



King County

Charter Review Commission

January 23, 2019

Meeting Minutes

In Attendance:

Louise Miller (Co-Chair), Ron Sims (Co-Chair), Tim Ceis, Joe Fain, Elizabeth Ford, David Heller, Michael Herschensohn (via telephone), Sean Kelly, Linda Larson, Clayton Lewis, Marcos Martinez, Jeff Natter, Toby Nixon, Nikkita Oliver, Rob Saka, Alejandra Tres, and Sung Yang

Excused:

Ian Goodhew, Nat Morales, Brooks Salazar, Beth Sigall and Kinnon Williams

Council and Executive Staff:

Kelli Carroll, Director of Special Projects, Patrick Hamacher, Director of Legislative Analysis, Calli Knight, External Relations Specialist, Mac Nicholson, Director of Government Relations and Brandy Vena, Council staff

Also in Attendance:

Councilmember Kathy Lambert, Anita Khandelwal, Director of Public Defense; Julie Wise, Director of Elections; Patti Cole-Tindall, Administration Chief, Department of Public Safety; Honorable Jim Rogers, Presiding Judge, King County Superior Court; Susie Slonecker and Mike Sinsky, Senior Deputy Prosecuting Attorneys, King County Prosecuting Attorney's Office; Rick Hayes, Senior Human Resources Policy Advisor, Department of Executive Services; and Honorable Donna Tucker, Chief Presiding Judge, King County District Court

1. Welcome and Call to Order

Co-Chair Miller called the meeting to order at 5:40 p.m. and asked those on the telephone to introduce themselves.

2. Public Comment:

There was no one present to provide public comment.

3. Separately Elected Comments

Councilmember Kathy Lambert thanked the Commission for their work and encouraged inclusion of the following items:

- Allow each Councilmember to directly appoint a commissioner from their district to the Charter Review Commission with at least one commissioner to be from unincorporated King County.
- Include requirements for levels of service to be attained in each of the unincorporated areas – the County Executive in consultation with the Council would establish level of service goals and report on progress towards those goals.
- Formalize a process whereby Councilmembers can register employee performance concerns with the County Executive.
- Remove some of the restrictions on contracting with faith-based organizations.
- Add specific qualification requirements for the elected sheriff.
- Have a formal County process for filling vacancies in Council offices that puts the responsibility on the Council, rather than the Executive.
- Allow the initiation of non-emergency supplemental appropriations prior to the supplemental budget.
- Require the Executive to inform the Council at the end of the year the amount of money that is remaining to be spent and get Councilmember input on how the unspent fund balance should be spent.
- Don't include the location of the County seat in the Charter - the current building is falling apart and we may need to relocate.
- The naming of County departments should be more intuitive.
- Regarding the non-partisan initiative – nothing has changed behind the scenes so some briefings are only provided to some rather than all members.
- The Council should continue to confirm all department heads.
- Make sure the balance of power between the County and the cities is very clear, there seems to be some blurring.

Question and answers involved more specifics on the faith-based question and the potential for more King County buildings in rural areas.

Anita Khandelwal, Director of Public Defense, addressed the question of having an elected public defender.

- A separately elected allows true independence – referenced San Francisco's model.
- Public defense work is anti-majoritarian, so having someone that is subject to the will of the electorate can be counterproductive to the work that they do.
- There is no clear right answer. It will attract different people if it is elected versus appointed.
- Get feedback from the Public Defense Advisory Board as this was previously addressed by them.

- There are various permutations that this could take, for example, a public defender appointed by the Board rather than the Executive.
- Reach out to the unions who represent DPD staff for input.

Question and answers involved possible qualifications for an elected public defender and feedback regarding worst fears being born out in other jurisdictions.

Julie Wise, Director of Elections, addressed questions around the elections arena.

- Support was expressed for proposals to clean up the code to include “Director” and “Department of Elections”.
- In regard to the confirmation of key subordinate units – find it odd that deputy elections director is approved by Council – this may be a holdover.
- We’ve done a lot of work in 2018 to clean up the petition area, and are supportive of making changes to clarify what is in the Charter.
- The recently purchased tabulation system does not have the capability to do ranked-choice voting at this point.
 - Ranked-choice voting is difficult to explain and may result in loss of confidence in the voting system, which would take a long time to restore.
 - There are no clear models or settled law – no one jurisdiction that is apples to apples with King County.
- Adding at-large council positions – we are capable of doing this, so it is not an issue for Elections.

Question and answers involved any other elected that has to have their deputy approved by the Council, how long it would take to establish equipment and procedures to have ranked-choice voting for County officials only, and what qualifications do you feel should be required of the Director of Elections. Director Wise will follow up with information regarding assessments by national associations or independent groups regarding how ranked-choice voting has been deployed and its impact.

Patti Cole-Tindall, Administration Chief, Department of Public Safety, representing Sheriff Johanknecht, noted that this is the first break that the Sheriff has had since her election, and asked that she be allowed to come to a future meeting to address the Commission. If that is not possible, they will respond to questions in writing.

Judge Jim Rogers, Superior Court Presiding Judge, responded to a question regarding potential qualifications for an elected public defender.

Discussion ensued regarding the Council having the ability to discipline separately electeds who are deemed out of line, and anything that could be added to the Charter that would address underfunding of the courts (Judge Rogers will follow up in writing), how to make the Charter more responsive to changing demographics, and enhancing the Office of Law Enforcement Oversight’s subpoena powers.

4. Executive Personnel Proposals

Rick Hayes, Senior Policy Advisor, Department of Human Resources, and Susie Slonecker, Senior Deputy Prosecuting Attorney, Labor and Employment Section, reviewed the changes proposed by the Executive.

The Commissioners will be provided with proposed language for the Executive's recommended changes.

5. Staff Update:

Update on Procurement – The Procurement Office has provided a list of potential facilitators. Outreach to these firms has started. The hope is to have a firm under contract in the next week or so. There is no predetermined list of approved vendors for analytical support. The hope is that some of the approved firms on the project management list will also have that skillset. If there aren't, it would mean going through the regular procurement process which will take a bit longer. The hope is to have someone on board by the first meeting in February. A copy of the list provided by the Procurement Office will be circulated to Commissioners.

Staff met with the Director of the Office of Equity and Social Justice (ESJ) who made a suggestion about the structure of the public outreach meetings. He is putting together several lists, largely coalitions of groups, for outreach once there is a formal concept of what will be addressed at the meetings. He suggested that the most effective way to conduct the outreach would be for the Commissioners to be involved. Once complete, those lists will be provided to the Commission to determine if there are any existing relationships with the Commissioners who might be willing to reach out to promote our meetings.

Concern was expressed that the message may get lost in communicating to different communities due to its legal nature. Commissioner Tres volunteered to reach out to the ESJ Director to get feedback on how the information might be tailored to different groups.

Evening Meetings – A handout was provided as a mock-up for what might be used for the public forums. Commissioners were asked look at the list of topics and provide feedback regarding what topics should be included in the list.

Discussion ensued regarding the most productive format to use in running the public forums. More specificity was requested for the item regarding which County officials should be elected and add an item about whether the Charter should reflect the ongoing changes in the County's population demographics. Concern was expressed about readability and understanding of the items for the average person. Try to find a way to frame the proposed changes so they are grounded to day-to-day life. The handout doesn't imply that we are open to other ideas from the public. Caution should be taken in how we translate the input that is received – the sentiment of the concern should be considered.

Responses to Online Questionnaire and Communication – A handout summarizing the demographics and responses to the online questionnaire was provided. Discussion ensued regarding the best way to disseminate this information and get

further input from all demographics. Suggestions included providing a social media toolkit to the organizations that we are reaching out to, have Commissioners use their individual social media platforms, utilize the library system web sites, livestream the townhalls, contact high school civics classes, and provide information ahead of the townhalls. Commissioners interested in doing a public information segment for KCTV should let Patrick Hamacher know.

6. Review and Discussion:

Second February meeting: Staff will poll Commissioner availability for a second meeting the first part of February.

Public Forums: Public forums are scheduled for:

February 19 at Magnuson Park

February 20 at Fall City

February 26 at Federal Way

Staff will check to see if the meetings can be scheduled to begin at 7:00 p.m. Calendar invitations will be sent to Commissioners.

White papers: Brandy Vena, Council staff, provided an overview of the white papers on ranked choice voting, public financing of elections and the size of the County Council. Staff will follow-up with answers to questions that arose.

The meeting was adjourned at 8:17 p.m.