



King County

Ron Sims
King County Executive

CHARTER REVIEW COMMISSION

Mark Yango
Charter Review Coordinator

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King County Charter Review Commission
Meeting Minutes – March 27, 2007
Seattle Municipal Tower, 5:30pm-7:30pm

The March 27, 2007 meeting of the King County Charter Review Commission was called to order by co-chair Lois North at 5:37 p.m.

Commission members in attendance:

Mike Lowry, Co-chair
Lois North, Co-chair
Juan Bocanegra
Jim English
Dan Gandara
Bryan Glynn
John Groen
Kirstin Haugen
Gregg Hiramawa
John Jensen
Terry Lavender
Gary Long
Sharon Maeda
Allan Munro
Sarah Rindlaub
Mike Wilkins
James Williams

Absent:

Trisha Bennett
Doreen Cato
Darcy Goodman
Tara Jo Heinecke

Staff :

Mark Yango, Charter Review Coordinator
Corrie Watterson Bryant, Project Manager, Charter Review Commission
Charlotte Ohashi, Administrative Assistant, Charter Review Commission

Council and PAO Staff:

Ross Baker, Chief of Staff, King County Council
Mike Sinsky, Prosecuting Attorney's Office
Jeanne Keenan, Chief of Staff, KC Councilmember Hague, District 6
Anne Noris, Clerk of the Council, King County Council
Grace Reamer, Chief of Staff, KC Councilmember Lambert, District 3

Guests:

Dick Bonewits, Greater Maple Valley Area Council
Bob Cowan, Budget Director, King County Office of the Executive
Lindsay Nussbaum, citizen
Karen Reed, Lead Staff, 2002 King County Budget Advisory Task Force

1. Opening Remarks and Introductions

Lois North made introductory comments. Commissioner Juan Bocanegra, who was not present at the last meeting, introduced himself. All other attendees also briefly introduced themselves.

Ms. North asked for approval of minutes from February 27, 2007 meeting. The minutes were accepted as presented.

2. Commission Communications: Legal Implications

Mike Sinsky briefed the Charter Review Commission (CRC) on the number of days the Council was required to be given to review the CRC's recommendations. He explained that the most conservative interpretation of the law is 84 days.

He also explained state laws affecting CRC meetings and records:

The Open Public Meetings Act (OPMA) sets forth requirements for opening government meetings to the public, and for public notification of those meetings. The commission has agreed to abide by requirements of the Act.

Mr. Sinsky noted that the OPMA defines a meeting as "all transactions of the governing body's business" at which a quorum is present. Email conversations and telephone calls also fall under these guidelines. Mr. Sinsky advised the group to avoid email and telephone meetings if at all possible, due to the technical difficulty of opening these meetings to the public.

Mr. Sinsky also outlined rules relating to executive sessions.

The Public Records Act requires government documents to be available to the public. The public can request copies of most CRC documents, including emails sent or received on any account used for CRC business. Exemptions include attorney/client communications regarding legal advice and personal notes that have nothing to do with governmental business.

Mr. Sinsky advised commissioners to be aware of the short turnaround time inherent in the law: a written response is required within five days of receiving the request. Penalties and attorney's fees can be imposed for failing to comply.

Commissioners were also asked to immediately inform Mr. Yango, Ms. Watterson Bryant, or Mr. Sinsky if a request comes to a member personally.

To ensure compliance with the Public Records Act, Mr. Sinsky requested that commissioners retain all of their email, except for brief logistical or personal notes.

Mr. Glynn asked what indemnification commission members have with regard to these laws. Mr. Sinsky replied that county business is indemnified by code.

3. King County Email System

Corrie Watterson Bryant briefed the CRC on the use of King County's email system. All commissioners have been provided with County email addresses, which they will be required to use for CRC business. This ensures that commissioners' personal email accounts and computers will not be subject to Public Records Act or discovery requests. Commissioners are requested to check their email at least once per day. A handout was distributed on the use of the email system, which can be found on the Commission's Outlook public folder.

4. Roles and Responsibilities

Mark Yango provided an overview of King County's government, including geography, and local services in unincorporated areas, and regional services (criminal justice, roads, transit, wastewater, solid waste, public health, elections, licensing, records, property assessment and tax collection, etc).

A King County organizational chart was distributed and explained. The Prosecuting Attorney's Office and District and Superior Courts are created by state law. The Charter created and controls the personnel board, ombudsman, executive office, and legislative body (the Council). There are 7 executive departments and 85 elected officials in King County (including the Assessor, Council, Prosecutor, Superior and District Court judges, Sheriff, and Executive).

Mr. Yango noted that prior to the creation of the Charter, the County was governed by three county commissioners. The Charter allows appointed county officers to perform county functions previously performed by independently elected officials.

Mr. Yango also explained that the Charter is characterized by a series of checks and balances, and that it ideally avoids language that can quickly become outdated (such as salary levels).

Finally, Mr. Yango noted Amendments can be initiated in three ways: through the charter commission, the Council, and citizen initiatives (per a 2003 WA State Supreme Court ruling).

Mr. Glynn asked whether a civil solicitor position could be created. Mr. Sinsky said that state law prevailed, and that a solicitor position could not be created on the county level.

5. Budget Advisory Task Force Presentation

Karen Reed and Bob Cowan presented the findings of the 2002 Budget Advisory Task Force. Copies of the BAT Force recommendations were offered to the CRC.

Top-level themes of the task force were:

- Law, safety and justice programs consuming ever-increasing percentage of general account funds

- I-747 and underlying cost structures creates ongoing gap between revenues and expenditures
- Unincorporated areas posing a major fiscal challenge
- Labor environment that includes a large number of bargaining units

County services mandated by state law include growth management and countywide planning policies and fees. Only parks and human services are non-mandated services; those areas were therefore cut first when the budget crisis began.

An extended question and answer period ensued:

Mr. Lowry asked how much of the growth rate in county expenditures was due to demographics. Mr. Cowan responded that demographics were a relatively small portion, and that the increase was more due to increases in salary, pension costs and benefit costs.

Mr. Glynn asked about the effect of 9/11 on sales tax revenues. Mr. Cowan answered that urban counties experienced a decrease in sales tax revenue, and that 9/11 also heavily impacted hotel-motel tax receipts. Local services in unincorporated areas suffered because of the lack of funds.

Mrs. North asked how contracting with cities for services, such as policing, impacts the county financially. Ms. Reed explained that full-cost recovery is the model followed by the county, and that contracted services do not turn a profit. She noted that the Charter, referencing state law and the County code, imposes some limits on contracting out services.

Mrs. North asked about the county's policy on annexation. Mr. Cowan responded that there has been an ongoing imitative to encourage annexation. Mike Wilkins asked if the county could force annexation; Ms. Reed said that it could not.

Mr. Wilkins wondered which county services account for the lion's share of the county's subsidy to unincorporated areas. Mr. Cowan said that it was the Sheriff. Dick Bonewits requested that we redefine our understanding of the "rural subsidy," because urban unincorporated areas are often the big draws on county services, not the rural areas. He also noted that the rural unincorporated areas often pay more in property taxes.

Allan Munro asked if the cities have cherry-picked which unincorporated areas to annex; Ms. Reed responded affirmatively.

Juan Bocanegra asked if cities pay a part of the county's public health care costs. Mr. Cowan said that the county did not receive much compensation from cities other than Seattle, and that Seattle only pays for expanded services to its residents, not for the basic health services that the county provides. Most funding comes from Medicaid, from the State, or from the County's funds.

Terry Lavender asked what was included under the heading of community and human services in the handout. Mr. Cowan responded that it included work force training, substance abuse, developmental disabilities, and mental health. Most funding comes from grants.

6. Public Outreach

Mrs. North began a discussion of how the commission should go about getting public input.

Ross Baker relayed that the Council wants to accommodate the commission's schedule and agenda to meet with them. He suggested that a representative from the commission might attend a COW meeting on Monday mornings. He noted that the Council will want more direct interaction with the commission as the process progresses.

Mrs. North said that the commission might extend invitations to Council members to attend a commission meeting. She offered that the Council chiefs of staff might attend CRC meetings on a regular basis. However, each councilmember might like the opportunity to chat in person with the commissioners.

A suggestion was made to work on a compressed timeline for gathering issues, including getting input from a wide range of groups.

Mrs. North recommended that the CRC formally solicit input from a wide range of stakeholders, and encourage participation in both writing and attendance at meetings. It was suggested that the CRC begin to immediately gather input, letting stakeholders know that the process has started and that information is needed now.

The CRC discussed holding public outreach meetings around the county. Kirstin Haugen suggested having nine outreach meetings, 1 for each district. Some commissioners suggested four or five outreach meetings. The group agreed to discuss this issue further at the next CRC meeting on May 29.

Commissioners noted that we should ensure that rural residents have adequate opportunity to provide input to the CRC. Some commissioners suggested at least one meeting targeted for rural issues, in a rural area.

The staff suggested that Monday through Thursday in the evening would be a good time to set public meetings.

KCTV was recommended as a useful tool for outreach and for recording meetings.

Mr. Lowry asked that commissioners all think about how many meetings to hold, and where to have them. John Groen stated that one strategy might be to get written input gathered before holding outreach meetings, so that the CRC has a list of issues to present to generate interest and high meeting attendance.

Action item: Letters will be sent to the Council and to a wide range of community organizations asking for input on the charter.

The next meeting of the CRC will be April 24, 2007 at 5:30pm.

Co-chair Lois North adjourned the meeting at: 7:50 pm

Respectfully submitted by Charlotte Ohashi and Corrie Watterson Bryant