



King County
Charter Review Commission Agenda King
County Chinook Building

1st Floor Executive Conference Rooms 121/123
401 5th Ave. Seattle, WA 98104
Wednesday, June 26, 2019
6:00 – 8:00 p.m.

Agenda Topic	Lead	Time	Attachments
Welcome and Review Agenda	Co-Chairs	5 min	
Public Comment	Co-Chairs	As needed	Letter - pg. 3
Approve 5-22-19 Meeting Minutes	Co-Chairs	5 min	Pg. 9
Review and approve selected proposals from sub-committees: <u>Transparency and Accountability</u> Draft proposals: 1. Initiative and Referendum process proposal: Update from Toby and Louise on meeting with KC Elections. 2. Budgeting system proposal: Update from Tim on Executive staff concurrence with committee recommendation. 3. Removal process for elected officials proposal: Update from Tim on draft language developed by staff. 4. Sheriff as appointed position proposal: Update from Linda on draft language developed by staff. Update only: 5. Increase independence of Public Defender: Update from Subcommittee Co-Chair. <u>Equity for All</u> Draft proposals: 6. Changes to Charter Review Commission process: Update from Alejandra and Nikkita. 7. Changes to the Preamble (included in Attachment 6) 8. Non-discrimination language proposal: Update from Rob and Nat on three protected classes. 9. Changes in Personnel System proposal: Update from Liz.	Facilitator and Sub-committees	1 hr 35 min	1 – pg. 13 2 - pg. 17 2a – pg. 19 3 – pg. 23 4 – pg. 25 5 – pg. 31 5a – pg. 33 6 – pg. 35 8 – pg. 39 9 – pg. 41

<p>10. Project Labor Agreements proposal: Update from Brooks and Sung.</p> <p>Update only:</p> <p>11. Workers' Bill of Rights: Update from Brooks and Sung.</p> <p><u>Regional Coordination</u></p> <p>Update only:</p> <p>12. Consolidating Regional Committees: Update from Toby on meeting with Sound Cities Association.</p> <p><u>Access</u></p> <p>Update only:</p> <p>13. Ranked Choice Voting: Update from David and Toby.</p> <p>14. Size of County Council: Update from Commissioner Miller</p>			
<p>Scheduling and next steps</p> <p>15. Review Fall calendar and deliverables</p> <p>16. Updates from staff on early action items:</p>	Facilitator	15 min	15 – pg. 43
<p>Adjourn</p>	Co-Chairs		

From: [Rich Stolz](#)
To: [Review, Charter](#)
Cc: eric@entrehermanos.org; [Lilliane Ballesteros](#)
Subject: Feedback on the Charter Review
Date: Thursday, June 20, 2019 12:24:22 PM
Attachments: [June 18 Comments on King County Charter.docx](#)

Dear Charter Review Commission:

Please find attached comments submitted on behalf of OneAmerica, Latino Community Fund and Entre Hermanos on various aspects of the King County Charter. Given the importance of this process, we hope that these comments will lead to robust discussion on topics that are of importance to the broader community, including immigrant and refugee communities, communities of color and members of the LGBTQ community in King County. Please feel welcome to reach out with any questions you may have.

Sincerely,

Rich Stolz
OneAmerica

Sent with [Mixmax](#)

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June 18, 2019

To: King County Charter Commission

Recommended Changes to the King County Charter

Thank you for this opportunity to provide recommendations that would modernize the Charter and ensure that the Charter fully reflects a series of initiatives across King County to strengthen the County's commitment to racial and social equity. The recommendations included in this memo are provided sequentially, following the content of the Charter.

Preamble. We recommend adding to the Preamble language that defines the term "racial equity" being used by the County. Of particular value would be language describing the County's commitment to end disparities in health outcomes based on race and zip code.

We also recommend replacing the term "citizen" with "resident" throughout the document, except where using the term resident may not be consistent with requirements under the State constitution (e.g., voting).

Section 260 – Office of Citizen Complaints. This provision raised questions about what the "Office of Citizen Complaints" is, how it functions in the County Government, and what efforts have been made to make this Office accessible to the broader community.

Instead of an "Office of Citizens Complaints" we recommend establishing a new agency in County Government that would be a "Community Advocate" modeled after the Public Advocate position that exists in New York City, an elected position. This recommendation is touched on later in this memo under sections where such a recommendation appears to be appropriate.

Section 265 – Office of Law Enforcement Oversight. It is not entirely clear that the language in the Charter is consistent with the duties and functions of the Office as it currently exists. We recommend reviewing this language to ensure that it reflects the intent of the existing ordinance related to this office.

Section 270.10 – Regional Committees. We recommend that the County Charter establish additional regional committees:

Regional Committee on Criminal Justice Reform. The criminal justice system reflects a lion's share of the County Budget, and while there are multiple efforts across the County to address racial disparities in the criminal justice system, establishing a Regional Committee would serve as a new center of gravity at a higher level of authority that would squarely examine reforms to the system. We also recommend that the Charter expressly include and define as the mission of the Committee to transition the mission of the system to adopt a transformative justice framework that prioritizes rehabilitation and accountability over punishment, and adopts the County's goals with regard to zero youth detention.

Regional Committee for Housing Affordability and Displacement Prevention. Separate jurisdictions across the County are engaging in efforts to protect lower-income communities, businesses and non-profit organizations, and residents from being displaced due to rising property values. But a regional framework is critical to addressing these issues, including the location of “workforce housing” and other affordable housing options.

Regional Committee for Climate Resiliency and Pollution Prevention. The Charter Commission also has the opportunity to establish a Committee charged with exploring regional strategies – building on multi-jurisdictional commitments to reducing greenhouse gas emissions – that would reduce greenhouse emissions and related airborne pollutants, mitigate the impact of climate change causing pollution on environmental justice communities, and examine strategies for climate resiliency and adaptation.

Section 270.20 – Composition of Regional Committees. The Charter should further “democratize” the Regional Committees. Each Regional Committee should also have an advisory commission comprised of local residents, particularly focused on centering the voices of impacted communities and residents. If the Charter includes a Community Advocate, per our recommendation, that position should also serve on the Regional Committees.

Add to Section 350 a new sub-section that establishes the Office of the Community Advocate as an Executive Department, with an elected Director. The Office, which can be modeled on a similar office that exists in New York, should have the following functions: an inspector general role that can investigate County Government, responsibility for shepherding and coordinating the various Boards and Commissions in County Government, and responsibility for coordinating and supporting culturally competent public and community outreach efforts for King County Government.

Add to Section 470 a new sub-section that authorizes the County to establish by ordinance an infrastructure bank in order to generate capital and investment to advance County priorities.

Section 510 (Under Article 5 – The Personnel System) insert language clarifying that legal permanent residents are eligible for all County positions, and include the prioritization of qualifications related to life experience reflective of communities served (e.g., race, income, etc.) in addition to professional qualifications. We also recommend including language placing a priority on bilingual staff, authorizing the County Executive to incentivize the hiring and retention of individuals fluent in more than one language.

Article 6 – Elections. In Section 630, clarify that the County strives to ensure that elected representation is proportionally representative of the total population (not just registered voters), and authorize the County Council to enact legislation to lead to this outcome.

We also recommend that the Charter include language that asserts that citizenship is not a requirement for voting, running for office or holding office, subject to limitations under state or federal law.

We also recommend a new section 600 that adopts language from the WA Voting Rights Act affirming the right to vote.

Section 650.30 – Districting. We recommend adding language drawn from the WA Voting Rights Act that prohibits racially polarized voting and adopts mechanisms to adjust district lines and election systems that can generate greater voting rates and ensure proportional representation.

Section 690.10 – Limits on Campaign Contributions and Expenditures. We recommend inserting language directing the Council to enact legislation creating a publicly funded election system that includes mechanisms, like “Democracy Vouchers”, that can democratize campaign finance.

Section 800 – Charter Review and Amendments. Instead of reviewing the Charter every 10 years, we recommend that the review take place every 5 years in order to allow for more consistent community engagement.

We also recommend language in the Charter that clarifies that the Commission be a resident commission that reflects the diversity of King County.

We further recommend that lobbyists and County government contractors not be allowed to serve on the Commission, in order to ensure that seats on the Commission go to community residents and to prevent any potential conflicts of interest.

Section 815 – Contracts and Procurement. Insert language that a) requires a tangible community benefit to all County-funded projects, including pre-apprenticeship and apprenticeship mechanisms, affordable housing and equitable development strategies, and that all contractual requirements include language upholding worker rights, protections, wages.

We also recommend language that asserts that the County, within state requirements, has the authority to gift property or sell property at below market value for the purpose of equitable economic development and preservation of affordable residential and commercial property.

Section 830 – Public Inspection of Public Records. Either add to this section or create a new section that establishes privacy requirements related to data on residents collected by the county, taking into consideration the role of video, facial recognition and other forms of surveillance where data may be used for purposes other than intended.

Seattle recently enacted an ordinance that established a public review process intended to establish greater public accountability for expenditures made by the jurisdiction to ensure that certain surveillance technologies be analyzed through a racial equity lens, that the technologies

(and data gathered through the technologies) are not used for purposes beyond their intended use.

Section 840 – Antidiscrimination. We recommend that the Commission include “immigration status” and “criminal history” as protected classes.

Section 895 – Mandatory Inquests. We support recommendations from the community to reform the inquest system. Please contact us for further information.

Section 897 – High Conservation Value Properties. Include language that applies the principle of land conservation to both natural resources and for the purpose of preventing displacement. This section should also allow for the equitable development of land conserved for the purpose of addressing displacement and economic inequity.



King County

Charter Review Commission

May 22, 2019

Meeting Minutes

In Attendance:

Louise Miller (Co-Chair), Tim Ceis, Joe Fain, Elizabeth Ford, David Heller, Michael Herschensohn, Sean Kelly, Clayton Lewis, Marcos Martinez, Toby Nixon, Nikkita Oliver, Rob Saka, Beth Sigall (via telephone), Alejandra Tres, Kinnon Williams

Excused:

Ian Goodhew, Linda Larson, Nat Morales, Brooks Salazar, Ron Sims and Sung Yang

Council and Executive Staff:

Patrick Hamacher, Director of Legislative Analysis, and Mac Nicholson, Director of Government Relations

Also in Attendance:

Mike Sinsky and Mari Isaacson, Senior Deputy Prosecuting Attorneys, King County Prosecuting Attorney's Office.

Welcome and Call to Order

Co-Chair Miller called the meeting to order at 5:38 p.m.

Public Comment:

The following person provided public comment: Jeremy Culumber.

Approval of Minutes

Commissioner Ceis moved approval of the minutes of the April 24, 2019 meeting. The motion was seconded. There being no objections, the minutes were approved.

Review and Approve Early Action Items

The Commission discussed the items in the "Summary of Proposed Actions" table and selected the following as early action items to be forwarded to the County Council for consideration and potential placement on this year's general election ballot:

- Inquests
 - Guarantee the right to counsel (at County expense) to families of the decedent when going through the inquest process
 - Clarify that an inquest should be done in cases where a decedent has died in County custody.
- Affordable housing language – remove the Charter prohibition restricting the sale of publicly owned land for less than full value for affordable housing.
- Subpoena power for the Office of Law Enforcement Oversight.

The commission voted to move the Preamble issue from an early action item so that the subcommittee can continue the discussion. Questions:

- Can we leave in the concept of innovation to reflect the innovation economy?
Commissioner Saka
- Much more goes into quality of life than recreation, arts and culture. Housing, human rights and education are more important to quality of life.
Commissioner Ceis
 - The preamble addresses issues other than recreation, arts and culture, so that's why the subcommittee added these three. Commissioner Nixon
- Is "intro" grammatically correct? Commissioner Heller
- How much government/taxpayer money should be involved in this? Is it really the job of the county council to fund/support these things? Commissioner Heller
- What is the definition of "equity/equitable" that the subcommittee had in mind when drafting this? Commissioner Heller

Regional Coordination Subcommittee

Consolidating Regional Committees: no questions

Poll: no poll taken, but consensus from the group to continue work on this issue

Equity for All Subcommittee

Non-discrimination language: no questions

Poll: no poll taken, but consensus from the group to continue work on this issue

Workers' Bill of Rights: no questions

Poll: three no's, the rest yes, so enough to continue work on this issue

Project Labor Agreements: no questions

Poll: little support for it, but enough to continue work on this issue (especially since it came from public input at a town hall)

Changes in Personnel System questions:

- Superior Court and District Court judges have concerns because the Executive has control over some but not all of their employees. So urge the subcommittee

to get feedback at least from the presiding judges of both courts. Commissioner Heller

Poll: unanimous yes to continue work on this issue

Demographic Equitable Growth in King County (not in terms of growth management): no questions

Poll: unanimous yes to continue work on this issue

Composition of the Commission to Reflect Demographics of King County: no questions

Poll: consensus to continue work on this issue

Access Subcommittee

Public Financing of Campaigns: subcommittee recommended not moving forward.

Ranked Choice Voting: subcommittee was divided between those in favor of moving forward and those not in favor, and thus no consensus was reached.

Questions:

- Let's get information on costs involved if this is implemented. Commissioner Saka

Poll: majority vote to continue work on this issue

Size of the Council: table it until the Regional Coordination Subcommittee determines what to do with the regional committees. If the Regional Coordination Subcommittee decides to reduce or eliminate regional committees, that would help to guide the conversation of the Access Subcommittee.

Transparency and Accountability Subcommittee

Technical Changes to the Initiative and Referendum Process: no questions

Poll: consensus to continue work on this issue

Changes to the Budgeting Process Proposed by the Executive and Council

questions:

- Did Commissioner Sims have a concern with the allowing the Council to initiate capital projects? Has his input been sought on this issue? Commissioner Heller

Poll: consensus to continue work on this issue

Removal Process for Elected Officials (currently there is no process for removal in King County): no questions

Poll: consensus to continue work on this issue

Make the Sheriff an Appointed Position: no questions

Poll: Thumbs up to continue work on this issue

Elected Public Defender: no questions

Poll: Unanimous thumbs down, meaning leave the office as is. Commissioner Saka wants it reflected that he supports an elected public defender.

Increasing the Independence of the Public Defender:

Poll: Unanimous thumbs up to work on this issue

Scheduling and Next Steps

The June 12, 2019, meeting will be cancelled. The next full Commission meeting will be on June 26, 2019, at 6:00 p.m.

Further discussion was held regarding scheduling for the various subcommittees.

Adjourn

The meeting was adjourned at 8:27 p.m.

DRAFT

230.40 Referendum.

Except as provided herein, an enacted ordinance may be subjected to a referendum by the voters of the county by filing with the county council (~~((prior to the effective date of the ordinance))~~) no later than forty-five days after enactment of the ordinance petitions bearing signatures of registered voters of the county equal in number to not less than eight percent of the votes cast in the county for the office of county executive at the last preceding election for county executive. In addition, except as provided herein, an enacted ordinance which pursuant to state law is effective only in unincorporated areas of the county may be subjected to a referendum by the voters of the unincorporated areas of the county by filing with the county council (~~((prior to the effective date of the ordinance))~~) no later than forty-five days after enactment of the ordinance petitions bearing signatures of registered voters residing in unincorporated areas of the county equal in number to not less than eight percent of the votes cast at the last preceding election for county executive, provided however that the number of required signatures shall be calculated based only upon votes cast within areas which on the date such petitions are required to be filed are unincorporated areas of the county. Each petition shall contain the full text of the ordinance to be referred. The ordinance to be referred shall, in compliance with state law timelines for placing local measures on the ballot, ~~((shall))~~ be placed on the ballot either at the ~~((special or))~~ next available general election following filing of the petitions or at an earlier election designated by the county council ~~((occurring more than forty-five days after the petitions are filed))~~, provided that in the case of an ordinance effective only in unincorporated areas of the county, the proposed ordinance shall be voted upon only by the registered voters residing in unincorporated areas of the county.

An appropriation ordinance; an emergency ordinance (~~((necessary for the immediate preservation of the public peace, health or safety))~~) or ordinance necessary for the support of county government and its existing public institutions; an ordinance proposing amendments to this charter; an ordinance providing for collective bargaining; an ordinance approving a collective bargaining agreement; an ordinance providing for the compensation or working conditions of county employees; or an ordinance which has been approved by the voters by referendum or initiative shall not be subject to a referendum. (Ord. 10530 § 1, 1992).

230.50 Initiative.

Ordinances, except ordinances providing for the compensation or working conditions of county employees, may be proposed by filing with the county council petitions bearing signatures of registered voters of the county equal in number to not less than ten percent of the votes cast in the county for the office of county executive at the last preceding election for county executive. In addition, an ordinance which pursuant to state law is effective only in unincorporated areas of the county, except an ordinance providing for the compensation or working conditions of county employees, may be proposed by filing with the county council petitions bearing signatures of registered voters residing in

unincorporated areas of the county equal in number to not less than ten percent of the votes cast at the last preceding election for county executive, provided, however that the number of required signatures shall be calculated based only upon votes cast within areas which on the date such petitions are required to be filed are unincorporated areas of the county. Each petition shall contain the full text of the proposed ordinance.

The county council shall consider the proposed ordinance. If the proposed ordinance is not enacted within ninety days after the petitions are ~~filed~~~~(presented)~~, the county council shall, in compliance with state law timelines for placing local measures on the ballot, and shall place the proposed ordinance~~((it shall be placed))~~ on the ballot either at the next ~~((regular or special))~~ available general election following the ninety day period~~((occurring more than one hundred thirty five days after the petitions are filed))~~ or at an earlier election designated by the county council. ~~((However, if the proposed ordinance is enacted at any time prior to the election, it shall not be placed on the ballot or be voted on unless it is subjected to referendum.))~~

If the county council rejects the proposed ordinance and adopts a substitute ordinance concerning the same subject matter, the substitute ordinance shall be placed on the same ballot with the proposed ordinance; and the voters shall first be given the choice of accepting either or rejecting both and shall then be given the choice of accepting one and rejecting the other, provided that in the case of an ordinance effective only in unincorporated areas of the county, the proposed ordinance shall be voted upon only by the registered voters residing in unincorporated areas of the county. If a majority of the voters voting on the first issue is for either, then the ordinance receiving the majority of the votes cast on the second issue shall be deemed approved. If a majority of those voting on the first issue is for rejecting both, then neither ordinance shall be approved regardless of the vote on the second issue. (Ord. 10530 § 1, 1992).

230.50.10 Institutional Initiative.

Any city or town located within the county may, after securing the consent, by motion or resolution, of at least one half of the cities within the county, propose an ordinance of county-wide significance directly to the metropolitan county council, except an ordinance which is not subject to a referendum under the provisions of Section 230.40 of this charter. Such proposed legislation shall be in ordinance form. The metropolitan county council shall ~~((take action on))~~ approve, amend and approve, or reject such proposed legislation within ninety (90) days of its filing with the county council. (Ord. 10530 § 1, 1992).

230.60 Referendum and Initiative Petitions.

The county council shall establish by ordinance the form to be used for referendum and initiative petitions. All referendum and initiative petitions shall be sponsored by an individual or committee of individuals which shall secure the approval of the clerk of the county council as to the form of the proposed petitions before circulating them. Within five days after the form of the proposed petitions is submitted to the clerk of the county council, the clerk shall return it to the sponsor with an indication of the clerk's approval or with a

detailed written explanation of the clerk's objection to the form. (Ord. 18316 § 1 (part), 2016).

230.70 Effective Date of Ordinances.

Except as provided herein, the effective date of an ordinance shall be ten days after its enactment unless a later date is specified in the ordinance. If an ordinance may be subjected to a referendum as provided in Section 230.40 and if a proposed referendum petition is submitted to the clerk of the county council as provided in Subsection 230.60 prior to the tenth day after its enactment, the effective date of the ordinance shall be ~~((forty-five))~~ sixty days after its enactment unless either a later date is specified in the ordinance or the director of elections determines prior to sixty days from enactment that petitions are insufficient to proceed to referendum, in which case the effective date shall be the date of the director of elections' insufficiency determination. If an ordinance is subjected to referendum, it shall not become effective until after it is approved by the voters. If it is approved by a majority of the voters voting on the issue, the effective date of an ordinance which is subjected to referendum or proposed by initiative, or a substitute ordinance proposed by the county council as provided in Subsection 230.50, shall be ten days after the results of the election are certified unless a later date is specified in the ordinance. The effective date of an emergency ordinance shall be the date of its enactment unless a later date is specified in the ordinance.

An ordinance which is subject to the veto power of the county executive and which is not vetoed, or the approved portions of an appropriation ordinance which has been partially vetoed, shall be deemed enacted on the date that it is approved by, or ten days after it is presented to, the county executive. An ordinance which is vetoed or the vetoed portions of an appropriation ordinance shall be deemed enacted on the date that the county council overrides the veto or partial veto. An ordinance which is not subject to the veto power of the county executive shall be deemed enacted on the date it is approved by the county council.

230.75 Amendment or Repeal of Ordinances Approved by the Voters.

No ordinance that is approved by the county council in response to the filing of an initiative petition or that is approved by a majority of the voters voting thereon, whether as the result of a referendum or initiative, shall be amended or repealed by the county council within a period of two years following the effective date of such ordinance; provided that such ordinance may be amended within the two-year period by ordinance adopted by a vote of not less than two-thirds of all members of the county council, which amendatory ordinance shall not be subject to referendum.

An ordinance approved by the county council in response to the filing of an initiative petition or by the voters may be amended or repealed by an ordinance approved by a majority of the voters voting thereon at any special or general election. Ordinances may be enacted to facilitate and effectuate this provision. (Ord. 12851 § 2, 1997).

Section 800 Charter Review and Amendments.

At least every ten years after the adoption of this charter, the county executive shall appoint a citizen commission of not less than fifteen members whose mandate shall be to review the charter and 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. Appointees shall be subject to confirmation by a majority of the county council. This citizen commission shall be composed of at least one representative from each of the county council districts. The county council shall consider the commission's report and recommendations and decide at an open public meeting how to proceed on each of the commission's recommended charter amendments, as provided by ordinance.

The county council may propose amendments to this charter by enacting an ordinance to submit a proposed amendment to the voters of the county. The county council shall comply with state law timelines for placing local measure on the ballot and shall place the proposed amendments on the ballot at the next available 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. (Ord. 16599 § 1, 2009; Ord. 8647 § 1, 1988).

Charter Review Recommendations on the County Budget Sections

1. Allows for the Council to originate appropriations ordinances (and makes necessary corrections throughout).
2. Removes the requirement that the Council can only amend the Capital budget when requested to do so by the Executive (and makes necessary corrections throughout)
3. Updates terms and definitions throughout the budgeting article.
4. Allows for longer-term leases in the operating budget (as opposed to the capital budget).

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ARTICLE 4 - FINANCIAL PROCEDURES

Section 405 Biennial Budgets.

The county council may, subject to the provisions of section 230 of this charter, adopt an ordinance providing for a biennial budget cycle for any or all county funds, with a midbiennium review and modification for the second year of the biennium, including specifying the process and timeline for major tasks in the biennial budget process. References in this charter to the fiscal year or to specific dates shall apply to the corresponding annual or biennial period or date for any such fund or funds. Any references to a "quarter of a fiscal year" mean three months. The county council may adopt additional ~~and emergency~~ appropriation ordinances for such fund or funds in the same manner and subject to the same conditions as otherwise provided in this charter. The county council may repeal such an ordinance and revert to adopting an annual budgets for any fund or funds, commencing after the end of any biennial budget cycle. (Ord. 14758 § 2, 2003)

Section 410 Presentation and Adoption of a Budgets.

At least ninety-five days prior to the end of each fiscal year, the county executive shall present to the county council a complete budget and budget message, proposed ~~current expense and capital budget~~ appropriation ordinances to implement the budget, and proposed tax and revenue ordinances necessary to raise sufficient revenues to balance the budget; and at least thirty days prior to the end of the fiscal year, the county council shall adopt appropriation, tax and revenue ordinances for the next fiscal year. (Ord. 16208 § 1, 2008: 981 § 1, 1971).

Section 420 Budget Information.

At least one hundred fifty-five days prior to the end of the fiscal year, all agencies of county government shall submit to the county executive information necessary to prepare the budget. (Ord. 16208 § 1, 2008).

Section 425. Economic and Financial Analysis.

425.10. Forecast Council and Office of Economic and Financial Analysis.

The county council shall by ordinance establish the forecast council, which shall adopt official county economic and revenue forecasts that must be used as the basis for the executive's budget proposals. The county council shall by ordinance establish the office of economic and financial analysis. (Ord. 16207 § 1, 2008).

425.20. Oversight of Office of Economic and Financial Analysis.

The forecast council shall by unanimous vote appoint the chief county economist who shall administer the office of economic and financial analysis. The forecast council shall conduct an open and competitive process to select the chief economist. The chief economist may be removed by a vote of three members of the forecast council. The chief economist shall be responsible for the employment and supervision of those employees whom he or she deems necessary to assist in the performance of the duties of the office.

The forecast council shall approve an annual work program for the office of economic and financial analysis and also may assign additional economic and financial studies to the office. (Ord. 16207 § 1, 2008).

425.30. Forecast Council Composition.

The forecast council shall be composed of the executive, two county council members and a county employee with knowledge of the budgeting and financial management practices of the county to be appointed by the executive. County council members shall be appointed annually by the chair of the county council. Appointments to the forecast council shall not be subject to confirmation. (Ord. 16207 § 1, 2008).

425.40. Revenue Forecasts.

By March 1 and at least one hundred-seventy days prior to the end of each year or alternate dates approved by a majority of the forecast council of each year, the chief economist shall prepare, respectively, proposed preliminary and updated official economic and revenue forecasts for county government and submit these to the forecast council. Forecasts may be adopted or revised by a vote of the majority of the forecast council within fifteen days of their submittal by the chief economist, or the forecast shall be deemed adopted. The preliminary forecast shall be used as the basis for the executive's preliminary budget preparation including preparation of the status quo budget, budget instructions to departments, and preliminary review of departmental submittals to the executive. The updated forecast shall be used as the basis for the executive's proposed budget. The most-current forecast shall be used as the basis for budget amendments. (Ord. 16207 § 1, 2008).

Section 430 Contents of a Budget.

_____ The budget shall include all funds subject to appropriation, revenue estimates and reserves; shall be organized by agency and other units of appropriation; ~~((divided into programs, projects and objects of expense and))~~ shall include supporting data deemed advisable by the county executive or required by ordinance; ~~((shall indicate as to each program, project or object of expense the actual expenditures of the preceding fiscal year, the estimated expenditures for the current fiscal year and requested appropriations for the next fiscal year;))~~ and shall include the proposed capital improvement program for the next six fiscal years. The expenditures included in the budget for the ensuing fiscal year shall not exceed the estimated revenues as forecast under Section 425.40 of this charter, including surpluses and reserves. (Ord. 16207 § 1, 2008).

Section 440 Budget Message.

The budget message shall explain the budget in fiscal terms and in terms of the goals to be accomplished and shall relate the requested appropriations to the comprehensive plans of the county.

Section 450 Copies of Budget.

Copies of the budget and budget message shall be delivered to the clerk and each councilmember. Prior to the public hearing on the budget, the budget message and supporting tables shall be furnished to any interested person upon request, and copies of the budget shall be furnished for a reasonable fee as established by ordinance and shall be available for public inspection. (Ord. 18316 § 1 (part), 2016).

Section 460 Consideration and Adoption of a Budget Appropriation Ordinances

Prior to the adoption of ~~any~~ appropriation ordinances to implement the budget for the next fiscal year, the county council shall hold a public hearing to consider the budget presented by the county executive and shall hold any other public hearing on the budget or any part thereof that it deems advisable. The county council in considering the

appropriations ordinances proposed by the county executive may delete or add items, may reduce or increase the proposed appropriations and may add provisions restricting the expenditures of certain appropriations; ~~but it shall not change the form of the proposed appropriation ordinances submitted by the county executive.~~ The appropriation ordinances adopted by the county council shall not exceed the estimated revenues of the county for the next fiscal year for each fund including surpluses and reserves, but the county council may increase the amount of the estimated revenues contained in the budget presented by the county executive by reestimating the amount by motion passed by a minimum of six affirmative votes or by creating additional sources of revenue which were not included in the proposed tax and revenue ordinances presented by the county executive. (Ord. 14767 § 1, 2004: Ord. 10530 § 1, 1992).

Section 470 Additional Appropriations.

470.10 ~~Contingency Supplemental Appropriations.~~

~~By ordinance, the county council may make supplemental appropriations. Such supplemental appropriations which shall not be expended unless the county executive certifies in writing that sufficient funds are available, and the county council adopts an additional appropriation ordinance after being requested to do so by the county executive.~~

470.20 Emergency Appropriations.

The county council may adopt an emergency appropriation ordinance which may appropriate contingency funds, revenues received in excess of the revenues estimated in the budget and funds from any other source available to the county in an emergency.

470.30 ~~Additional Capital Budget Appropriations.~~

~~The county council shall not adopt an additional or amended capital budget appropriation ordinance during the fiscal year unless requested to do so by the county executive.~~

Section 480 Lapses of Appropriations.

Unless otherwise provided by the appropriation ordinances, all unexpended and unencumbered appropriations in the ~~current expense operating portion of an~~ appropriation ordinances shall lapse at the end of the fiscal year. An appropriation in the capital ~~budget portion of an~~ appropriation ordinances shall lapse when the project has been completed or abandoned or when no expenditure or encumbrance has been made for three years.

Section 490 Interfund Borrowing and Reimbursement.

One agency of county government or fund may reimburse another agency or fund for services rendered, and the county council when requested to do so by the county executive may adopt an ordinance to provide for temporary interfund borrowing.

Section 495 Illegal Contracts.

Except as otherwise provided by ordinance, any contract in excess of an appropriation shall be null and void; and any officer, agent or employee of the county knowingly responsible shall be personally liable to anyone damaged by the action. The county council when requested to do so by the county executive may adopt an ordinance permitting the county to enter into contracts requiring the payment of funds from appropriations of subsequent fiscal years, ~~but real property shall not be leased to the~~

~~county for more than one year unless it is included in a capital a budget appropriation ordinance.~~ (Ord. 18316 § 1 (part), 2016).

1

NEW SECTION – ELECTED REMOVAL

Any officer holding an elective county office may be removed from office, and the office shall be deemed vacant, when it is determined by an ordinance approved by an affirmative vote of at least seven council members that the officer has committed an act or acts of malfeasance or misfeasance while in office, or has violated his or her oath of office. A councilmember shall not vote on his or her own removal. The council shall provide the officer with due notice setting forth the charges upon which the proposed removal is based and indicating the time and place of the council's consideration. The officer shall have the right to be present, to be assisted by counsel, to offer evidence and to be heard in his or her defense. The county council shall adopt by ordinance rules of procedure governing the time, place and conduct of such hearings. An ordinance directing removal shall not be subject to veto or referendum.

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Date Created:	May 29, 2019
Drafted by:	Nick Bowman
Sponsors:	
Attachments:	

1 ..Title

2 AN ORDINANCE proposing to amend the King County
3 Charter to reestablish the office of county sheriff as an
4 executive appointed position; amending Sections
5 350.20.40, 680.10, and 890 of the King County Charter and
6 repealing Sections 645 and 898 of the King County
7 Charter; and submitting the same to the voters of the county
8 for their ratification or rejection at the next general election
9 to be held in this county occurring more than forty-five
10 days after the enactment of this ordinance.

11 ..Body

12 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

13 SECTION 1. There shall be submitted to the qualified voters of King County for
14 their approval and ratification or rejection, at the next general election to be held in this
15 county occurring more than forty-five days after the enactment of this ordinance, an
16 amendment to Sections 350.20.40 and 680.10 of the King County Charter and a repeal of
17 Section 645 of the King County Charter, as set forth herein:

18 **Section 350.20.40 Department of Public Safety.**

19 The department of public safety shall be administered by the county sheriff who
20 shall perform the duties specified by general law. The county sheriff shall be ~~((elected by~~
21 ~~the voters of the county, and the sheriff's term of office shall be four years))~~ appointed by

22 the county executive and confirmed by county council. The department of public safety
 23 shall be an executive department subject to the civil service personnel system and shall
 24 utilize the services of the administrative offices and the executive departments, but it
 25 shall not be abolished or combined with any other executive department or administrative
 26 office and shall not have its duties decreased by the county council.

27 **Section 645 repealed.** Section 645 of the King County Charter, "Sheriff;
 28 Election, Term of Office and Compensation, is hereby repealed.

29 **680.10 Designation, Appointment and Election to Fill Vacancy.**

30 Immediately upon commencing their terms of office, the county executive, county
 31 assessor, county director of elections(,) and county prosecuting attorney (~~and county~~
 32 ~~sheriff~~) shall each designate one or more employees who serve as a deputy or assistant in
 33 such office to serve as an interim official in the event of a vacancy in the elective office of
 34 the county executive, county assessor, county director of elections(,) or county
 35 prosecuting attorney(~~or county sheriff~~), respectively.

36 Except for a designation made by the metropolitan county council, a designation of
 37 an interim official shall only be effective if the county executive, county assessor, county
 38 director of elections(,) and county prosecuting attorney (~~and county sheriff~~), each for
 39 that officer's elective office, complies with the following procedure; commits the
 40 designation to writing; identifies the order of precedence if more than one county officer or
 41 employee is designated; signs the written designation; has the written designation
 42 notarized; files the written designation with the county office responsible for records; and
 43 provides a copy of the written designation to the chair of the metropolitan county council.
 44 The county executive, county assessor, county director of elections(,) and county

45 prosecuting attorney (~~and county sheriff~~) may, at any time, amend such designation by
46 complying with the same procedure established for making the designation.

47 In the event the county executive, county assessor, county director of elections(~~(;)~~)
48 and county prosecuting attorney (~~and county sheriff~~) neglects or fails to make such a
49 designation within seven calendar days of commencing his or her term of office, the
50 metropolitan county council may by ordinance designate one or more employees who serve
51 as a deputy or assistant in such office to serve as an interim official in the event of a
52 vacancy in the elective office of the county executive, county assessor, county director of
53 elections(~~(;)~~) or county prosecuting attorney(~~and county sheriff~~), respectively. A
54 designation made by the metropolitan county council shall be effective upon adoption of
55 the ordinance therefor and may be amended by ordinance; provided that a designation by
56 the county executive, county assessor, county director of elections(~~(;)~~) or county
57 prosecuting attorney(~~and county sheriff~~) which occurs subsequent to the adoption of an
58 ordinance shall take precedence over the designation by ordinance.

59 The designated county officer or employee shall immediately upon the occurrence
60 of a vacancy serve as the interim official and shall exercise all the powers and duties of the
61 office granted by this charter and general law until an acting official is appointed as
62 provided in this section.

63 The metropolitan county council shall, after being appraised of a vacancy in the
64 elective office of county executive, county assessor, county director of elections(~~(;)~~) or
65 county prosecuting attorney (~~and county sheriff~~), fill the vacancy by the appointment of
66 an employee who served as a deputy or assistant in such office at the time the vacancy
67 occurred as an acting official to perform all necessary duties to continue normal office

68 operations. The acting official shall serve until the vacancy is filled by appointment
69 pursuant to general law for nonpartisan county elective offices.

70 A vacancy in an elective county office shall be filled at the next primary and
71 general elections which occur in the county; provided that an election to fill the vacancy
72 shall not be held if the successor to the vacated office will be elected at the next general
73 election as provided in Section((s)) 640 ((and 645)) of this charter. The term of office of an
74 officer who has been elected to fill a vacancy shall only be for the unexpired portion of the
75 term of the officer whose office has become vacant and shall commence as soon as he or
76 she is elected and qualified.

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

80 **Section 890 Employee Representation.**

81 The county council may enact an ordinance providing for collective bargaining by
82 the county with county employees covered by the personnel system. If an ordinance
83 providing for collective bargaining is enacted, it shall not be subject to the veto power of
84 the county executive; and, ~~((except with respect to bargaining by the county with
85 employees of the department of public safety pursuant to Section 898 of this charter*))~~, it
86 shall designate the county executive as the bargaining agent of the county. Any
87 agreement reached as a result of negotiations by the county bargaining agent with county
88 employees shall not have the force of law unless enacted by ordinance.

89 **Section 898 repealed.** Section 898 of the King County Charter, "Department of
90 Public Safety Employee Collective Bargaining", is hereby repealed.

91 SECTION 2. The clerk of the council shall certify the proposition to the manager
92 of the elections division, in substantially the following form, with such additions,
93 deletions or modifications as may be required by the prosecuting attorney:

94 Shall Sections 350.20.40, 680.10 and 890 of the King County Charter be
95 amended and Sections 645 and 898 of the King County Charter be
96 repealed to reestablish the office of county sheriff as an executive
97 appointed position?

DRAFT

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Independence of the Public Defender

Recommendation of the CRC Transparency and Accountability Subcommittee:

The existing Charter language includes sufficient language supporting the independence of the public defender.

Background:

The Charter and King County Code include several elements to address independence. For example, Section 350.20.60 of the Charter includes specific provisions, underlined in the following text, related to system advocacy and independence of the public defense function.

The duties of the department of public defense shall include providing legal counsel and representation to indigent individuals in legal proceedings, including those in the superior and district courts for King County and in appeals from those courts, to the extent required under the sixth amendment to the United States Constitution or Article I, Section 22, of the Constitution of the State of Washington. The department of public defense shall also foster and promote system improvements, efficiencies, access to justice and equity in the criminal justice system. Additional duties may be prescribed by ordinance. Elected officials shall not interfere with the exercise of these duties by the department; however, the enactment of appropriation ordinances does not constitute interference. The department shall not have its duties, as established in this section, decreased by the county council or the county executive.

Additionally, Section 350.20.65 of the Charter specifies the initial selection of candidates for the County Public Defender is assigned to the Public Defense Advisory Board (PDAB).

King County Code Section 2.60.026 also includes provisions to ensure the board has the relevant expertise and represents diverse interests in order to make sound recommendations on the selection of a public defender. The public defender has a 4-year term and can otherwise only be removed by the Executive for cause whereas other appointed department directors serve at will. The public defender can appeal removal to the Council and the Council can either affirm or reverse the removal with an affirmative vote of five Council members.

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King County Public Defense Advisory Board

Kimberly Ambrose, Chair
 PDABB10@kingcounty.gov

Louise Miller, Co-Chair, Charter6@kingcounty.gov

Ron Sims, Co-Chair, Charter9@kingcounty.gov

King County Charter Review Commission

SENT BY EMAIL

RE: Proposed amendment to King County Charter Section 350.20.60

Dear Commrs. Miller and Sims,

I write on behalf of the Public Defense Advisory Board to request an amendment to the King County Charter. The Public Defense Advisory Board (“PDAB”) was established in 2014 to advise the Department of Public Defense (“DPD”), a newly created County Department, and to make recommendations to the County Council and Executive on matters of equity and social justice related to public defense. King County Charter Section 350.20.65; K.C.C. 2.60.031. The Board consists of 11 [members](#) with substantial experience and expertise relevant to the work of DPD, including familiarity with advocating on behalf of accused individuals who are indigent.

Independence of the public defense function is critical to ensure the constitutional rights of poor defendants.¹ Public defenders have both a constitutional and ethical duty² of undivided loyalty to their clients, when representing them against accusations brought by the government. The King County Charter and the Ordinance enacted to implement the Charter recognized this unique relationship between public defenders and the government.

King County Charter Section 350.20.60 currently provides as follows:

Elected officials shall not interfere with the exercise of these duties by the department; however, the enactment of appropriation ordinances does not constitute interference. The department shall not have its duties, as established in this section, decreased by the county council or the county executive.

The King County Ordinance strengthens the independence of DPD by proscribing the duties of the Public Defender to include:

Ensuring that the American Bar Association Ten Principles for a Public Defense Delivery System, as approved by the American Bar Association House of

¹ “[A] defense lawyer best serves the public not by acting on the State’s behalf or in concert with it, but rather by advancing the undivided interests of the client,” *Polk Cty. v. Dodson*, 454 U.S. 312, 318–19, 102 S. Ct. 445, 450, 70 L. Ed. 2d 509 (1981). The Supreme Court concluded in *Polk County* that “a defense lawyer is not, and by the nature of his function cannot be, the servant of an administrative superior” *Id.* at 321.

² These ethical duties are proscribed by the Washington Rules of Professional Conduct.

Delegates in February of 2002,³ guide the management of the department and development of department standards for legal defense representation... of the county public defender's efforts in that regard.

KCC 2.60.026A.4

The Board recommends additional language be added to the Charter to provide consistency with the Ordinance and to clarify that appropriations will not be used as a mechanism to interfere with DPD's constitutionally and ethically required duties:

Elected officials shall not interfere with the exercise of these duties by the department; however, the enactment of appropriation ordinances does not constitute interference. The department shall not have its duties, as established in this section, decreased by the county council or the county executive- If such ordinances do not impair the department's ability to comply with the American Bar Association's Ten Principles of a Public Defense Delivery System (2002), the Washington Rules of Professional Conduct, or any other obligation imposed upon the Department by law. The department shall not have its duties, as established in this section, decreased by the county council or the county executive.

We believe that this minor addition to the Charter will help ensure that DPD retains the independence required to perform its critical function protecting the constitutional rights of accused individuals in King County who are indigent.

Thank you for your consideration and for all of your work on behalf of the residents of King County. Please do not hesitate to call or email if you have any questions or concerns.

Sincerely,



Kimberly Ambrose
Chair, King County Public Defense Advisory Board
PDAB10@kingcounty.gov
206.245.5285

Cc: Patrick Hamacher, Patrick.Hamacher@kingcounty.gov

³ The Ten Principles were adopted by the ABA in 2002 as a practical guide for government officials, policymakers and other parties to set forth the fundamental criteria for designing and maintaining an effective, efficient and high quality public defense delivery system for indigent defendants. The principles can be found at: https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_def_ten_principlesbooklet.authcheckdam.pdf.

Background:

County Council staff provided a report to the Charter Commission detailing the significant changes in our County's demographics. The Commission felt strongly that this information should be integrated in the recommendations of the Charter amendments. While equity and social justice considerations are complex in nature, the Commissioners felt there was a need to take action wherever possible to address this important aspect of our County's well being.

Suggested Amendment Change 1:

From time to time but no less frequently than every 5 years, the Council shall convene a Charter review commission ("Charter Commission") to review and recommend amendments to this Charter.

Rationale:

Significant changes have occurred in the last decade and charter commissions will be responsive to demographic changes with more frequent intervals of review. Additionally some immigrant groups felt eager but currently ill equipped due to capacity and the complexity of the charter process to fully participate. They suggested that more frequent reviews would allow them to create and maintain institutional interest and expertise in the charter review process, allowing them to have a more well formed planning and participation systems to voice the needs and interests of their community in this deliberation. In our research we found other charter commissions met at 10 or less year intervals as well as standing commissions that met on a regular basis without disbanding. Many other charter commissions also have more stringent parameters around participation (such as missing 3 meetings in row is grounds for termination of the appointment) as well as a higher level of consensus needed to pass an amendment (such as 15 out of 20). We have not chosen to make any changes on these parameters at this time but future commissions may choose to do so.

Suggested Amendment Change 2:

The Charter Commission shall be reflective of the County in terms of its racial and ethnic diversity, age, socioeconomic class, sexual orientation, language, and geography. The committee must include members representing the following:

- One representative from a nonpartisan organization active in King County that evaluates policy
- One representative from the Native American community
- One jurisdictional representative (junior taxing district or a city with a population under 20,000)
- One representative from the Disability community
- One representative from the Chinese-speaking community
- One representative from the Vietnamese-speaking community
- One representative from lower socioeconomic community or organization advocating for this community
- One representative from the unincorporated King County
- One representative from the Spanish-speaking community
- One representative from the Korean-speaking community
- One representative who has experience in technology

- One representative from the African American community
- One representative who has experience in criminal justice
- One representative who has experience in public health

Rationale:

While no commission is perfectly representative of their region, and we acknowledge that efforts were made to include some of the components outlined above, further prescribing the composition of the Charter Commission will allow more diverse leaders to have in depth impact on this process. We referred to current King County commissions and committees such as the Elections Oversight Committee to gain insight into similar composition delineation for other volunteer King County Committees and Commissions. We referred to demographic information to ensure we captured those groups most needing representation including ethnic and rural constituencies. Additionally we added expert matters such as criminal justice and public health to reflect the primary budget expenditures of the county.

Suggested Amendment Change 3:

The county will provide training on the charter history and process to all commissioners. This training will include a report from the county of demographic shifts, equity programs and impacts, and must include how, how often, and in what manner the county engaged participation of communities in all of these programs.

Rationale:

The demographic information we were provided was compelling to the Charter Commission, however we are aware that significant equity and social justice research and work has already commenced by the County. So that the next commission can better address the equity and social justice considerations possibly embedded within the charter, we ask to be better informed of the substantial and growing efforts to address ESJ concerns in King County. While we understand that data can sometimes be a limiting factor in reporting ideal equity outcomes, we ask for other pieces of information that are not as research dependent such as detailed accounting of public participation from groups typically underrepresented in civic life. We feel this information would be an excellent foundation for the Commissioners to best understand the state of equity efforts. We understand that such changes may require ordinance modification to operationalize such data points such as public participation engagement strategies, growth, and other documentation perhaps is not currently mandated.

Suggested Amendment Change 4:

Six months prior to the launch of the charter process, the county must reach out to at least 100 community groups to convey the importance and possible impact of charter changes. At least 60 of these organizations must focus on equity and social justice issues.

Rationale:

We understand that the Charter is in itself is complex and difficult to react to by low capacity groups focusing on equity and social justice related issues. Robust community input was a challenge for this current commission resulting in nearly all charter amendment ideas originating from the Charter commissioners themselves. In discussing the matter with some immigrant groups, we have found that more notice of the inception of this

process as well as detailed dates and expectations, would allow them to plan staff time to be responsive to the Commission.

Suggested Amendment 5:

AN ORDINANCE proposing to amend the Preamble to the King County Charter to add equity, clarity that government is available for all, enhancement of a strong rural and urban environment and economy, replacing the word citizen with resident, stating that the county should provide a superior quality of life through recreational, art and cultural opportunities, making grammatical corrections; amending the Preamble to the King County Charter;

Rationale/Questions:

This is the current changes as proposed by Kinnon Williams and his committee. I believe there was interest from our committee to add specific groups such as LGBTQ to the charter. I do not have those exact suggestions in my notes, so we can discuss the verbiage changes during our meeting.

Other recommendations:

The Commission recommends scheduling an informal meeting between some of its members and members of the next Charter Review Commission at the beginning of the next Commission's term. Commission members felt that they would have benefited from the insight and experiences of members of the prior Commission, and believe that establishing, even informally, some level of continuity, will allow the next Commission to "hit the ground running" and function more efficiently.

We also feel that a grounding process, which includes an general and an equity visioning exercise and a relationship building time allotment for the commissioners, would have greatly expedited our ability to understand our individual ideas and background so we could better create a collective vision for the charter.

Finally in light of how difficult it has been to garner community input, we recommend the next commission rely on the county's existing infrastructure of their boards and commissions, especially the immigrant and refugee commission as well as the civil rights commission to ensure equity considerations are highlighted.

Rationale:

We are appreciative that County staff have been thoughtful to not limit or otherwise influence Commissioners by introducing information that might hem in how we want to conduct this current process. However we feel that understanding best practices from the last commission would allow us to be more effective and efficient. We feel that some overlap may help the next commission quickly get up to speed on how best to proceed in the planning and execution of their Commission. We also feel the above recommendations will allow the charter commission to better represent all of King County in their process.

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Antidiscrimination proposal: Apply to KC as employer and KC as contract party

- Add use of trained service animal
- Add status as family caregiver
- Add honorably discharged veteran or military status

Section 840 Antidiscrimination.

There shall be no discrimination in employment or compensation of county officers or employees on account of sex, race, color, national origin, religious affiliation, disability or the use of a trained service animal by a person with a disability, sexual orientation, gender identity or expression, ~~or~~ age except by minimum age and retirement provisions, status as a family caregiver, or honorably discharged veteran or military status., and the county shall not enter into any contract with any person, firm, organization, corporation or other nongovernmental entity that discriminates on the basis of sex, race, color, national origin, religious affiliation, disability or the use of a trained service animal by a person with a disability, sexual orientation, gender identity or expression, ~~or~~ age except by minimum age and retirement provisions, status as a family caregiver, or honorably discharged veteran or military status. (Ord. 16204 § 1, 2008).

Background info on caregiver status:

	Paid Family and Medical Leave	Anti-discrimination charter provision	Anti-discrimination charter provision
To whom does it apply?	Employee who has worked 820 hours in qualifying period.	County officers and employees	Any person/firm that contracts with county
For what does it apply?	Qualifying event: <ul style="list-style-type: none"> • Bonding after birth or adoption • Family member’s serious health condition • Military exigency 		
Definition	Family member: employee’s child, grandchild, grandparent, parent, parent-in-law, sibling, and spouse.		
Job protection	Applies only to employers with over 50 employees.		
Anti-discrimination prohibition	Prohibits an employer from denying the employee's rights or discriminating against an employee for exercising the rights under the act.	No discrimination in employment or compensation of county officers or employees on basis of protected class	County cannot contract with person/firm that discriminates on basis of specified protected class.

Paid family and medical leave anti-discrimination provisions apply to all employees in the state, including King County employees (though it might not apply to all officers). The anti-discrimination protections would also apply to all in-state employees of employers with whom King County contracts.

So if caregiver is synonymous with definition of covered activities under paid family and medical leave act, then caregivers already enjoy anti-discrimination protections.

To whom does PFML not apply: employees who have worked fewer than 820 hours in qualifying period; non-employees (independent contractors, partners, owners, self-employed); employees outside the state; tribes; federal employees.

Equity Subcommittee Recommendation to Full Charter Review Commission

Executive Personnel Requests

June 24, 2019

Background: Initially, the Executive has requested a number of changes to the personnel system as part of the Charter Review Process. However, the Executive narrowed its requested changes to one proposal related to the career service system. The Equity subcommittee met with stakeholders, discussed the various legal and personnel issues and is recommending that the Commission move forward with this proposed amendment with one change, agreed to by the Executive.

The Career Service System is intended to insulate day-to-day employees from political pressure and patronage. Also known in other context as a civil service system, this process covers most non-executive level employees that work for King County. The exclusions from coverage are individually defined by the charter. While they are not included in the charter's list of exemptions, positions like Division Directors and their confidential secretaries are excluded by county code. Thus, there is a risk that these exemptions are not authorized by the charter.

Both the Executive and the committee wanted to be careful about over-inclusion and developed language to exempt leadership positions as defined in ordinance. This would ensure that the current exemptions are valid, allow an open political process to determine any further exemptions, and it would also allow a more flexible response to the County's evolving structures and future leadership positions. We would want a careful review by the PAO before the language is finalized to ensure that the current exemptions in the code are covered by this language.

Recommendation:

The Subcommittee recommends that the CRC move forward with adding the concept of **"such other leadership positions as determined by ordinance"** to Section 550 of the King County charter. We further note that we recommend the Prosecuting Attorney labor section work up the final version and let the CRC know if it differs in a meaningful way.

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KC-CRC SCHEDULE PLANNER 2019-2020

PROJECT	CHARTER REVIEW COMMISSION	Calendar for Charter Review Commission Sub-Committees, full Commission Meetings and Final Report development.
VERSION	6 MONTH EXTENSION V3-20-19	

PROJECT PHASE	STARTING	ENDING	SUB-COMMITTEES:
1. SUBC: PURPOSE + LEGAL	March 27 to	May 21	EQUITY FOR ALL
2. CRC EARLY ACTION PROPOSALS	April 24	April 24	TRANSPARENCY AND ACCOUNTABILITY
3. CRC DETERMINE AMENDMENT PROPOSALS	May 22 5:30-8:30PM	May 22 5:30-8:30PM	ACCESS
4. SUBC: BUDGET+FEASIBILITY +OUTREACH	May 23 to	June 25	REGIONAL COORDINATION
0. CRC STATUS REPORT OUT MEETING	June 26 and	September 11	
5. SUBC FINALIZE AMENDMENT TEXT	June 27 to	September 11	
6. CRC DRAFT AND FINAL REPORTS	Sept 25, Oct 9	Oct 23, Nov 6, Nov 20	OUTREACH - TOWN HALLS

MARCH							APRIL							MAY							JUNE							JULY							AUGUST							
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SEPTEMBER							OCTOBER							NOVEMBER							DECEMBER							JANUARY							FEBRUARY								
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Key Dates:

- April 24th** Vote on proposals that would be sent to Council for consideration for this year's Ballot.
- May 22nd** (Extended Meeting) Vote to determine proposals that will move forward for further consideration by the Commission.
- June 26th** Status report from Sub-Committees on budget, feasibility and outreach results for each proposal. Deadline for proposals from subcommittees to staff to develop amendment language.
- September 11th** Review staff proposed amendment language for each topic.
- September 25th** Materials for town hall meetings in October.
- October 9th** CRC discussion of full Draft Report and preparations for Town Halls.
- October 23rd** CRC discussion of feedback from Town Hall regarding full Draft Report.
- November 6th** Final Draft Report reviewed and completed by Commission.
- November 20th** Final Report completed by Commission.