



**King County**

**Ron Sims**

King County Executive

**CHARTER REVIEW COMMISSION**

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**King County Charter Review Commission**  
**Ad Hoc Subcommittee Working Session**

October 17, 2007

King County Courthouse, Conf. Rm. Horiuchi, 9am-3pm

**Commission members in attendance:**

Mike Wilkins, Chair  
Bryan Glynn  
John Jensen  
Terry Lavender  
Gary Long

**Staff:**

Corrie Watterson, Project Manager, Charter Review Commission  
Becky Spithill, Project Manager, Charter Review Commission

**Council and PAO Staff:**

Rebecha Cusack, Council Liaison to the Commission  
Mike Sinsky, Senior Deputy Prosecuting Attorney, Prosecuting Attorney's Office  
Nick Wagner, Council Co-Liaison to the Commission

**1. Committee Purpose and Agenda**

An ad hoc committee of the Charter Review Commission (CRC) convened to consider potential charter issues that existing CRC committees have thusfar chosen not to review.

The committee met as a working group for one day, and does not plan to meet again. However, the group will provide ongoing guidance to staff in following up on issues flagged for further study by the committee.

The agenda for the meeting was to review all of the issues before the CRC, briefly discuss them, and assign each of them to one of the following categories:

***Needs Consideration:*** this issue merits further consideration by the CRC

***Committee Considering:*** this issue is already being considered by a subcommittee

***Not Under Consideration:*** the CRC will not consider this issue, either because state or federal law preempts it, or because it is not an appropriate subject for the charter

In the case of the latter category, subcommittees and their elected chairs acknowledged the necessity of eliminating from further consideration many of the issues raised during the public outreach process in order to make the work manageable and to increase the likelihood that the County Council will have the opportunity to give full consideration to a carefully selected set of the highest priority issues.

## **2. Discussion of Issues**

Mike Wilkins opened the meeting by asking the group if they had any additions to the list of issues already before the committee (the list was the most current version of the Issue Tracker, a summary of all charter issues received by the CRC; see attachment).

- 1. *Council/Executive co-location:*** Terry Lavender presented a proposal brought to her by a member of the Council, to amend the Charter to require that the Council and the Executive to co-locate. The committee did not discuss this proposal or take any action upon it, though the CRC is not precluded from doing so in the future.
- 2. *Council budget amendments:*** Rebecha Cusack recommended that the CRC consider the other Council recommendations that were transmitted via the letter of September 28, 2007. [Note: This letter referenced the work of the Financial Policies Advisory Task Force and its recommendations, which advised that the Charter Review Commission review the current budget adoption timeline (Section 410), and consider eliminating the allotment requirements (Section 475).] The committee did not discuss these proposals or take any action upon them, but staff recommends that they be considered along with the other budget issues that have been flagged for follow-up.
- 3. *Transitory provisions:*** Mr. Wilkins proposed Article 9 (Transitory Provisions) be deleted from the Charter. In addition, he recommended that Section 350.20.30 (Metropolitan Services Department Transitory Provisions) be deleted, with the exception of the last sentence. PAO staff was directed to research any implications of these deletions.
- 4. *Succession issues:*** Ms. Cusack noted that the Council has undertaken succession planning in to strengthen its emergency preparedness, and that the executive branch has also done a fairly detailed succession plan. However, when leadership is vested in independent and separately elected officials, identifying lines of authority may be difficult. Executive staff agreed to investigate this issue further with the Executive.

5. *Board of Health*: Ms. Cusack reported that the Council may forward a recommendation to the CRC regarding the Board of Health.

The committee then discussed each of the 381 issues in the 10-17-07 version of the Issue Tracker. Most of the issues flagged as needing further consideration by the CRC fell into three areas: budget, county personnel, and Sheriff's departmental issues.

### 3. Summary of Issues for Follow-up

The table below summarizes each of the issues that the committee recommends for follow-up by the CRC. The committee found that these issues were significant, and were also currently unaddressed by the standing subcommittees.

See the Issue Tracker and Issue Library for more details on these proposals (with the exception of the first two). Copies can be downloaded from the CRC's website at <http://metrokc.gov/exec/charter/issues.aspx>.

Issue	Recommended Action
Budget issues (including Council's issues in Sections 410 and 475)	Hold for later. Staff will summarize issues
Delete Article 9 (Transitory Provisions) and all of Section 350.20.30, except possibly the last sentence	Legal advice from PAO needed to proceed
Enable intergovernmental / reverse contracting	Hold for later. Legal advice needed on whether the Charter prohibits reverse contracting in any way
Individuals elected to the governing bodies of county-wide special purpose districts should stand for primary or general election instead of elections with limited access to polling places	Hold for later. Legal advice needed.
Investigate succession issues	The Executive will be asked to provide more information to the committee, and legal advice has been requested from the PAO.
Personnel issues, including labor negotiations and disciplinary policy	Hold for later
Sheriff- civil service commission, labor negotiations	Hold for later. The Council and the Executive will be asked to provide more information to the committee on their positions

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<p>The appointment authority for members of the Charter Review Commission is ambiguous</p>	<p>Hold for later. Legal opinion needed on conflict between Charter sections 340.40 and 800. Executive staff will also follow-up with the Executive</p>
<p>The Executive has the title of ‘chief peace officer’, although the sheriff is now separately elected</p>	<p>Hold for later. Legal advice needed on the meaning of the ‘peace officer’ title, and whether there is regulatory authority implied</p>
<p>Update the Charter’s anti-discrimination clause to add the words "sexual orientation"</p>	<p>Staff to write language and submit to PAO for review, then bring before full CRC</p>

The committee recommends that if possible, each of these issues be considered by standing subcommittees after they complete work on their first-line priority issues. Alternatively, one or more new ad hoc subcommittees may be established to address these important issues.

The committee will report on its findings at the regular commission meeting on October 30, 2007.