee, and the Regional Transit Committee. We will also include updates on the King County Flood Control Zone District and the King County wastewater rate increase in this section. This is intended as a summary briefing; staff can provide more details on any of the items below.

REGIONAL POLICY COMMITTEE (RPC)

The Regional Policy Committee met June 13 and received briefings on the following issues:

- **Status Report on the Radio Replacement Program:** The emergency radio system in King County allows public safety communications for police, fire, emergency medical, public schools and public hospital agencies within King County. It is also important for day-to-day business such as school communications. The emergency radio system in King County is jointly owned and operated by King County, the City of Seattle, Eastside Public Safety Communications Agency (EPSCA) and Valley Communications Center (ValleyCom). The existing system needs to be replaced because it is reaching the end of its useful life.

In order to begin planning for the replacement of the emergency radio system, the County Council established a capital improvement project in 2007. In 2008, a Radio Executive Policy Committee (RPEC) was formed. This advisory body includes representatives of King, Pierce and Snohomish Counties; Cities of Puyallup, Seattle and Tacoma; Port of Seattle, EPSCA, ValleyCom; King County Suburban Cities Association; Snoqualmie Tribe; and Washington State Patrol.

The RPEC estimates that risk for replacement of the King County system will need to occur in the 2018 – 2020 time period. Work on the replacement system must continue because it takes several years to replace systems of this size and complexity. The current system took five years from funding approval until full operation. The cost of replacing this radio system will be substantial. Staff will provide information for Council as this process moves forward.

- **Briefing and Overview of SR 520 Tolling:** Craig Stone, Tolling Division Director for the Washington State Department of Transportation (WSDOT), provided and update on the implementation of tolls on the SR 520 Bridge. Highlights from Mr. Stone's presentation include:
 - Initial traffic results as of May 2012:
 - ▶ SR 520: Toll traffic is generally at or above projected levels; travel times are 12-15 minutes shorter on average during peak times.
 - ▶ I-90: Traffic has increased 10%; travel times are 2-3 minutes longer on average

- during peak times.
- ▶ SR 522: Traffic has increased 10%; travel times have not increased during peak times.
 - ▶ I-5: Traffic has increased 4%; travel times between Seattle and Northgate are 2-3 minutes slower in both directions.
 - ▶ I-405: Traffic has increased 4%; travel times through Bellevue are 2-3 minutes slower in both directions.

The next meeting of the Regional Policy Committee is scheduled for Wednesday, July 11.

REGIONAL TRANSIT COMMITTEE (RTC)

On June 7, King County Metro hosted the first of several workshops focusing on long-term implementation of Metro's Transit Strategic Plan approved by the County Council in June 2011. The first workshop focused on state and local legislative background. The workshop also began shaping the process for decision-making on how and where new bus service will be provided once Metro secures new revenue and refines how to better attract and align service in urban centers. Mayor Lee participated in the discussion and conveyed Bellevue's longtime support for enhanced bus service that would help the City and Eastside meet future transit demand as the City and region grows.

The next meeting of the Regional Transit Committee is Wednesday, July 18.

REGIONAL WATER QUALITY COMMITTEE (RWQC)

The Regional Water Quality Committee met June 6 and received briefings on the following:

- RWQC Chair's Report on proposed 2013 Sewer Rate and Capacity Charge: The Executive has proposed a sewer rate of \$39.85 per month beginning in 2013 and remaining in place through 2014, representing a 10.4% increase from 2012. The RWQC Chair (Larry Phillips) reported that the County Council's Budget Committee has made a formal recommendation to the full Council to lower the rate by 6 cents (about \$500,000 per year). The specifics of what to reduce in order to achieve the 6 cent rate reduction still need to be determined. King County staff is looking at various ideas including staff reductions and potential capital project deferrals.
- King County's Water Quality Monitoring Program Report: This report resulted from a proviso in the County budget that required the Executive to transmit a report on the County's water quality monitoring program. The report identified changes to the water quality monitoring program since 2009 and discussed the Executive's proposal to include an additional \$240,000 this year based on the analyses of the water quality program. The Wastewater Treatment Division reviewed and prioritized its monitoring activities in 2008 and 2010, resulting in reductions to the program in both 2009 and 2011. The proposed additions to the program are to address two emerging issues for Puget Sound and the regulatory environment for wastewater treatment: the effects of nutrient loading from wastewater discharges and emerging contaminants.

The Committee raised concerns regarding duplication of monitoring efforts around the Puget Sound area. King County staff agreed to follow-up on assessment of "who is doing what" in water resource monitoring. In the meantime, the Committee acted to "accept" the report as complete.

- Proposed Work Plan for Review and Update of the Regional Wastewater Services Plan (RWSP): The briefing focused on the work plan produced in response to a Council proviso. The proviso called for a work plan, including scope, schedule and budget, to review and update the RWSP by 2014. The work plan focuses primarily on updating the data underlying the plan, such as flow projections, key planning assumptions and trends, by 2014. The results of these efforts would then assist in identifying whether modifications or amendments are needed to RWSP plans or policies. It does not appear that the follow-up work in response to the new data could be accomplished by 2014. The intergovernmental staff group has met, discussed the plan and recommend that additional work be undertaken to refine the work plan. In addition, staff has also supported a more comprehensive review and update of the RWSP that would include all capital projects being consolidated into one capital improvement program. Right now the County separates its capital projects into different updates, such as conveyance, combined sewer overflows, asset management, etc. MWPAAC has recommended that all projects be considered together to allow for appropriate prioritization. The Committee will be receiving future updates regarding this item.
- Briefing on Policy Recommendations for Implementation of Capital Projects: This briefing was a response to a Council proviso regarding policy recommendations for implementation of capital projects required by the Regional Wastewater Services Plan (RWSP). The report produced in response to the proviso focuses on the regulatory and contractual obligations applicable to the Wastewater Treatment Division's Capital Improvement Program and concludes with policy recommendations. The report prompted a discussion at the RWQC regarding the "stalled" status of the re-negotiation of the wastewater contracts. No action was taken by the Committee, but further discussion has been requested.

The next regularly scheduled meeting of the RWQC is Wednesday, July 4, so the meeting will be rescheduled for later in July.

KING COUNTY FLOOD CONTROL DISTRICT (FCD)

The King County Flood Control District Advisory Committee met on June 13. The following is a brief summary of major items from the meeting.

- King County staff continues to bring information to the Advisory Committee in preparation for the update to the King County Flood Hazard Management Plan (first adopted in 2007) to incorporate new information and ensure consistency with federal requirements. The FCD will be reviewing issue papers and then action plans with the Citizen Committee (established by the FCD Board of Supervisors) and then with the Advisory Committee through the end of the summer. FCD staff plan to produce a public review draft in the fall, with the goal of transmittal to the FCD Board of Supervisors (the County Council) by the end of the year. Action on the Plan would occur in early 2013 by the County Council.
- Issue Paper Discussion – Gravel Removal and Sediment Management: The presentation to the Committee described the implementation of the County's sediment management program in specific County rivers since 2006. The Committee supported continued implementation of the existing program and inclusion in the flood plan update.
- Information Item regarding Hurricane Katrina: Lessons Learned from New Orleans and Applications to King County: This item was a presentation from Professor Wartman, P.E.,

- PhD, University of Washington, who was a member of the National Science Foundation Independent Levee Investigation Team in the aftermath of Hurricane Katrina. Professor Wartman reviewed lessons learned from the levee failures in New Orleans and their potential applications to King County as it considers issues such as flood risk levels and levee certification. The Committee discussed issues such as earthen levee performance, Corps levee vegetation policies, and certification.

KING CONSERVATION DISTRICT (KCD)

A King Conservation District (KCD) and King County Flood Control District (FCD) Regional Meeting was held on June 12 to allow regional leaders to discuss recent developments regarding the KCD and the FCD's decision to fund the watershed forums (WRIAs) for 2012. As mentioned below, KCD has escrowed its 2012 assessment collections and is in the process of developing a new system of rates and charges to replace its current assessment in response to a decision in a Mason County Conservation District case. In addition, the KCD is proposing to settle similar cases filed in King County in 2010 and 2011 (the "Hammond" cases) by implementing a credit or rebate in future years on property tax bills of properties that pay the 2012 assessment. The settlement is pending before the court at this time.

At the regional meeting, the KCD and FCD updated the participants on the FCD's decision to fund the WRIAs and the status of the KCD's budget. It appears at this time that due to operating reductions taken by KCD, and if the KCD settles the Hammond cases, the KCD might have funding available in the fall to establish a competitive grant program. However, participants had many questions regarding the future of the KCD (including the future and structure of any jurisdictional grant program) and the FCD funding the WRIAs in 2013 and beyond. Julia Patterson, County Councilmember and Chair of the FCD, reported that King County staff will be working on the development and analysis of funding options. No clear process of how jurisdictional partners could participate in that process was presented.

Bellevue staff will advocate for an inclusive, meaningful process and will report back to Council with more information as it becomes available. Staff is planning on future Council briefings to receive Council direction regarding options that might be developed.

Background

King Conservation District (KCD) is a natural resources agency authorized by Washington State. Its mission is to promote the sustainable use of natural resources through responsible stewardship, originally in rural areas, but now expanded to include natural resources projects in cities as well as support for the watershed forums.

The KCD has had a "special assessment" to support its activities since 1994. The current assessment began in 2010 and is scheduled to expire on December 31, 2012. Under state law, conservation district special assessments are limited to 10 years in duration and are capped at \$10 per parcel in King County. Also, state law requires the KCD to submit its proposed system of assessments to the King County Council for approval prior to implementation of a new assessment.

The \$10 per parcel assessment is collected as part of the property tax in King County and is assessed on all existing parcels and any new parcels created. The assessment applies in unincorporated King County and in all cities that are members of the KCD, including Bellevue.

King County cities that are not members of KCD are: Enumclaw, Federal Way, Milton, Pacific and Skykomish.

Under the current assessment, \$5 funds the watershed forums (WRIAs); \$3 supports KCD programs; and, \$2 funds local jurisdictions' conservation programs. Approximately \$6 million is collected each year by the assessment; Bellevue property owners contribute approximately \$400,000.

Each year, Bellevue receives funding from the special assessment. The amount is typically around \$75,000 per year, and these funds have been used to support various conservation activities in the City; examples include Stream Team, storm drain marking, riparian restoration work, pollution source control education efforts, and the recent work on outlet channel maintenance for Phantom Lake. The KCD funds for the watershed forums (including WRIA 8) have been extremely important to implement salmon recovery projects and to leverage other funds. The watershed forums collectively receive about \$3 million a year from the KCD.

Recent Developments

A lawsuit was filed in Mason County that challenged the validity of the special assessment imposed by the Mason Conservation District - a District formed under the same statutory authority and with the same type of per parcel assessment as the KCD. The Supreme Court of Washington ruled that the Mason Conservation District's assessment was inconsistent with the statute and therefore invalid.

Based on that ruling, the KCD has notified its funding partners that the King County ordinance that provides its special assessment appears to be invalid. At the same time, a bill was passed this session (HB 2567) that provides an alternative system of rates and charges in lieu of a special assessment, with the same \$10 per parcel cap as currently exists in statute. It provides an alternative option, but cannot be implemented until 2013 due to the required statutory process. KCD staff is currently working with King County to develop an alternative system of rates and charges that could be approved and implemented for 2013.

In the meantime, the KCD has stated that it will collect but not spend the 2012 assessment as it may have to be returned or credited to taxpayers under its Interlocal Agreement with King County. KCD has taken initial steps to cut its staff and budget to reflect funding that will be available in 2012. KCD has announced that any city projects or programs that have final contracts for 2011 or prior years KCD funding will be fully honored this year. Any funds that have not been contracted, however, will be held for now. No new local projects or programs will be funded until a new system of rates and charges is in place.