



King County

Ron Sims
King County Executive

King County Charter Review Commission Public Hearing Summary – April 10, 2008 Shoreline Center, 6:30pm-8:00pm

The 2007-2008 Charter Review Commission held its second of four public hearings on Thursday April 10, 2008 at the Shoreline Center. The purpose of the meetings is to gather input from the public on the Commission's proposed amendments to the county charter.

Commissioner Tara Jo Heinecke chaired the meeting. Other commissioners in attendance were Doreen Cato, Bryan Glynn, John Jensen, Mike Lowry, and Mike Wilkins.

Ms. Heinecke gave opening remarks and introduced the commissioners. Commission staff member Mark Yango gave a brief presentation on the charter and the charter review process.

Shari Tracey, Chief of Staff for District 1 Councilmember Bob Ferguson of District 1, thanked the Commissioners for their hard work on behalf of Councilmember Ferguson, and gave his apologies for not being able to attend.

The commissioners then presented each of the proposed amendments. Afterwards, Ms. Heinecke opened the floor for citizen comments. More than thirty people were present, and eighteen people made remarks.

Summary of comments:

Anti-Discrimination Amendment – in support (3 comments)

- add gender identity and expression (2 comments)

Amendment requiring the council take action on all Commission recommendations – in support (2 comments)

Regional Committees (2 comments)

- In support of the amendment (1 comment)
- In support of the concept of reform, but not the exact implementation (1 comment)

Amending the Charter by Initiative – in support of the proposed amendment (2 comments)

Senior Official for Unincorporated Areas amendment – in support of the amendment (2 comments)

Qualifications – not in support of the amendment (1 comment)
Open Space Amendment – further study is required (1 comment)

Sheriff's amendment – in support (1 comment)

Transitory provisions – not in favor (1 comment)

Other topics:

Instant Runoff Voting – in favor of implementing IRV (14 comments)

Stronger citizen oversight review of the King County's Sheriff's Office is needed (2 comments)

Summary of Comments by Name:

Justus Jessen, of Seattle:

- In favor of implementing Instant Runoff Voting. It eliminates the 'spoiler effect'.

Chandra Wade, of Seattle:

- In favor of implementing Instant Runoff Voting. Argues that there is no need to wait to implement it, because it has worked well in other places. She noted that it shortens the election process by eliminating the primary and reduces the influence of money in campaigns.

Jean Garber, of Newcastle, Newcastle City Councilmember and member of the Executive Committee of the Suburban Cities Association (SCA) Board of Directors

- The amendment regarding the Regional Committees does not include all elements brought forward by the SCA, but still believes much progress was made and supports the amendment.
- SCA supports the Senior Official for Unincorporated Areas amendment, and believes that it may help to address the issues it had previously brought to the Commission's attention regarding urban annexation.
- SCA supports the amendment for the citizen initiative process, and though it does not require a supermajority vote to amend the charter as SCA had suggested, it does set an appropriately high bar for the signature threshold.
- SCA believes that the amendment requiring the council take action on all Commission recommendations is a step in the right direction, and supports the amendment.
- The Suburban Cities Association's formal statement is attached to these minutes.

Sophie Pakker, of Seattle:

- In favor of implementing Instant Runoff Voting. Implementation will not be an impediment, because there are other cities that use King County's voting software, by Diebold, and can be followed as a model.

Viola Gay, of Shoreline:

- Calls for stronger citizen oversight review of the King County’s Sheriff’s Office. Citizen complaints go to the Ombudsman’s Office; hundreds of these complaints have never resulted in a finding of wrongdoing.

Mr. Jensen and Ms. Heinecke requested that Ms. Gay provide the Commissioners with more information about this topic. Ms. Heinecke notes that the Commission did not specifically take up the issue of citizen oversight over the Sheriff. Ms. Gay responded that citizen oversight is a bargained issue. Ms. Heinecke remarked that the Sheriff is currently engaged in bargaining a contract.

Brie Gyncild, of Seattle:

- In favor of implementing Instant Runoff Voting. She asks whether there is a timeline for reconsidering IRV, and does not want to wait another 10 years for another Charter Review Commission. She recommends that we try to capture the excitement and lack of cynicism in electoral politics at this time. She specifically advocated that the Commission should recommend a specific period of time within which the Council should investigate IRV.

Ms. Cato pledged that the Commission would discuss IRV again at its next meeting.

- In favor of the anti-discrimination amendment, and proposes that gender identity and expression be included, as well as sexual orientation, in the classes protected by the Charter.

Alison Longley, of Seattle

- In favor of implementing Instant Runoff Voting. IRV makes the election process simpler by eliminating the primary. This will ease the workload on elections staff.

Chris Robertson, of Seattle

- In favor of implementing Instant Runoff Voting. IRV has been proven to be effective. There is an urgency to addressing IRV as soon as possible, to

Bill Lavelle, of Seattle

- In favor of implementing Instant Runoff Voting.

Casey Roby, of Seattle

- In favor of implementing Instant Runoff Voting. It’s cheaper to run elections without a primary, and the money could be better used in other ways. The shortened process will reduce voter fatigue from multiple elections. Better prospects for third party candidates will also reduce voter apathy and increase turnout. IRV is also a simpler process.

Danielle Askini, of Seattle

- Advocates for the inclusion of gender identity and expression in the anti-discrimination amendment. Ms. Askini’s formal statement is attached to these minutes.

In response to a question from Ms. Cato about gender identity, Ms. Askini responded that internal sense of their gender as male or female. Adding gender identity and expression as a

protected class would clarify that discrimination is not permitted based on how people present themselves as male or female, whether they fit cultural stereotypes of male or female or not.

Sean Crutchfield, of Seattle

- In favor of implementing Instant Runoff Voting. IRV tends to increase voter participation by eliminating the primary, and also eliminates the need to choose “the lesser of two evils”. People who support third party candidates have their voices heard more clearly under an IRV system. IRV also improves the chances that the winner of an election will have been supported by a majority of the voters.

Joe Szwaja, of Seattle, President of Instant Runoff Voting of Washington

- In favor of implementing Instant Runoff Voting. IRV has been used around the world, including by the Utah Republicans, and has been endorsed by John McCain and Barack Obama. IRV tends to accord with our values in this county, electing more minorities and women, promoting higher voter participation, and decreasing negative campaigning. He noted that we are at our best as a country when we eliminate the “fear factor” of the spoiler effect in voting. Mr. Szwaja encouraged Commissioners to investigate the IRV systems in Cambridge, MA and Burlington, VT, cities that also use Diebold machines, as does King County.

Abe Aslanides, of Seattle

- In favor of implementing Instant Runoff Voting. IRV is simple and brings more voters to the polls by eliminating the primary.

Chuck Richards, of Seattle

- In favor of implementing Instant Runoff Voting.
- Supports the anti-discrimination amendment. Taught in Seattle Public Schools for 40 years. Mr. Richards expressed that for about 25 years, he was afraid of losing his job due to his sexual orientation being exposed. He is thankful that the community is now supporting protections such as this amendment.
- Sheriff’s Office is not responsive enough to allegations of abuse. Too many times, the public is told that these are bargained issues. This is not just a labor issue.

Ken Rubin, of Seattle

- In favor of implementing Instant Runoff Voting. Notes that for all of the people who are speaking tonight, there are many more who also believe in IRV. The largest political science association in the world itself uses IRV to conduct its own internal elections.

Sandy Hereld, of Seattle

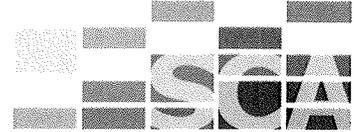
- In favor of implementing Instant Runoff Voting.

Virginia Gunby, of Seattle, original Charter Freeholder and many-time Charter Review Commissioner

- Ms. Gunby’s highest priority is protecting the charter from unnecessary changes. She believes that the original reason for the charter, to correct a flawed county governmental structure, is being slowly eroded by electing more and more top county officials. Ms. Gunby

proposes that the substantive amendments that are recommended by the Commission should wait until November 2009, while the technical amendments should be placed on the ballot in November 2008.

- In favor of the citizen initiative amendment. She recommends adding the wording “except charter amendments providing for the compensation or working conditions of county employees” as an exception to the rule on charter amendments, to match the existing initiative section.
- Supports the amendment to require council review of Commission recommendations.
- Believes that open space protection is important, but should be implemented through ordinance instead.
- Setting Qualifications for the County Assessor is the start of a trend to set standards and promote an increase in the number of independently elected county officials, which I oppose. In 2007 the Pierce County Charter Review added an elected non-partisan Sheriff’s office, and non-partisan labels for the Assessor and the Auditor, returning that county more toward the traditional separate county governmental offices of the past.
- On the Regional Committees amendment, it would be better to create a basic structure in the Charter and leave the details to an ordinance the stakeholders are jointly involved in creating.
- Supports the Sheriff’s amendment. It would be inappropriate for the Sheriff to conduct her own bargaining, independent of the Executive. Not in favor of an elected Sheriff, due to the pitfalls of splitting county government into many separate pieces.
- The unincorporated amendments do not guarantee that the unincorporated issues will be considered. It should be recommended to the council.
- Opposed to striking the transitory provisions, which provide a useful history in the charter.
- Ms. Gunby’s formal statement is attached to these minutes.



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Good evening.

My name is Ava Frisinger. I am the President of the Board of Directors of the Suburban Cities Association and the Mayor of the City of Issaquah.

I appreciate this opportunity to testify on the proposed amendments to the King County Charter on behalf of the Suburban Cities Association.

The Suburban Cities Association provides information, education and advocacy on behalf of its 35 member cities. Collectively member cities represent approximately 785,000 King County residents or 53% of the population of incorporated King County.

SCA has been pleased to be invited to participate throughout the review process of the King County Charter. Newcastle Councilmember Sonny Putter and SCA Executive Director Karen Goroski have attended and participated in most meetings of the Commission as well as its Regional Governance Committee and work groups. They have been complimentary of the inclusive process of the Commission's work.

Early in 2007 SCA formed a work group to draft the SCA recommendations for amendments to the King County Charter. Those recommendations were vetted at our Public Issues Committee where an average of 25 cities coalesce on a monthly basis. The SCA Board of Directors acted on the work of the Public Issues Committee and on September 20th forwarded our recommendations to the Charter Review Commission. The issues of the suburban cities were grouped into four subject areas:

1. Annexation and Transition
2. Regional Committees
3. County Wide Special Purpose Districts
4. Good Government

Recognizing that the Commission had a limited amount of time to address a myriad of issues, we are pleased that so many of the issues of the suburban cities were included in the areas of "Good Government" and the "Regional Committees".

Although the Commission's proposed amendments to the Charter regarding the Regional Committees do not necessarily correspond to the original recommendations from SCA, we feel much progress was made and appreciate the efforts of all parties involved. Therefore, SCA wholeheartedly supports the recommended amendments in **Sections 230.10, 270.20, and 270.30** for the Regional Committees.

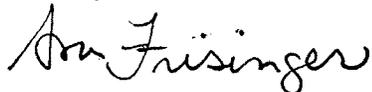
Under the heading of “Good Government”, SCA had recommended ***“that there be urban unincorporated transitional committees in the urban unincorporated areas. We felt that the Charter did not intend for there to be any kind of government structure in urban unincorporated areas.”*** SCA feels that the compromise reached with the Office of the King County Executive and the County Council which has resulted in a proposed Charter amendment in section 320.20 may address our concerns.

SCA had also recommended that ***“the charter review process should be amended so that the recommendations of the commission must be submitted to the voters as drafted by the commission. This new provision will strengthen the role of the Charter Review Commission. It will guarantee that the work of the commission will be reviewed by the voters.”*** The proposed amendment to the Charter in **section 800** that would require the County Council to review and take action on all Charter Review Commission recommendations is a step in the right direction.

Finally, SCA recommended that ***“citizens should be permitted to amend the charter through the citizen initiative process by means of a super majority vote. This option creates a more responsive government which allows the public to submit charter amendments to the voters through the initiative process.”*** The Commission’s proposed amendment in **section 800.20** clarifying the citizen initiative process is generally responsive to the intent of SCA’s recommendation. While the proposed amendment does not require a supermajority vote, it at least sets the threshold for required number of signatures at 20%. This would help ensure that only initiatives with broad-based support are successful

SCA appreciates the many, many hours that the volunteers committed to the Charter Review process. We believe the results were well worth the effort and will encourage the County Council to review and act on your recommendations as written.

Thank you.

A handwritten signature in cursive script that reads "Ava Frisinger".

TO: 2007/08 King County Charter Review Commission
RE: Proposed King County Charter Review Commission
Draft Report/Recommendations

4/13/08

FROM: Virginia Gunby- Former King County Freeholder 1967/68 (E-mail-vgunby@aol.com)

First of all I want to thank all of the members of the Commission for your dedication and work the past two years. If you are interested in learning about our county government, being a Charter Review member can be fascinating and educational. Upfront I will tell you that my bias is protecting our 40 year old county Constitution from proposed Amendments which could be accomplished and allow more flexibly by recommending to the County Council many of the revisions as Ordinances. The King County Home Rule Charter on governance, has stood the test of time, and has been a model for others, as the 1st new Home Rule County Charter in our state. As I have watched King County and other County Charter Review Commission's in our state, there is a tendency to not just review, but in their enthusiasm to over-do, and recommend too many detailed new Charter changes, that do not stand the test of time—and need to be revised again and again.

There have been around 17 voter adopted amendments to the Charter over the last 40 years. In 2008, and I ask each of you to please weigh each your proposed amendments before deciding to approve it. Most voters' eyes glaze over when talking about Charters and proposed amendments. I know, I chaired the LWV King County Government study that recommended a change to the Charter in the 1960s. Many times an Amendment is proposed as a gimmick of special-interest group. I have support amendments to the Charter that I believe are not in the public's interest or benefit the Home Rule Charter's basic objectives of improving the process of government.

We know that the Charter written checks and balances of the Executive/Council policy-making and oversight of Chartered county government work,—except they are gradually being eroded, to a hybrid, similar to the former traditional Washington counties separate, independently elected, county official's model. First it was due to a compromise vote by the King County Freeholders, choosing to have an elected Assessor, in 1968. We were threatened that the Charter would fail to be voter approved, if the Assessor was not elected, then by the Council when an elected Sheriff was approved in 1986 and in the future election, with a proposed question of an elected Election's Director in 2008.

Specifically on your proposals I believe that any of your "Housekeeping" Amendments that are important enough to require Charter changes, should be placed on the ballot in this year, 2008, a Presidential election year. Hopefully the well-informed voter will be able to sort them out, and vote accordingly,

It delays your final closure on the Review, but I believe that the substantive Amendments should wait until 2009. 2009 is when the Executive and five Council members, a majority of the Council, will be up for election. County unincorporated voters pay attention to the county elections, they are of secondary interest to most voters in the incorporated area city voters, unless there are some substantive or controversial issues. And your proposed Charter Amendment list includes some substantive policy issues.

1. The new Charter Amendment allowing Amendments to the Charter , in the new Section 800.20, should be more difficult to file than the regular Initiative. I also suggest that you consider adding revised wording similar to Section 230.50 Initiative-- to add except Charter Amendments providing for the compensation or working conditions of county employees. I agree that Section 800 needs to clarify the process that our Washington State Supreme Court struggled to decide. Their laborious process needs to be reduced from the disconcerting multiple votes, that they decreed, The original Freeholders were advised that the state and Federal Constitution could not be amended by Initiative, and so we followed that advice and allowed amending the Charter only through Council action, and then by the voters. I support your requirement of the 20% higher signature threshold, than what the Charter requires for Ordinance type Charter Initiatives.

2. Council taking action on Charter Review Amendments on the record is necessary too.-This will help revise the past history of the Council's lack of enthusiasm or consideration of action on many past Charter Commission's lengthy work on Charter amendments, and other recommendations.

3. Open Space protection and the required inventory, is too limiting to protect only 100,000 county-owned acres. I'm an environmentalist and founding member of 1000 Friends of Washington, and believe this proposal needs to be reviewed by growth management and open space advocates such as the Cascade Land Conservancy, and to keep the protection flexible, so the amount can be increased without amending the Charter. If county open-space protection for some reason is being misused, the watchful citizens will have the ultimate power to amend, either to initiate an Ordinance and/or a Charter Amendment to revise the action. Placing it in the Charter also sets a precedent for adding protection other resources into the Charter, which as a county Constitution, should be limited to basics that will not change with changing times and conditions. As an amendment it is not needed.

4. Setting Qualifications for the County Assessor is the start of a trend to set standards and promote an increase in the number of independently elected county officials, which I oppose. In 2007 the Pierce County Charter Review added an elected non-partisan Sheriff's office, and non-partisan labels for the Assessor and the Auditor, returning that county more toward the traditional separate county governmental offices of the past.

5. Regional Committees-Section 270-Strengthening and reforming the role of the Regional Committees has been needed for a long time. Up to now the language in the Charter, and the language proposed is *again too detailed*. Any regional collaborative structure(s) that the county and the cities can design together, to enable them to productively work on the many regional public issues, rather than in single minded, narrow, fragmented and competing work plans, is greatly needed. I believe the *Charter language on Regional Committees should state the objectives and outcomes, and leave the details to a required Regional Ordinance* in which the non-county members are jointly involved. Revisions and "lessons learned" type of improvements can be made simply, without the delay of sending it back to the voters for another Charter amendment. I would suggest that there be an Annual Regional Report to the county citizens, or a regular independent Performance Audit with an evaluation required to regularly Report and advance major Regional issues to the public countywide.

5. Sheriff's Office—I like the Commission's suggested solution that recommends that this action be done by Ordinance, and public official and staff collaboration, rather than a proposed Charter change that would further erode the Executive/Council checks and balances and accountability established by our Home Rule County Charter. The Charter gives the role of bargaining the labor agreements to the Executive, with oversight by the Council, all of whom are elected and representing the public and overseeing the whole county system, including the employees, *not just one office*. Both branches should play significant roles in policymaking and implementing policies through the control of the budget over all offices, and the administrative, legislative and other offices, whether they are independently elected or not. As a former Freeholder, I regret the voters approved an independently elected Sheriff. With respect for Sheriff under current county procedures, she can discipline her employees. But to have the Sheriff assume the collective bargaining control over working conditions, is inconsistent with the philosophy and goals of Washington's county Home Rule Constitutional Amendment #21. Would a private business allow a department head to take over the labor negotiations for one department! What happens to countywide budget controls and uniform labor practices?

6. Unincorporated Areas- Just placing a Chartered "Unincorporated Office" of the Executive does not guarantee that unincorporated interests and issues will really be considered. I don't believe that this is a Charter issue, but it is a priority concern of your members. It needs to be proposed for both the county Executive and Council, so that both branches can develop new pro-active efforts to gain greater visibility and involvement for county constituents living in the unincorporated parts of the County. Adequate financial support and reporting regularly to unincorporated Community Councils, or whatever they are now called, must be linked also to the responsibilities of a Council Committee Chair, who is responsible for the unincorporated areas. This should, in my opinion help to break down current barriers. With few civic classes in our schools anymore, and competing work and busy lives, citizens need encouragement to learn how to be meaningfully involved in their local and county communities, as part of our democratic system of representative government.

7. I question Striking the Transitory Provisions in the Charter. They provide a sense of the history of this Charter, and/or as a model for future county Charter writers. If you still desire to strike the Transitory sections from the Charter please include them as a historical reference for new and future inexperienced county Charter Review Commissions and interested newcomers to our county.

8. Public Financing of County Elections-The 2008 Session passed E2SSb 5278 which removed the prohibition of using public funds to finance city and county political campaigns. It becomes effective June 12, 2008. With local political campaigns becoming out of reach due to their cost, for many qualified potential candidates, I recommend that the Commission members recommend that the Council and Executive proceed with evaluating the potential benefits of implementing the new law to use public funds to finance campaigns in King County

Finally, remember that the County Council can propose Charter Amendments, such as the Budget Timelines, Allotment Revisions, and the Election Deadlines, anytime a majority agrees that they are needed.

Again, thank you for your work, and I will be watching your progress and the results of your endeavors.