



King County

Ron Sims
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CHARTER REVIEW COMMISSION

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King County Charter Review Commission
Meeting Minutes – April 29, 2008
Chinook Bldg., 5:30 p.m. -7:30 p.m.

The meeting of the King County Charter Review Commission was called to order by co-chair Mike Lowry at 5:40 p.m.

Commission members in attendance:

Mike Lowry, Co-chair
Lois North, Co-chair
Juan Bocanegra
Doreen Cato
Jim English
Dan Gandara
Bryan Glynn
Darcy Goodman
John Groen
Kirsten Haugen
Gregg Hiramawa
John Jensen
Terry Lavender
Gary Long
Sharon Maeda
Allan Munro
Sarah Rindlaub

Absent:

Trisha Bennett
Tara Jo Heinecke
Mike Wilkins
James Williams

Staff:

Mark Yango, Charter Review Coordinator
Corrie Watterson Bryant, Project Manager, Charter Review Commission
Becky Spithill, Project Manager, Charter Review Commission

Charlotte Ohashi, Administrative Assistant, Charter Review Commission

Council and Prosecuting Attorneys Office Staff:

Ross Baker, Chief of Staff, King County Council
Rebecha Cusack, Legislative Lead Analyst, King County Council
Mike Sinsky, Prosecuting Attorney's Office
Nick Wagner, Principal Legislative Analyst, King County Council

Guests:

Sheriff Sue Rahr, King County Sheriff
Kurt Triplett, Chief of Staff, King County Executive Office

1. Opening Remarks and Introductions

Co-chair, Mike Lowry called the meeting to order at 5:40 pm. Minutes from April 22, 2008 were approved as amended.

Each subcommittee was called in turn to approve its outstanding minutes. The Governmental Structure approved their outstanding minutes unanimously. The Regional Governance unanimously approved their outstanding minutes with amendments to February 4 and March 20, 2008 minutes and an abstention from Sharon Maeda on the minutes of January 28, 2008. The Rural/Local unanimously approved their outstanding minutes with amendments.

2. Adding clarification to the collective bargaining amendment – Bryan Glynn

The Commission heard statements from Kurt Triplett, Chief of Staff, Office of the Executive, and Sheriff Rahr.

The Executive supported the amendment originally put forth and urges the Commission to return to that. The “consent” language of the new proposal is problematic because it places the council in the role of a bargaining director in the event that the Sheriff and the Executive cannot agree. He pointed out that the current contract negotiations are going well and will be completed soon, within weeks. It appears that it will be in effect for three years, although that is open to negotiation.

Sheriff Sue Rahr, King County Sheriff's Office stated that the issue is managing the contract during the life of the contract, which involves resolving contract interpretation issues, dealing with bargainable issues, and putting in place the Civilian Oversight Committee, as recommended by the BRP. Other issues include the selection and management of the labor relations staff; currently, that staff works for Executive and the arrangement has been untenable; and management of appeals process. The newly proposed language fails to address that; this is a structural issue where authority needs to follow the responsibility. This change seems essentially to change the

charter to fix disagreements between elected officials. Who will be the arbiter of those disputes. Sheriff Rahr stated that the buck needs to stop with her, and currently she has no control over that which she is responsible for. The outside negotiator was not hired at the Sheriff's behest, although she was okay with him. The Sheriff stated that she doesn't think the contract will be finalized until the end of the year.

DISCUSSION

Mr. Glynn stated that what the commissioners attempted to do was to push the Executive and the Sheriff, as well as other elected officials as might be applicable, to negotiate as a team. The current proposal constitutes compromise language. \

Ms. Rindlaub: We are neglecting the will of the people who wanted an elected Sheriff. This doesn't do it. She will support a minority report that recommends that changes should follow the recommendations Blue Ribbon Panel.

Many commissioners said they would support the proposed amendment as imperfect as it is. Pragmatically, it was not possible to align the preferences of all parties, but this amendment strengthens the Sheriff's hand. Other commissioners acknowledged that there is a problem in the current situation. To do nothing would be a disservice. The Sheriff should have some authority for negotiation of management issues; Charter language helps with this though it's no panacea.

Mr. Munro stated that the problem was genuine, not just a personality conflict and that the issue would likely come up again, therefore Mr. Glynn's compromise makes sense. Amendment specifies areas where the Sheriff will be involved.

Mr. Jensen said that he could support the amendment as long as the report recognizes the importance of the Blue Ribbon Panel recommendations. Mr. Long stated he felt it was something that should never have come before the Commission, that is was essentially a failure of management to work together—they should be accountable for that too. The amendment merely specifies things that are obvious.

Mr. Bocanegra indicated his support and commented that language doesn't go far enough and it won't resolve the problem, but that the amendment is as good as it can be at this point.

Mr. Hirakawa said that he would support the amendment although the language presents problems in the event that the parties do not agree. However, it gives every incentive to all parties to work together.

MOTION: Amend the Charter as follows:

Section 890 Employee Representation.

The county council shall enact an ordinance providing for collective bargaining by the county with county employees covered by the personnel system. If an ordinance

establish qualification for non-elected positions so having the additional language in the amendment code is unnecessary and may create some ambiguity about whether there is authority that exists for staffing qualifications for other non-elected offices. In order to eliminate that ambiguity, it's best to just delete the proposed amendment to Section 340.50.

Some questions for clarification

5. 630 Qualifications: committee recommends minor rewording to the amendment for Section 630 to read: “Additional qualifications for those separately elected officials who head departments or agencies that are subject to this charter may.....:”

Mike Sinsky recommends that the words “or agencies” also be stricken as he feels that may create ambiguity. It was agreed to accept the change to the wording.

6. Regional Committees : committee recommends minor rewording to Section 270.20 by moving the phrase “to the water quality committee”.

No comments

7. Unincorporated Areas Representation : committee recommends minor rewording to Section 220.20 by adding the words – “rural and urban” unincorporated... so that it matches 320.20

No comments

8. Unincorporated Areas Representation : committee recommends minor rewording to Section 320.20 to say “rural and urban unincorporated.....” to match Section 220.20.

No comments

9. Open Space Amendment : committee recommends new Section 897 with minor rewording.

No comments

MOTION: Approve the recommended changes to the proposed amendments as stated above by the Ad Hoc Committee as a package.

Motion passes unanimously

4. Phasing of the amendments – Mark Yango

Mark explained that there are 12 amendments that will be going before council for approval and summarized the results of the phasing survey.

Most of the commissioners seem to have opted for the Qualifications of Assessor and Elections Director amendment to go in 2010. However, if the elections director legislation passes this year, that election would happen in 2009. This may dictate that the charter amendment will need to be put forward in 2008 to establish the qualifications before the election takes place.

May wish to also delay the collective bargaining amendment to later than 2008.

Some discussion on the timing of the Open Space Amendment and the other amendments. General opinion is that the Open Space Amendment go forward in 2008.

MOTION: to approve the phasing survey as is but move the Qualifications amendment to 2008.

Motion passed unanimously.

5. Closing Remarks – Gov. Lowry

Reminded everyone of upcoming key dates.

- Friday, May 30, 2008 transmittal of final report
- Monday, June 2, 2008 presentation to Council of the Whole (COW)
9:30 – 11:30 COW – King County Courthouse, 10th floor
chambers
11:30 – 12:15 reception for the commissioners on the 12th floor

Commissioners are encouraged, particularly the subcommittee chairs, to attend the June 2 council meeting in force.

- Minority reports due May 1, 2008

John Groen has done a minority report on Open Space Amendment

Allan Munro did a minority report on the Sheriff's collective bargaining but in light of the substantial changes made to the amendment, he has withdrawn the report.

Those who wish to be included on minority reports can call Mark Yango or it was suggested that the report be posted on the web for others to review and email their wishes.

- Kirsten Haugen drafted letters to the council on the IRV and the KCLS

Meeting was adjourned at 7:40 p.m.

Respectively submitted by Corrie Watterson, Becky Spithill and Charlotte Ohashi .