

1987 KING COUNTY  
CHARTER REVIEW COMMISSION  
REPORT ON FINAL RECOMMENDATIONS  
June, 1988

David Boerner, Chair  
Fred Burnstead  
Shirley Edwards  
Timothy Edwards  
Miriam Helgeland  
Vera Ing  
Susan Johnson  
Sue Kernan  
Lonnie McLean  
Dale Ramerman  
Constance Rice  
John Richmond  
Winifred Sargent  
Kay Stenshoel

## PREFACE

This report, though lengthy by some standards, contains only a fraction of the material reviewed by the 1987 Charter Review Commission in the development of its final recommendations. For those seeking further information on the issues referenced in this report or on the history of the Commission's recommendations, copies of the Commission's Final Report, Regional Issues and Recommendations Report, Trends in King County--The Next Fifty Years, Issue Papers, and Summary of Public Comment have been placed in library systems in King County.

### Acknowledgments

The 1987 King County Charter Review Commission wishes to thank King County Executive Tim Hill and members of the King County Council for their interest and support throughout this Charter review effort.

Specifically, the Commission wishes to recognize the significant contributions made by: Donna Gordon, Executive Staff Assistant, who provided overall project management and lead staff support for the Regional Issues Committee as well as issue support to the Structural and Technical Committee; Bob Bruce, Council Program Staff, who provided the lead issue support for the Structural Committee; Steve Miller, Council Legal Advisor, who provided support to the Technical Committee on many issues; Virginia Gunby, former Charter Freeholder and Legislative Assistant to Councilwoman Lois North, who provided background and information on many issues, especially to the Technical Committee; and Kevin Raymond, Deputy Prosecuting Attorney, who provided lead support on several Structural Committee issues and provided legal advice to the Commission.

The Commission also wishes to recognize the many County staff who contributed to this effort including: Jane Hague, Records and Elections Division Manager; Wes Moore and Noel Holley, Personnel Division; Lou Haff, Roads Division Manager, and Doug Mattoon, Roads Maintenance Engineer; David Lawson, Office of Financial Management; Cal Hoggard, Council Program Director, and Don Eklund, County Auditor. The contributions of Christine Speith and other members of the King County Personnel Board and Bill Ziegler and other members of the King County Employees Council are also recognized.

There are also a number of behind-the-scenes Executive Office staff whose contributions should not go unnoticed, including: Eileen Weller, who produced volumes of word-processed materials for the Commission; Mary Stoa, who provided initial staff support for the Technical Committee; Keri Olsen, who produced Technical Committee minutes and who did much of the initial general office work for the Commission; Randy Jeffrey, without whom the Commission's newsletter might not have been produced; and Mary Tedesco, without whom the newsletter might never have been mailed on time.

The Commission thanks its staff who were the glue that kept the Commission together throughout the 16-month, 32-meeting process: Susan Blanche Bannon, Commission Coordinator, who managed to keep the more than thirty issues and volumes of papers supporting each issue, simultaneous committee meetings and rapidly changing agendas coordinated; and Jerry Slingsby, Commission Recorder, who, for most of the committee and Commission meetings, produced understandable and interesting minutes for even the most confusing issues discussed.

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1987 KING COUNTY CHARTER REVIEW COMMISSION  
REPORT ON FINAL RECOMMENDATIONS

PART I: KING COUNTY CHARTER AND CHARTER REVIEW COMMISSION

A. History of Charter and Charter Revisions

The King County Home Rule Charter is the constitution for King County government and describes the organization and manner of operation of King County government. Without this Charter, King County government would have to rely entirely on the State Constitution and laws in these matters.

In the 1960's, King County government experienced a series of scandals involving, in separate events, the Assessor's Office, the Prosecutor's Office, and a project to remodel the Courthouse. In response to these scandals, the League of Women Voters and the Municipal League of Seattle initiated an effort which eventually lead to the election in 1967 of Freeholders to draft a home rule charter for King County government. In 1968, the proposed charter was placed on the ballot and the voters of King County adopted the first home rule county charter in the State. The Charter went into effect on May 1, 1969 at which time the County changed from a three-commissioner form of government with a large number of other elected County officials and deriving all operational and administrative direction from the State to a county executive and nine-member council form of government with only the Assessor and Prosecuting Attorney positions also elected. Since that time, four other counties have adopted home rule charters of their own--Pierce, Snohomish, Clallam and Whatcom.

King County's Charter can be amended through voter approval of Charter amendments. Only the County Council can place Charter amendment proposals on the ballot and it can do so for any general election. The Charter (Section 800) specifically requires that:

"At least every ten years after the adoption of this charter, the county executive shall review, or shall cause to be reviewed, the charter and shall present, or cause to be presented, to the county council a written report recommending those amendments, if any, which should be made to the charter."

Traditionally, the County Executive has appointed a citizens' group to conduct this review. The 1987 King County Charter

Review Commission is the third such group in the Charter's 20-year history.

The Charter has been amended four times--in 1971, 1975, 1977 and 1981. In 1971 and 1977, the amendments resulted from a citizens' charter review group. In 1975 and 1981, Charter amendments were initiated by the Council in response to specific problems presented by the Charter.

#### B. 1987 Charter Review Commission

The 15-member commission was appointed in April 1987 by County Executive Tim Hill after consultation with the County Council. In 1987, the Council appropriated \$20,000 to support the Commission's work with the commitment of an additional \$20,000 if necessary (which was appropriated in 1988). The Executive's Office provided office space and a program analyst to manage the Charter review project. Other Executive departments, the Prosecutor's Office, and the Council provided staff support as was needed for specific issues.

As assigned by the Executive, the Commission's mission was to complete a formal public review of the King County Charter and propose any amendments to improve the operations of County government. This effort was to include:

- A review of all existing provisions of the Charter and the development of recommendations for any technical amendments to improve the operation of County government;
- A review of all existing provisions of the Charter and the development of recommendations for any necessary structural changes to improve the organization of County government; and
- An assessment of King County's role as a regional government and recommendations to improve the County's ability to deliver regional services.

The Commission spent its first four months hearing from elected officials and others regarding their concerns about King County government. At the end of this period, the Commission had compiled a list of more than thirty issues for its consideration. In August, the Commission members divided into three working committees--Regional, Structural, and Technical--and assigned each issue to a committee. The committees worked on their assigned issues until February 1988 when the full Commission began to review and take initial action on the committees' preliminary recommendations. In late April and early May, the Commission requested public comment on its preliminary recommendations. It issued a newsletter summarizing the key issues and including a comment/request for information form. It



also held a series of six public meetings held throughout the County to take public comment. Following the public comment period, the Commission reviewed all issues again and took final action on them as described in this report.

The Commission adopted a rule requiring that in order for a recommendation to be approved, it must be passed by a two-thirds majority of the total members at two separate meetings. Of the 39 specific recommendations voted on by the Commission, 14 involve Charter amendments, 8 involve administrative or other actions by the Executive and Council, and 4 involve management of regional issues. Thirteen other recommendations were considered by the Commission, but it did not take further action on them.

The Commission recognizes that there is a two-fold problem with the results of the Charter review process. First, there are usually a large number of Charter amendments proposed which raises a concern about the best strategy to place the amendments on the ballot. The Commission recognizes that placing all of its proposed amendments on a single ballot would be confusing to the voters and might result in failure at the polls simply because of that confusion. Timing of Charter amendment ballot proposals is also important. A crowded general election ballot or a pivotal measure such as reorganization of King County and Metro under a single governing body might take precedence over Charter amendment proposals.

Second, Charter review group recommendations tend to be acted on only in the year they are made so that worthy recommendations not placed on the ballot that year are forgotten. Since formal review of the Charter occurs roughly once every ten years, the Council tends to respond to the recommendations at the time the citizens' review group report is issued. The Council places some amendments on the ballot that year; but, because of the press of business in the following years, it neglects to consider putting other issues on the ballot in subsequent years.

In order to facilitate the Council's review of the Commission's recommendations and consideration of the timing for placing proposed Charter amendments on the ballot in the next few years, the Commission grouped its recommendations into three tiers, reflecting both a general sense of the Commission's priorities and natural groupings of the recommendations themselves. The first tier of recommendations concerns the King County/Metro reorganization issue. The second tier addresses specific provisions in the Charter which have created, or have the strong potential for creating, operational problems. The third tier addresses provisions needing clarification and updating or reflecting significant County responsibilities which have emerged since the Charter was adopted 20 years ago.

## PART II: CHARTER AMENDMENT RECOMMENDATIONS

### A. First Tier: King County/Metro Reorganization

The King County/Metro reorganization proposal, as presented to the Charter Review Commission by Councilmembers Paul Barden and Cynthia Sullivan, requires voter approval of several amendments to the County Charter and approval of the consolidation of the County and Metro as provided in Metro's enabling legislation. These actions would result in the formation of a new regional government by consolidating the regional functions of Metro and King County under a reorganized King County government. The new King County government would be governed by a nonpartisan Executive and a nonpartisan, 17-member Council which would be advised on each regional function by an appointed committee of 9 to 15 elected representatives (mayors/council) of King County cities. King County would establish a transit department and a water quality department to handle those specific regional functions.

The Charter Review Commission recommends that there be a single, directly elected governing body for King County and Metro.

- The County Council should be expanded to 13 members.
  - The Council should organize itself so that it has a committee of councilmembers from unincorporated areas to make recommendations to the Council regarding local government issues for unincorporated areas.
- There should be advisory committees on regional functions organized on the following principles:
  - Counties, cities, special districts, and other governmental units should have a role in the development of regional plans and services which will impact them.
  - The advisory committees should include representation for unincorporated areas which is proportionate to that of the cities.
  - The entire membership of the advisory committees should be geographically balanced.
- It is recommended that the issue of partisan/nonpartisan County government not be addressed at this time.

## **B. Second Tier: Operational Issues**

The Second Tier Issues address problems in the Charter resulting from either specificity of language or lack of specificity which creates, or has the potential to create, operational problems for County government such that preventative action was deemed necessary by the Commission.

### **ISSUE CH-1 Revise Charter Review Process**

The Charter Review Commission considered two alternatives: (1) No change--the Executive continues to review the Charter at least every ten years in whatever manner the Executive chooses, and (2) amend the Charter to specify a review process.

The Charter Review Commission found that the lack of specificity for the Charter review process does not ensure that there is adequate review and public involvement in the review process.

**THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTION 800) SHOULD BE AMENDED TO SPECIFY THAT THE EXECUTIVE SHOULD APPOINT A COMMISSION TO PERFORM THE REVIEW AND THAT THERE SHOULD BE NO LESS THAN FIFTEEN MEMBERS, WITH AT LEAST ONE REPRESENTATIVE FROM EACH COUNCIL DISTRICT.**

### **JA-1 Judicial Administration Director Appointment**

The Charter Review Commission considered two alternatives: (1) No change--the Executive appoints the director for the Department of Judicial Administration from a list of three names submitted by the Superior Court Judges, and (2) amend the Charter to allow the Superior Court Judges to directly hire and fire the director.

The Charter Review Commission found that direct appointment of the director for the Department of Judicial Administration by the Superior Court Judges would facilitate greater coordination and administrative efficiencies between the clerk of the court functions assigned by the Charter to the Department of Judicial Administration and the Superior Court.

**THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTION 350.20.20) BE AMENDED TO GIVE THE SUPERIOR COURT JUDGES AUTHORITY TO HIRE OR DISMISS THE DIRECTOR OF THE DEPARTMENT OF JUDICIAL ADMINISTRATION.**

#### ISSUE KCE-1 Interim Executive Succession

The Charter Review Commission considered two alternatives: (1) Make no change to the Charter and rely on RCW 36.16.115 to cover any gap between an Executive vacancy and a subsequent appointment or election; and (2) amend the Charter to provide specific direction for an acting Executive: (A) Council chair, (B) Council-designated acting Executive, (C) Council-designated acting executive from the same party as the executive, and (D) Deputy County Executive.

#### The Charter Review Commission found that:

- There is a need to ensure continuity of management in the event that the position of County Executive is vacated until such time that the County Council appoints a successor.
- It is preferable that interim succession be accomplished by automatic procedures in order to avoid problems arising from failure to take deliberative action to select a successor.
- The legislative and executive branches should be kept separate. The Council should not be disrupted by having one of its members move into the vacancy.
- It is anticipated that the appointment process should take less than the full 90 days allowed by statute to the Council; therefore, the term of the acting Executive should be less than 90 days.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTION 680) BE AMENDED TO PROVIDE THAT THE DEPUTY COUNTY EXECUTIVE IS TO BE THE INTERIM SUCCESSOR IN THE EVENT THAT THE POSITION OF COUNTY EXECUTIVE IS VACATED.

Minority Report from Structural Committee Chair Vera Ing: There was a dissenting opinion that the Executive's interim successor should be an elected official; specifically, the Council chair, in order to provide accountability to the voters.

#### ISSUE PER-1 Career Service Status for Part-Time Employees

The Charter Review Commission considered three alternatives: (1) No change--continue to exclude part-time employees from the Career Service System; (2) include all part-time employees in the Career Service System or, (3) provide flexibility to include part-time employees in the Career Service System when appropriate for the characteristics of the work to be done.

The Charter Review Commission found that:

- There are part-time positions which are, in effect, permanent positions and should be included under the Career Service System. There are also some part-time positions which are not appropriate to include in the Career Service System because of the duration of employment, type of work involved, or other job characteristics.
- While there needs to be some flexibility in determining which part-time positions should be included in the Career Service System, there also needs to be specific criteria in the Charter for making this determination. The threshold which appears to have the greatest agreement in general terms is to include in the Career Service System those positions which are at least half time.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTION 550) BE AMENDED TO EXCLUDE LESS THAN HALF-TIME, PART-TIME POSITIONS FROM THE CAREER SERVICE SYSTEM, THE DEFINITION OF LESS THAN HALF TIME TO BE DEFINED BY ORDINANCE.

#### **ISSUE PW-1 Revise the Public Works Bid Limit**

The Charter Review Commission considered three alternatives: (1) Change the bid limit to a fixed amount of \$25,000 or \$50,000, (2) change the bid limit to a fixed amount as in Alternative 1 but provide for annual adjustments for inflation, and (3) defer to State law.

The Charter Review Commission found that:

- The present \$15,000 bid limit in the Charter is too low and unnecessarily hinders the effective operations of County government.
- The Issue has been extensively discussed and resolved at the State level.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTION 815) BE REVISED TO DEFER TO STATE LAW IN SETTING THE VALUE OF COUNTY ROAD PROJECTS WHICH MUST BE PUT OUT TO BID.

#### **C. Third Tier Recommendations: Clarifying/New Issues**

Third Tier Issues include two types of Charter amendment recommendations, clarifying changes and new subjects, both of

which are intended to update the Charter. In the 20 years since the Charter was adopted, the County's organization has evolved to respond to the increasing size of County government as well as the increasing variety and complexity of services that County government is expected to provide to the public. This evolution has been possible without Charter change through the use of bridging ordinances which provide a link between the specific organizational structure and positions as described in the Charter and the organizational structure and positions as they have evolved. While the County can certainly continue to operate through the use of bridging ordinances, it is time to consider revising the Charter to reflect the present.

Since the Charter was adopted 20 years ago, some subjects, then considered to be only significant enough to warrant brief mention, have evolved into major responsibilities of County government, specifically human services and growth management. The Commission felt it was time to consider recognizing the magnitude of those responsibilities through inclusion in the Charter.

#### ISSUE A-1 Role of the County Auditor

The Charter Review Commission considered two alternatives: (1) No change--rely on recently adopted Ordinance No. 8264 to provide the necessary independence and funding, and (2) amend the Charter to incorporate the wording of that ordinance.

The Charter Review Commission found that:

- Establishment of a specific audit committee for auditor reporting and selection was not necessary since the County Council should have the flexibility to determine the appropriate Council review committee. Currently, the Council Financial Management Committee is the reviewing committee.
- Private sector representation on the audit committee is not appropriate since the County Auditor both reports to and takes direction from the Council. If the Auditor is to report directly to the public, the position of Auditor should be directly elected by and accountable to the public.
- It is appropriate for the Charter to specify the types of audits which must be conducted by the Auditor.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTION 250) BE AMENDED TO SPECIFY THE TYPES OF AUDITS THAT THE COUNTY AUDITOR SHOULD CONDUCT AND TO INCORPORATE THE PROVISIONS OF THE RECENTLY ADOPTED ORDINANCE OF THE COUNTY AUDITOR.

#### ISSUE CC-6 Specify Full-Time Council

The Charter Review Commission considered three alternatives: (1) No change, (2) amend the Charter to specifically state that the Council positions are full time, and (3) amend the Charter to limit the amount of outside income that County elected officials can earn.

The Charter Review Commission found that:

- Given the magnitude of the jobs and salaries of County elected officials, it is clear that these are full-time positions.
- An elected official cannot be forced to work full-time, however that term might be defined. It is up to voters to demand of their County elected officials full-time commitment to their jobs.
- There are instances where the opportunities for outside income may present conflict of interest situations. These problems, however, do not outweigh the infringements on personal freedom from restrictions on outside income. This is a matter for voters to decide.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTION 220.10) BE AMENDED TO SPECIFY THAT THE COUNCIL POSITIONS ARE FULL TIME.

#### ISSUE KCE-2 Establish and Define the Deputy County Executive Position

The Charter Review Commission considered three alternatives: (1) No change--rely on ordinances to bridge the organizational structure in the Charter and the actual organization of the Executive branch; (2) amend the Charter to reflect the present organization; and (3) advise the Executive and Council to organize the administration of County government in accordance with the Charter, eliminate the position of Deputy County Executive, and restore the position of County Administrative Officer.

The Charter Review Commission found that:

- There is no longer a position titled County Administrative Officer.
- The duties of that position have effectively been divided between two existing positions: the Deputy County Executive established by ordinance but not recognized by the Charter; and, the director of the Department of Executive Administration who

supervises most of what were previously "administrative officer" functions.

- There is no need to amplify the duties of the Deputy in the Charter. The Executive should have the flexibility to decide what responsibilities to assign the Deputy.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTIONS 310, 330, AND 550) BE AMENDED TO ESTABLISH THE POSITION OF DEPUTY COUNTY EXECUTIVE AND TO SPECIFY THE DUTIES OF THIS POSITION.

#### **ISSUE ORG-1 Clarify Status of Division, Subordinate Units, and other Organizational Entities**

The Charter Review Commission considered two alternatives: (1) No change--rely on ordinance to bridge between the Charter and the present organization of the Executive Branch, and (2) amend the Charter to reflect the present organization.

The Charter Review Commission found that:

- The Charter calls for only two organizational entities within the Executive branch--administrative offices and executive departments.
- The Charter provides that the chief officer of each administrative office and executive department shall be exempt from the Career Service Systems.
- Since the Charter was adopted, an additional organizational entity known as "divisions" has been created and the managers of these divisions have been declared "exempt" from the Career Service System. This has been accomplished through bridging ordinances.
- Division managers should be exempt positions and department directors should have the privilege of selecting those managers who are closely associated with their style of management.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (SECTION 550) BE AMENDED TO REFLECT THE CURRENT ORGANIZATION OF COUNTY GOVERNMENT AND TO RECOGNIZE THE EXISTENCE OF DIVISIONS AS ORGANIZATIONAL ENTITIES.

#### **ISSUE PL-2 County Comprehensive Planning Policy**

The Charter Review Commission considered two alternatives: (1) No change and (2) amending the Charter to include a policy statement and direction on comprehensive planning.



The Charter Review Commission found that comprehensive planning is of sufficient importance to warrant policy direction in the Charter.

**THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (NEW SECTION) BE AMENDED TO INCLUDE POLICY DIRECTION FOR DEVELOPMENT OF THE COUNTY'S COMPREHENSIVE LAND USE PLAN AND IMPLEMENTING COMMUNITY AND FUNCTIONAL PLANS.**

#### **ISSUE PL-4 Health and Human Services Policy Plan**

The Charter Review Commission considered three alternatives: (1) No change; (2) amend the Charter to include planning and policy-setting requirements for (A) the County's general role in regional health and human services needs, or (B) those health and human services programs for which the County is specifically responsible; and (3) amend the Charter to require that the Council adopt a policy plan on the County's purposes and roles in health and human services.

The Charter Review Commission found that:

- While health and human services are a significant part of the services provided by King County government, they receive no mention in the Charter.
- King County has a significant role in funding or providing health and human services in this region, but has no overall policy direction for that role.

**THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE CHARTER (NEW SECTION) BE AMENDED TO INCLUDE A REQUIREMENT FOR HEALTH AND HUMAN SERVICES POLICIES.**

#### **PART III: NON-CHARTER RECOMMENDATIONS**

##### **ISSUE B-2 Multi-Year Functional Program and Capital Budgets**

The Charter Review Commission considered two alternatives: (1) No change to the Charter and (2) amending the Charter to require multi-year capital budgets with accompanying functional program planning.

The Charter Review Commission found that:

- The Charter already requires six-year capital budgets. The County has ordinances and policies directing the development of such budgets.

- Multi-year functional program planning is already being conducted in the law and justice area without a Charter policy.
- Multi-year functional program planning can be accomplished by ordinance and administrative policy and procedures without the more extreme measure of a Charter amendment.

**THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE EXECUTIVE AND COUNCIL DEVELOP AND IMPLEMENT AN ON-GOING PROCESS OF MULTI-YEAR FUNCTIONAL PROGRAM AND CAPITAL PLANNING FOR ALL COUNTY PROGRAMS AND THAT THIS BE INCORPORATED INTO THE ANNUAL BUDGET PROCESS TO ENSURE THAT THE LONG-RANGE CONSEQUENCES OF INCREMENTAL PROGRAM AND BUDGET DECISIONS ARE FULLY CONSIDERED.**

#### **ISSUE B-3 Change from an Annual to a Biennial Budget**

The Charter Review Commission considered two alternatives: (1) No change from the present annual budget process and (2) amending the Charter to allow the County to adopt a biennial budget process.

##### **The Charter Review Commission found that:**

- The Charter as presently written would allow the County to go to a biennial budget process, but it would be a makeshift arrangement to accommodate certain requirements of the Charter and State law.
- Biennial budgeting could be accomplished through administrative action.
- The State already has a biennial budget process and there is increasing interest by local government in moving to a biennial budget process. Biennial budgeting is an accepted practice in other states.

**THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE EXECUTIVE AND COUNCIL ADMINISTRATIVELY IMPLEMENT A BIENNIAL BUDGET PROCESS.**

#### **ISSUE PER-3 Eliminate or Modify Career Service System**

The Charter Review Commission considered two alternatives: (1) Abolish the Career Service System or (2) modify the Career Service System.

##### **The Charter Review Commission found that:**

- The County's Career Service System, while not entirely without problems, is basically sound and should be retained.

- A number of personnel issues have been raised which exceed the Charter Review Commission's ability to address due to the considerable time required to resolve such complex issues.

- While these issues could be resolved through extensive changes to Article 5 of the Charter, these changes appear to be inconsistent with the general policy-setting nature of the Charter. It also appears that many of these issues could be resolved through ordinance or changes in administrative practices.

- These issues are of sufficient magnitude as to indicate that there are problems within the Career Service System which merit thorough study and consideration.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE COUNTY EXECUTIVE AND COUNTY COUNCIL CONDUCT A STUDY OF THE COUNTY'S CAREER SERVICE SYSTEM TO IDENTIFY PROBLEMS WITH THAT SYSTEM AND TO DEVELOP SOLUTIONS FOR THOSE PROBLEMS. THIS STUDY SHOULD BE CONDUCTED OBJECTIVELY WITH SUBSTANTIVE PARTICIPATION BY COUNTY EMPLOYEES AND PERSONNEL ADMINISTRATORS AT ALL LEVELS OF COUNTY GOVERNMENT. PARTICULAR ATTENTION SHOULD BE GIVEN TO THE ISSUES RAISED BY THE PERSONNEL BOARD AND THE KING COUNTY EMPLOYEES COUNCIL.

#### **ISSUE PER-4 Strengthen Personnel Board**

The Charter Review Commission considered four alternatives: (1) Make compensation to Personnel Board members mandatory and consistent with similar boards; (2) make adequate funding for the Personnel Board mandatory; (3) mandate Personnel Board involvement in the development or revision of personnel rules; and (4) allow the Personnel Board to engage in dispute resolution as a step prior to appeal in a public hearing.

#### The Charter Review Commission found that:

- A number of Personnel Board issues have been raised which exceed the Charter Review Commission's ability to address due to the considerable time required to resolve such complex issues.

- While these issues could be resolved through extensive changes to Article 5 of the Charter, they could also be addressed through ordinance or changes in administrative practice rather than the more extreme measure of Charter revision.

THE CHARTER REVIEW COMMISSION RECOMMENDS THAT THE COUNTY EXECUTIVE AND COUNTY COUNCIL CONDUCT A STUDY OF THE PERSONNEL BOARD TO IDENTIFY PROBLEMS WITH THAT BOARD AND TO DEVELOP SOLUTIONS FOR THOSE PROBLEMS. THIS STUDY

SHOULD BE CONDUCTED OBJECTIVELY WITH SUBSTANTIVE PARTICIPATION OF COUNTY EMPLOYEES AND PERSONNEL ADMINISTRATORS AT ALL LEVELS OF COUNTY GOVERNMENT. PARTICULAR ATTENTION SHOULD BE GIVEN TO THE ISSUES RAISED BY THE PERSONNEL BOARD AND THE KING COUNTY EMPLOYEES COUNCIL.

#### PART IV: REGIONAL ISSUES RECOMMENDATIONS

The Commission's Regional Issues and Recommendations Report is the result of the Regional Committee's work in completing its assignment to conduct an assessment of King County's role as a regional government and to make recommendations to improve the County's ability to deliver regional services. This section is taken from the Executive Summary of that report and briefly describes the Commission's recommendations. Anyone interested in these recommendations is urged to read the full report in order to obtain a more complete description and understanding of the Commission's recommendations.

The Charter Review Commission's recommendations include: (1) criteria to guide future decisions on local government reorganization and assignment of new responsibilities to local government; (2) a vision of how regional government should eventually be organized in the future; (3) a position on the recent King County/Metro reorganization proposal; (4) actions to be taken regardless of the outcome of the King County/Metro reorganization proposal; and (5) recommendations for regional services management issues which should be addressed in the longer term.

The Commission found that there is a great deal of consensus among the groups which have studied regional governance and services on what the regional problems are. In reviewing summaries of local government problems, including those of the State's Local Governance Study Commission and King County 2000, the Commission found that all the lists are essentially variations on the findings of the 1975 Metropolitan Study Commission which are listed below:

1. There are too many different and conflicting governments and ad hoc devices, and they are making public decision and long-range planning difficult and ineffective in the King County area.
2. The hundreds of thousands of citizens in the unincorporated areas of King County must receive direct governmental services from a primary level of government elected by and responsible to them.

3. There is a need for an areawide policy planning, goal setting and land use planning function, which will serve both incorporated and unincorporated areas on areawide matters.

4. There are some functions that can be wholesaled or broadly delivered at the areawide level more effectively and yet be consistent with the primary need and public desire that general government be retained at the local level.

5. There is need for the development of a more rational tax and fiscal system, including such innovations as tax base sharing, such as has been developed in Minnesota. Any tax system must assure a continuation of present service.

#### A. Criteria for Guiding Future Government Reorganization and Assignment of Responsibilities

It is not enough to identify and develop a consensus on our regional service delivery and regional governance problems--although this is a very important first step. Effectively, this step has been accomplished, although perhaps not recognized. The Charter Review Commission gave its attention to the next step--the development of criteria to guide change to address those problems. The Commission offers these criteria with the hope that they will move discussions of regional problems from the stage of problem identification to the stage of identifying how to organize ourselves to address those problems, and then, to implementation.

##### Change Principles

- Change will not occur overnight. Both interim and longer term solutions are needed.
- Change should result in services being provided more economically and effectively than they are being provided under existing arrangements.
- Change should not result in the loss or decrease of accountability of elected officials to citizens.
- There is a finite amount of authority among local governments and that finite amount of authority is already fully allocated. In order for an existing governmental unit to gain new authority or for a new governmental unit to be established, existing units of government will have to give up some of their authority.

### Governance Principles

- The decision making body of any governmental unit must be identifiable, accountable, and accessible to its citizens.
- *Directly elected decision making bodies are most* appropriate when (1) that body has the authority to impose taxes, rates, or other service charges directly on the public, and (2) other jurisdictions are not directly involved in the implementation of the service.
- A regional agency should have the directly assigned authority (planning, implementation, enforcement, revenues) to carry out its responsibilities and there should be provisions to enable that authority to expand as the responsibilities expand both in scope and in subject.

### Organizational Principles

- Government services and responsibilities should be organized and assigned according to functionally logical groupings. Similar services should be grouped within one agency. Problems requiring solutions which cross jurisdictional boundaries should be assigned to a regional agency.
- Planning, operations, and funding activities should be located within one agency provided that the governing body can be held accountable for its decisions.
- Cities should be the major providers of urban-level municipal services. Unincorporated areas which require an urban level of service should be encouraged to incorporate or annex to a city.
- Counties should provide or ensure the provision of a basic level of municipal services for unincorporated areas. The County should direct growth to urban or urbanizing areas in order that cities may expand (or it may be cost effective for the area to incorporate) to serve those areas when an urban level of services is needed.
- Cities should be assigned responsibility for local municipal services which primarily affect the citizens of cities and which should be locally designed, delivered, and paid for.
- Existing special districts should be encouraged to consolidate or merge, and new small special districts should not be allowed to form.

### Process Principles

- When all taxpayers/ratepayers of the County are asked to pay for a project or program, a regional (countywide) decision making body should be responsible for setting the level of taxes or rates and held accountable for the expenditure of those taxes or rates.
- Counties, cities, special districts, and other governmental units should have a role in the development of regional plans and services which will impact them.
- There should be a process for developing a regional consensus on regional (countywide, multi-county) issues.
- There should be a process for reviewing capital spending priorities and service priorities on a regional basis (countywide).

The Charter Review Commission recognizes that this list of criteria omits a criterion for the circumstances under which a federated governing body would be appropriate and that there is currently some interest primarily by cities in maintaining a federated governing body for Metro. The Charter Review Commission's adopted position is that the governing body of a regional government should be directly elected.

Some of the arguments supporting a federated governing body (especially for Metro) include:

- A federated body allows local governments which have given up their responsibilities to the regional government to retain a degree of local influence over regional service decisions and delivery as these affect the citizens of those local governments.
- A federated governing body is appropriate when the decisions made by that body must be implemented by, or otherwise affect, the operations of local governments.
- A federated body provides a forum for individual local governments to meet and discuss issues of common concern.
- Local government representatives on federated bodies are better able to lobby for local concerns than are individual citizens.

The basic issue for the Charter Review Commission is the question of to whom are persons sitting on federated bodies accountable--the institutions they represent or the people who elected them to those institutions? The Commission decided not to

include a criterion for a federated governing body for the following reasons:

- A federated body (at least as has been proposed in King County to date) violates the one person/one vote rule.
- Citizens should have the right to hold directly accountable the members of a governing body which has the power to levy charges and taxes on citizens and has such powers as eminent domain or the authority to override local land use controls.
- Federated bodies cannot be held directly accountable for the expenditures of funds, issuance of debt, delivery of services, or other actions affecting the public.
- A government does not have the same rights of representation as does an individual citizen. Government elected officials are elected to represent citizens, not the governmental institution.
- Local governments are not disenfranchised by directly elected governing bodies. They have the right to approach the individual directly elected officials of a regional government or to approach that governing body just as any citizen does.

#### B. Vision for Regional Government in the 21st Century

The Charter Review Commission recommends that the governance of regional functions in King County should move toward a countywide regional government in which most, if not all, such functions are located. The decision making body for this regional government should be directly elected. All change in government reorganization and assignment of new regional responsibilities should be consistent with this vision.

One issue to be addressed is the distinction between regional and local city and unincorporated area services and the extent to which a regional government can or should provide both, especially for unincorporated area services. Of particular concern is accountability for decisions affecting unincorporated areas. The ultimate structure of regional government and the issues of how best to provide for both regional and local services and representation of unincorporated areas are matters which merit further discussion.

#### C. King County/Metro Reorganization

The King County/Metro reorganization proposal, as presented to the Regional Committee by County Councilmembers Paul Barden and Cynthia Sullivan, requires voter approval of several amendments



to the County Charter and approval of the consolidation of the County and Metro as provided in Metro's enabling legislation. These actions would result in the formation of a new regional government by consolidating the regional functions of Metro and King County under a reorganized King County government. Under this proposal, the new King County government would be governed by a nonpartisan Executive and a nonpartisan, seventeen-member Council which would be advised on each regional function by an appointed committee of 9 to 15 elected representatives (mayors/council) of King County cities. King County would establish a transit department and a water quality department to handle those specific regional functions.

The Charter Review Commission recommends that there be a single, directly elected governing body for King County and Metro. Further:

- The County Council should be expanded to 13 members.
  - The Council should organize itself so that it has a committee of councilmembers from primarily unincorporated areas to make recommendations to the Council regarding local government issues for unincorporated areas.
- There should be advisory committees on regional functions organized on the following principles:
  - Counties, cities, special districts, and other governmental units should have a role in the development of regional plans and services which will impact them.
  - The advisory committees should include representation for unincorporated areas which is proportionate to that of the cities.
  - The entire membership of the advisory committees should be geographically balanced.
- It is recommended that the issue of partisan/nonpartisan County government not be addressed at this time.

#### D. Recommendations for Action

Regardless of the reorganization of Metro and King County, there are some problems which require regional management solutions. The proposals presented here are certainly not the only such problems and services which need to be placed under a regional management, but they are the ones which were most often brought to the Commission's attention and which have been the subject of considerable discussion as critical regional issues. There are

other issues such as regional funding for the arts, library services, subsidized housing, and a variety of social service needs which may benefit from some degree of regional management for planning, policy setting and other decision making, funding and implementation. These problems need to be put on the regional issues agenda and the Charter Review Commission encourages appropriate groups to do so.

There are regional problems which require one or more of the following to be effectively managed: Countywide policy setting and other decision making, regional planning and enforcement of those plans, regional revenue base for equitable funding of regional projects, and regional implementation or management of service delivery. Concomitantly, there are unique local needs for service levels, projects, and programs which are best met through local policy setting, planning, funding, and implementation. The challenge to solving regional problems is to develop a solution which combines the regional and local elements most effectively for both needs.

The Charter Review Commission has deliberately not developed descriptive or implementing details. The Commission has observed that the presence of detail tends to prematurely focus regional governance discussions on the merits of the details instead of the merits of the overall objective. The Commission's position is that if there is a will there is a way--if people can agree on an overall objective, they can also negotiate and implement the details to best accomplish that objective.

The Charter Review Commission recommends that actions be taken within the next five years to regionalize the management of the following functions:

1. Surface Water: It is recommended that a regional surface water management (SWM) utility be created with the responsibility for the development of regional SWM policies and capital improvement plans to be implemented by local governments (County, cities, special districts). The utility would also levy a countywide service charge to fund regional SWM planning and capital improvements and to allocate those funds to local governments for implementation.

It is recommended that the countywide SWM utility be created under the County's authority. The County already has a surface water utility which surrounds most cities and is responsible for the development of a basin-wide surface water management plan. Metro, although it has broad water quality authority, does not have responsibility for land use controls which are integral to surface water management solutions and has limited its water quality role to sewage treatment and monitoring.

2. Solid Waste: It is recommended that policy setting and planning for solid waste should be assigned to a regional solid waste management agency. The agency operating the regional solid waste disposal facilities (currently King County) should also have the necessary authority through interlocal agreements and franchise or other powers to control the disposal of solid waste collected within the region--commonly referred to as waste stream management--for both incorporated and unincorporated areas. It is recognized that local management of collection and development of local recycling and other programs may be required to effectively respond to unique local needs for service levels and programs.

King County should be the regional solid waste management agency since it already operates the regional landfill in the County. Although Metro could take on solid waste responsibilities, it presently has no involvement in this area.

3. Regional Parks and Recreation Facilities: It is recommended that there be established a regional agency for the purpose of generating funds from a regional revenue base to be allocated to local jurisdictions for the development and maintenance of regional parks and recreation facilities in accordance with a comprehensive plan. It is further recommended that this agency be the County. Implementation of the development of new facilities and rehabilitation and maintenance of existing facilities would remain the responsibility of local governments. Local governments would have a role in the development of the regional plans, prioritization of projects, and in decisions to put regional parks and recreation ballot issues before the voters.

4. Public Health: It is recommended that there should be developed and implemented an equitable method for the County to completely take over all public health responsibilities from the suburban cities (and Seattle if that jurisdiction so chooses). The present arrangement is inconsistent with the regional nature of public health services and has created much unnecessary ill will between the cities and the County.

5. Create a Regional Airport Agency: It is recommended that King County seek the development of a regional airport agency which might be assumed by the Port of Seattle or might require the creation of a new entity, and that the King County Airport should be transferred to this regional airport authority. Key to this recommendation is the development of a charter for the authority which would clearly delineate the goals and responsibilities of the regional airport authority to ensure that a commitment to recreation aviation as well as commercial and passenger aviation is part of the regional airport agency's responsibilities.

6. Create a regional comprehensive land use, transportation and economic development agency: As this area continues to grow, it will become increasingly important to have a regional agency with responsibility and authority to develop and implement comprehensive, countywide land use, transportation and economic development plans. These plans would establish general policies which city and County governments would follow in the development of their own local plans and projects. Without such an agency, King County could develop into a mosaic of cities and unincorporated areas with conflicting land use development. This would be costly to the public in terms of both increasing the cost of providing services and of the personal costs associated with inconvenience and degradation in quality of life.

It is recommended that King County take an assertive leadership role in the development of a regional comprehensive land use, transportation and economic development agency with the power to impose and enforce plans on local governments. This recommendation was originally placed under long-term changes in recognition of the great political difficulty of achieving this objective. However, the need for such planning is so compelling and so urgent that the recommendation was moved to the near-term recommendations. It is the key to the economic well-being and quality of the future of King County. This is the most challenging of the recommendations since it will require the greatest degree of vision among local government elected officials and the citizens of King County.

#### E. Longer-Term Regional Management Issues

There are other services which could be regionalized for more economical and effective service delivery. Recommendations for some of these services are given here. It is recognized that these are longer-term objectives--the complexity and strong emotional nature of the issues will require a long time for regional management solutions to evolve and be accepted. It might also require that other changes occur, such as having the urbanized, unincorporated areas become more completely incorporated, or require a crisis in service delivery, such as the loss or inadequacy of individual water supply sources, before regional management solutions will be accepted. It is important, however, to identify long-range issues and consider their evolution in terms of a long-range vision and criteria for governing change such as are proposed by the Commission.

1. Reorganize the Port District: There are a number of issues concerning the Port's role and accountability as a regional agency which need to be addressed. Should the Port District remain a separate, countywide unit of government; should it be combined with a larger regional government as described in the vision for the 21st Century; or should a multi-county port authority be created? How accountable is the Port Commission to

the public? Should the Port Commissioners continue to be elected at large or by district? Should the size of the Port Commission be increased? If the Port remains a separate unit of government, how should the Port's land use and other actions be related to land use controls and other responsibilities of County and city governments?

2. Place sewage collection with the regional agency providing sewage treatment: Management of sewage collection and treatment should be placed under a single regional agency. In King County, all but a few sewage districts and cities are part of Metro's sewage treatment system. As more of the County incorporates or annexes and the number of special sewer districts declines, it may be more effective both in terms of cost and management of an environmental problem to put management of sewer service functions under a single regional agency. It is recognized that, for some aspects of sewage collection, it may be more cost effective or necessary for other reasons to have some sewage collection functions provided by local agencies.

3. Place water supply and distribution under a regional agency: Water supply and distribution should eventually be placed under a single regional agency. The water supply resources, both surface and underground, are regional resources--not that of individual cities and special districts to be fought over at unnecessary expense to the public. There has been movement towards regional management of water supply, at least to the extent of coordinated planning and information sharing. These efforts should be encouraged. There is no Commission recommendation regarding which agency should be the regional agency or the extent to which local service provision is necessary to respond to unique local needs.

4. Regionalize management of law enforcement, district court and jail functions: Law enforcement is needed countywide regardless of jurisdiction. Specialized law enforcement services are increasingly being provided on a regional basis such as AFIS (Automated Fingerprint Identification System) and E-911. The County and cities' law enforcement agencies already provide a great deal of local law enforcement services to each other through contracts and mutual aid agreements.

It is recommended that the County and cities explore possibilities for increasing the regionalization (enforcement, funding, and delivery) of law enforcement and related prosecution and jail services. It is also recognized that this will probably require the flexibility for individual jurisdictions to obtain higher levels of service than may be provided elsewhere in the region. With a regional law enforcement agency and common laws to a great extent, it may also be possible to make the district court and jail functions truly regional instead of the contract-based functionally regional services which they are today. It is most likely that the regional agency would be King

County as it might evolve over time, or the general purpose regional agency envisioned by the Regional Committee for the 21st Century.

5. Regionalize management of fire prevention, hazardous materials, and emergency services.

It is recommended that King County should take an assertive role in developing a regional approach to managing fire prevention, hazardous materials, and emergency services. In some cases, it may be effective to relieve local jurisdictions of responsibilities for which they do not have the resources to carry out or which are not effectively addressed on a jurisdiction by jurisdiction basis and reassign those responsibilities to a regional agency. In other cases, resources should be developed to assist local governments in carrying out those responsibilities which are best provided at the local level. As a community of multiple jurisdictions with a united regional management strategy, we would have a greater ability to impact the federal and State laws over which we have no direct control, but which directly impact our ability to prevent life-threatening and environmentally damaging emergencies.

APPENDIX A:

1987 CHARTER REVIEW COMMISSION MEMBERSHIP  
AND BACKGROUND INFORMATION

Commission Members

David Boerner, Chair  
Henry Aronson (Resigned 1/88)  
Fred Burnstead  
Shirley Edwards  
Timothy Edwards (Apptd 1/88)  
Steve Forman (Resigned 1/88)  
Mary E. Gates (Resigned 10/87)  
Miriam Helgeland  
Vera Ing

Susan Johnson  
Sue Kernan  
Jose Leos (Resigned 12/87)  
Lonnie McLean  
Dale Ramerman  
Constance Rice  
John Richmond  
Winifred Sargent  
Kay Stenshoel

Committee Assignments

Regional Committee

Dale Ramerman, Chair  
Henry Aronson (Resigned 1/88)  
Timothy Edwards (Apptd 1/88)  
Sue Kernan  
Lonnie McLean  
Constance Rice  
Winifred Sargent

Rules Committee

David Boerner, Chair  
Shirley Edwards  
Miriam Helgeland

Structural Committee

Vera Ing, Chair  
Fred Burnstead  
Mary E. Gates (Resigned 10/87))  
Miriam Helgeland  
John Richmond

Technical Committee

Susan Johnson, Chair  
Shirley Edwards  
Steve Forman (Resigned 1/88)  
Jose Leos (Resigned 12/87)  
Kay Stenshoel

## BIOGRAPHICAL INFORMATION SHEET

### KING COUNTY CHARTER REVIEW COMMISSION MEMBERS

#### CHAIR

##### David Boerner

Enumclaw. Associate Dean and Associate Professor, University of Puget Sound School of Law. University of Illinois School of Law. Former Chief Deputy for King County Prosecuting Attorney; former Assistant State Attorney General; former Assistant United States Attorney; member King County Boundary Review Board.

#### MEMBERS

##### Henry M. Aronson

Seattle. President, Seattle Port Commission. Attorney. Board member, Seattle-King County Economic Development Council. Doctor of Jurisprudence, Yale University. Resigned from the Charter Review Commission in January 1988.

##### Fred Burnstead

Bellevue. General contractor, Burnstead Construction Company. Former Chair, Bellevue Planning Commission. Member: Bellevue Chamber of Commerce, Seattle-King County Economic Development Council, Seattle-King County Municipal League.

##### Shirley Edwards

Richmond Beach. Shoreline Schools (former PTA Council President). Member, Shoreline Chamber of Commerce (current Board member). Former Aide to State Senator Bill Kiscadden.

##### Timothy G. Edwards

Auburn. Partner, Hawkins, Ingalls, West and Edwards. Law degree from University of Puget Sound. Member, King County 2000 Committee. President, Auburn Rotary Club.

##### Steve Forman

Seattle. Executive Director, Municipal League Foundation. Graduate of Indiana University. Resigned from the Charter Review Commission in January 1988.



Mary E. Gates

Federal Way. Business consultant. Member, King County 2000 Committee. Resigned from the Charter Review Commission in October 1987.

Miriam Helgeland

Auburn. President, League of Women Voters of King County South.

Vera Ing

Seattle. Owner, PrimaVera (art gallery/cafe). Graduate in Urban Planning, University of Washington. Active in Seattle's Asian community. Past-president of Mount Baker Community Club and Asian Pacific Women's Caucus.

Susan Johnson

Shoreline. Trustee of Shoreline Community College. Governmental Relations Director, Service Employees International Union State-wide Council. Active in social service, labor and women's issues. Former teacher. Graduate of Middlebury College.

Sue Kernan

Bellevue. President, League of Women Voters of Lake Washington East. Serves on Instructional Materials Advisory Committee for Bellevue School District. Graduate of Smith College.

Jose Leos

Issaquah. Treasurer of the Hispanic Professional Association. One of the early founders and former Associate Director of Sea-mar Community Health Center. Master of Health Administration from the University of Washington. Resigned from the Charter Review Commission in December 1987.

Lonnie McLean

Federal Way. Owner, McLean and Associates, a Federal Way real estate firm. Currently serving as a citizen member of the Metro Council. Active in Federal Way Chamber of Commerce and Federal Way Lions Club.

Dale Ramerman

Seattle. Partner, Bogle and Gates. Law degree from Duke University. Active in refugee issues. Active in State and Seattle-King County Bar Association.

Constance Rice

Seattle. President, C.R.W., Inc., Public Relations/Management Consultant. Active in minority community. Member of Downtown Rotary, City Club, Fred Hutchinson Foundation, Seattle Urban League, and NAACP.

John Richmond

Rainier Valley. Retired firefighter, Seattle Fire Department. Real estate associate and appraiser, Genesse, Inc. Member, Rainier Chamber of Commerce. Member, Rainier Community Club, Washington Research Council.

Winifred Sargent

Seattle. Currently a member of the King County Women's Advisory Board. University of Washington graduate with a Juris Doctorate from Denver College.

Kay Stenshoel

Bellevue. Former member, King County Alcoholism and Substance Abuse Administrative Board. Former member, Referendum 37 Committee.

APPENDIX B:  
ISSUES CONSIDERED BUT NOT ACTED ON BY COMMISSION

A number of issues were considered but were not finally acted on the Commission for several reasons. In the following instances, the Commission sustained the committee's preliminary recommendations to take no further action on the issue.

- B-1 Change time of year for County budget process
- CC-3 Elect Council countywide
- CC-4 Extend time for Council to reconsider Actions
- CC-5 Amending ordinances passed by initiative or referendum
- EO-1 Which County officers should be elected/appointed
- KCE-3 Make Executive an appointed manager/administrator

The following issues were considered by the Commission, but the committee recommendations were either rejected by the Commission or failed to be passed by the necessary two-thirds majority at two separate meetings.

- CC-6(B) Limit on outside earned income by ordinance
- CC-6(C) Motion defining full time
- EO-2 Revise salary increase provisions for elected officials
- EO-3 Limit terms of office for elected positions
- PER-2 Consolidate personnel systems

Several other issues were considered by the committees but not studied for various reasons.

- CH-2 Allow citizens to directly amend the Charter  
(not possible except through a directly elected  
Charter review commission)
- CC-7 Create regional staff unit for Council (not a  
Charter issue)
- ORG-2 Reactivate the Policy Development Commission (not a  
Charter issue)
- PL-1 Establish a process for updating the comprehensive  
land use plan (See PL-2)
- PL-3 Establish policies for County's role as regional  
government (See regional recommendations)

APPENDIX C:  
TEXT OF PROPOSED CHARTER AMENDMENTS

The Charter Review Commission has made recommendations for amending certain sections of the Charter. The proposed language changes are listed below. Note that following each Charter section is listed the number of the issue which resulted in the change.

Section 220.10. Composition and Terms of Office

The County Council shall consist of nine full time members. The County shall be divided into nine districts, and one councilman shall be nominated and elected by the voters of each district. The term of office of each councilman shall be four years and until their successor is elected and qualified. (CC-6)

Section 250. County Auditor.

The county auditor shall be appointed by a majority of the county council, and shall be responsible to the council for conducting, or causing to be conducted, ((a-current)) independent post audits of county agencies for the purpose of reporting to the council regarding the integrity of the function of the financial ((operations-of-the-county-government, shall review-and)) management system, the quality and efficiency of agency management, and the effectiveness of programs. In carrying out this purpose, the auditor shall perform the following audits within guidelines established by the county council by ordinance: financial and compliance audits to supplement those performed by the state pursuant to general law, economy and efficiency audits, and program results audits. The auditor shall report the results of each agency audit to the county council ((concerning the effectiveness-and-efficiency-of-the-programs-and-operations-of-the-county-and shall consult-with-the-county-executive-concerning-the-accounting-procedures to-be-used-by-the-executive-branch)). Annual audits shall continue to be performed by the state in accordance with general law.

The organization and administration of the auditor's office shall be sufficiently independent to assure no interference or influence external to the organization shall adversely affect an independent and objective judgment by the auditor and shall be provided a discreet budget and staffing allocation. (A-1)

Section 310. Composition and Powers.

The executive branch shall be composed of the county executive, ~~((the county-administrative-officer))~~ the deputy county executive, the county assessor, the officers and employees of administrative offices and executive departments established by this charter or created by the county council, and the members of the boards and commissions except the board of appeals and the personnel board. The executive branch shall have all executive powers of the county under this charter. (KCE-2)

Section 330. ~~((County-Administrative-Officer))~~ Deputy County Executive

The county executive shall appoint ~~((the-county-administrative-officer))~~ a deputy county executive who, under the general supervision of the county executive, shall assist ~~((him))~~ the county executive in the management of all

county agencies except as otherwise provided in this charter, shall  
((supervise-the-administrative-offices)) be responsible for coordinating the  
general administrative support for the executive branch, and shall perform  
such other duties as are delegated ((to-him)) by the county executive.  
(KCE-2)

NOTE: Substitute wording will also be required in the following sections where the term "county administrative officer" appears: 310, 340, 340.40, 340.50, 520 and 550.

#### 350.20.20 Department of Judicial Administration

The department of judicial administration shall be administered by the superior court clerk who shall be appointed by ((the-county-executive-from-a-list-of-three-or-more-nominees-submitted-by)) and serve at the pleasure of a majority of the superior court judges in the county. The department of judicial administration shall maintain the official court files, records and indexes necessary for the efficient administration of justice and the court system and shall perform such other duties assigned to it by a majority of the superior court judges in the county.

The department of judicial administration shall be an executive department subject to the personnel system and shall utilize the services of the administrative offices and the executive departments, but it shall not be abolished by the county council.(JA-1)

#### Section 550. Career Service Positions.

All county employees and officers shall be members of the career service except those in the following positions: all elected officers; the county auditor, the clerk and all appointed employees of the county council; ((the-county-administrative-officer)) the deputy county executive; the chief officer of each executive department and administrative office; the chief officer of each division within an executive department or administrative office; all key subordinate units as determined by the county council by ordinance; the members of all boards and commissions; administrative assistants for the county executive and one administrative assistant each for the ((county administrative-officer)) deputy county executive, the county auditor, the county assessor, the chief officer of each executive department and administrative office and designated divisions therein, and for each board and commission; a chief deputy for the county assessor; one confidential secretary each for the county executive, the chief officer of each executive department and administrative office and designated divisions therein, and for each administrative assistant specified herein; all employees of those officers who are exempted from the provisions of this charter by the state constitution; persons employed in a professional or scientific capacity to conduct a special inquiry, investigation or examination; less than half time part-time employees to be defined by ordinance and temporary employees; administrative interns; election precinct officials; all persons serving the county without compensation; physicians; surgeons; dentists; medical interns; and student

nurses and inmates employed by county hospitals, tuberculosis sanitariums and health departments of the county. (KCE-2, ORG-1, PER-1)

#### Section 680.10 Election or Appointment to Fill Vacancy

A vacancy in an elective county office shall be filled at the next primary and general elections which occur in the county; provided that an election to fill the vacancy shall not be held if the successor to the vacated office will be elected at the next general election as provided in the sections 620 and 630. The term of office of an officer who has been elected to fill a vacancy shall only be for the unexpired portion of the term of the officer whose office has become vacant and shall commence as soon as he is elected and qualified.

A majority of the county council may temporarily fill a vacancy by appointment until the vacancy has been filled by election or the successor to the office has been elected and qualified.

Notwithstanding any other provision of this charter, in the event the office of county executive becomes vacant, the deputy county executive shall serve as acting county executive and in such capacity shall exercise all the powers and duties of the county executive, until a successor is either elected or appointed in the manner provided by law. (KCE-1)

Minority Report from Structural Committee Chair Vera Ing: The Interim County Executive should be the Chair of the County Council.

#### Section 800. Charter Review and Amendments

At least every ten years after the adoption of this charter, the county executive shall ~~((review, or cause to be reviewed))~~ appoint a citizen commission of not less than fifteen members whose mandate shall be to review the charter and shall present, or cause to be presented, to the county council a written report recommending those amendments, if any, which should be made to the charter. This citizen commission shall be composed of at least one representative from each of the county council districts.

The county council may propose amendments to this charter by enacting an ordinance to submit a proposed amendment to the voters of the county at the next general election occurring more than forty-five days after the enactment of the ordinance. An ordinance proposing an amendment to the charter shall not be subject to the veto power of the county executive. Publication of a proposed amendment and notice of its submission to the voters of the county shall be made in accordance with the state constitution and general law. If the proposed amendment is approved by a majority of the voters voting on the issue, it shall become effective ten days after the results of the election are certified unless a later date is specified in the amendment. (CH-1)

#### Section 815. Contract and Competitive Bidding.

The construction of all public buildings and works shall be performed by independent contractor; except that county road projects ~~((having a value of less than fifteen thousand dollars))~~ may be performed by county employees in accordance with applicable provisions of state law. Whenever the county would have been required to do so by general law if it had not adopted this charter,

it shall purchase all property and award all contracts by competitive bidding in accordance with the procedures established by ordinance. (PW-1)

NEW SECTION. Land Use Planning.

The county council shall adopt a comprehensive land use plan setting forth policies for the orderly development of the county. The county council shall also adopt community plans to guide local development and other implementing plans that shall contain more detailed policies on specific land use and public facilities such as water, sewer, and roads.

The comprehensive plan, the community plans, and other specific implementing plans shall be developed with broad community involvement by those citizens whom the plans will affect. The processes for developing the comprehensive plan, community plans, and other specific implementing plans shall ensure that there is in the plans a balance between regional and local community needs.

The county council shall review the comprehensive plan, the community plans, and other specific implementing plans and revise them as necessary at least every ten years after their initial adoption.

The community plans, other specific implementing plans, and all county land use actions shall be consistent with the comprehensive plan. (PL-2)

NEW SECTION. County Health and Human Services Program.

The county council shall adopt by ordinance a policy plan which shall set forth the purposes and roles of county health and human services programs. The ordinances shall include a provision for periodic review of the policy plan. This plan shall address the programs for which the county is responsible as well as the relationship of the county's programs to the programs of other jurisdictions and public and private agencies and organizations. (PL-4)