

REPORT OF THE KING COUNTY CHARTER REVIEW COMMITTEE

King County Charter Review Committee

August 1971

TO: King County Council

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RE: Report of the King County Charter Review Committee

Under Article 8 General Provisions, Section 800 Charter Review amendments, the King County Charter states:

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

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

#### Background

The first King County Charter Review Committee of 13 members was formed by the King County Executive pursuant to Section 800 of the County Charter for the purpose of reporting to the County Executive and the County Council those amendments, if any, which should be made to the Charter. It has met 12 times since it was appointed, August 1970.

Reviewing King County's financial history, debts, expenditures and budgets with Lloyd Hara, County Legislative Auditor, and Charles Collins, Administrative Assistant to the County Executive.

The Committee also reviewed and discussed the Legislative Branch, the County Council size, full or part time members, the role of the Council under the Charter, and allowing the Charter to be amended by Initiative. All proposals for revision of the Charter in these areas were rejected.

Early in the deliberations of the Committee an announcement was made through newspaper articles and through the County Executive's office requesting that any interested person submit in writing and/or present in person to the review committee any suggested Charter revisions. All of the suggestions and amendments proposed by citizens, groups, elected officials and administrators were included in the minutes and indexed. The index and the Committee's minutes are attached as an Appendix to this report.

The Committee considered all proposals twice, when they were presented and again when all the proposals had been assembled. In February, 1971, the Committee approved a motion that "ALL MOTIONS TO OFFICIALLY AMEND THE CHARTER MUST BE PROPOSED AT ONE MEETING AND NOT BE VOTED UPON UNTIL AT LEAST THE NEXT MEETING", to prevent hasty decisions.

The purpose of the Review Committee was to identify problem areas existing the the operation of the county government and to

Propose alternative solutions. Where Charter amendment is necessary to accomplish the proposed change, a Charter amendment is proposed. Where an ordinance would suffice, an ordinance is recommended. Where state law is necessary, remedy by the legislature is suggested.

Finally, not all problems can be answered through amendments or enacting new laws. Where a legal solution to a problem is not required, the Committee recommends alternative practices and procedures.

#### CHARTER AMENDMENTS

(NOTE: Specific language and explanation already typed)

The three amendments are items which will clarify the Charter and improve the operation of county government. Copies of the specific amendments were sent to the County Council Chairman Robert Dunn following the Committee approval of the specific language at our meeting on August 17, 1971.

#### ORDINANCES

##### 1. Post Election Campaign Contributions

The Committee recommends that no changes be made to the Charter provisions on campaign expenditures, but recommends that the campaign contributions and expenditure's ordinance be amended to require all elected officials to account for all donations, loans, or other contributions received by elected officials after as well as prior to the election. Such an ordinance should include the requirement that any method or sources used to liquidate campaign debts be reported by means of a supplemental report of campaign contributions.

the present Board of Appeals while sitting as a Board of Equalization. The restrictions placed by state law on the size of county board of equalization, as indicated in the August 3, 1971 opinion of the prosecuting Attorney, prevent the county from providing effective relief, either by means of charter amendment or county ordinance.

Some relief will be afforded to the Board of Equalization from the Tax Advisor created by the 1971 Legislature. The Committee recommends that county officials consider new methods to improve the public information on current property taxation and local government's annual and capital budgets.

The Committee recommends that the Board of Appeals use the adversary method in their procedures rather than the inquisitory method.

County Ordinances are proposed by the Committee to:

1. Define County Administrative Hearings, Rules & Procedures, and
2. Require that appears to the Board of Appeals on administrative decisions be on the record if there has been a full hearing and there is no new evidence or facts.

#### STATE LEGISLATION

##### 1. Inquests

State Legislation is recommended to:

1. Provide that District Court Judges serve as inquest officers, and
2. Define inquest rules and uniform procedures.

There is a need for statewide reform of inquest procedures. State legislation is required to assure that District Court Judges are required to serve as inquest officers. Therefore, the Committee supports change in state law at the next session of the Washington State Legislature.

PRACTICES AND PROCEDURES

1. King County Airport

The Committee advocates that King County contract for the common management of Boeing Field and Seattle-Tacoma Airport.

2. Legislative Procedures

The Committee suggests that the County Council review the performance of its committee structure now that it has had a trial period, and that it establish guidelines and administrative procedures and authority for handling non-legislative business, to reduce the routine workload of the Council. Now that the initial ordinances required by the Charter have been passed, and the Transitory period is over, the Council should review previous Resolutions and policies of the Board of County Commissioners and update, revise and modernize county policies, programs, plans and facilities. While the Comprehensive Plan is under revision, the Council should be actively involved in the review of the County's past, present and future needs, its development in recent years and alternative policies and plans for future county programs, services and community development.

Councilman whose constituency is completely within an incorporated area should devote more time to seeking better intergovernmental relations and cooperation, and a reduction in the duplication of programs and services.

5. COMMITTEE STATEMENT SUPPORTING IN PRINCIPLE THE COUNTY ASSUMPTION OF POLITICAL RESPONSIBILITY FOR METRO.

The Committee recommends the assumption by the County of political responsibility for the municipality of Metropolitan Seattle. The

committee further recommends that the municipality of Metropolitan Seattle maintain its own identity for taxing and bonding purposes. Because of the August 3, 1971, opinion of the Prosecuting Attorney, the Committee feels that a charter amendment would not be effective to accomplish this proposed change. The proposed change is, therefore, recommended in principle without the recommendation of specific charter amendment.

Under the proposed change, the Committee recommends that King County government be substituted for the Metro Council. Under this system the Metro Council would be abolished and the legislative functions of Metro would be assumed by the King County Council and the executive and the administrative functions assumed by the King County Executive.

Metropolitan Municipal Corporations were established by Chapter 213 of the Laws of 1957 which provided the following as a declaration of the policy and the purpose of Metropolitan Municipal Corporations:

It is hereby declared to be the public policy of the State of Washington to provide for the people of the populous metropolitan areas in the state the means of obtaining essential services not adequately provided by existing agencies of local government. The growth of urban populations and the movement of people into suburban areas has created problems of sewage and garbage disposal, water supply, transportation, planning, parks and parkways which extend beyond the boundaries of cities, counties and special districts. For reasons of topography, location and movement of population, and land conditions and development, one or more of these problems cannot be adequately met by the individual cities, counties and districts of many metropolitan areas.

and counties to act jointly to meet these common problems in order that the proper growth and development of the metropolitan areas of this state may be assured and the health and welfare of the people residing therein may be secured..

The majority of the Committee feels that the adoption of home rule charter government in King County answers the needs and problems expressed in the declaration of policy and purpose referred to above. An important disadvantage of a government of governments in a democratic society is that it is not directly responsible to any constituency of citizens. The committee feels that the proposed method of governing Metro will be more responsive, accountable, representative and consistent with the standard "one man, one vote".

We are supporting this politically controversial proposal to open the public discussion over the role of a reorganized County in the performance of urban services. The County, now that major internal reorganization has been effected, is the general purpose government of a large enough area to assume many of the metropolitan functions. The county is assuming more responsibility in planning, garbage disposal, parks and parkways, and transit, four of the six potential responsibilities of Metro. The 1971 State Water Resources Act requires county participation in the state plan for water management. The 1971 Sewer and Water Act sets standards to be met by counties and districts and reestablishes county committees to review local water and sewer plans and amendments to them.

We also are aware that the state's voters will be asked to approve SHJR 21, the County-City Consolidation Amendment in November 1972.



between local governments, and a reduction of the duplication of local services, programs and facilities. Freeholders elected under the provisions of EHJR 21 would have a greater latitude to reorganize local government than the King County Freeholders did under the Home Rule Amendment 21.

#### FINAL COMMENTS

Generally, the overall performance of the Charter and King County government has been successful. The County Auditor, ex-officio member of the Charter Review Committee individually reviewed the Charter and submitted the following evaluation of the Charter. ". . . one can state that the Charter has been a workable instrument and its officials have not been unduly limited to perform their duties and responsibilities. It has offered a governmental framework that has greater representation, separation of powers, more clearly defined responsibility, improved administration and coordination, a capability to install modern procedures for planning and fiscal management, and administrative and legislative flexibility to meet changing socio-economic conditions. Even though the Charter and the government have been criticized, the freeholders drafted a very flexible document which can withstand the test of time. Most changes can be legislated and do not require Charter amendments to resolve a particular problem. Over time, many of the legal questions surrounding Home Rule county powers will be defined by the courts which in turn will allow the Council to enact legislation to further clarify the responsibilities

of county government. One can observe both the Council and Executive establishing new policy, enacting legislation and adopting new administrative procedures so that county government can function more effectively and efficiently. The Charter has been tested for only two years, and already it has proven to be a very workable document." (5/13/71)

The King County Home Rule Charter has now been in effect for 27 months, during which time it has been challenged by a County Initiative to Repeal the Charter in which the State Supreme Court ruled 5 to 3 that home-rule Charter government is not subject to dissolution by Initiative, and a campaign to recall the County Executive which failed. A challenging childhood for the first Home Rule Charter in Washington State.

No charter can guarantee the performance of elected officials - - that is the voter's task, but the Charter can guide elected officials and public employees into the correct channels to protect and represent the public's interest.

The citizen review process which looks into and studies all areas of county operations and permits evaluation is a valuable practice for the continuing health of local government, and should be encouraged. Unfortunately too few citizens are aware of the important internal improvements that the Charter initiated, and the money that has been saved under the new government.

The Committee wishes to acknowledge and thank the Prosecuting Attorney's office, the County Executive, the County Administrator, the County Council and their staff and citizens who assisted in the

records be preserved for reference.

DON McDONALD, Chairman  
RICHARD ALBRECHT  
VICK GOULD  
VIRGINIA GUNBY  
MADELINE LEMERE

CHARLES O. MORGAN  
PAYTON SMITH  
FRED TAUSEND  
SIMON WAMPOLD

Attached Minority Statements

1. Vick Gould
2. Simon Wampold

cc: ~~King~~ County Executive  
Lloyd Hara

V  
PROPERTIES  
VICK GOULD

August 24, 1971

TO: King County Charter Review Committee and Honorable John Spellman,  
County Executive

RE: Minority Report - reduce Council to 5 members or operate Metro

FROM: Vick Gould

Great dedication to the concept of representative government directly elected by the people constrains this minority report. Common sense makes economy in government imperative.

I can see no logical justification for the extravagance of 9 full time councilmen for County Government at taxpayers expense without commensurate increase in duties, benefits and tax savings to the taxpayer.

We have inexcusable waste of tax dollars by duplication and proliferation of taxing authorities, tax paid employees and public servants, stacked one on top of the other, all serving the same political constituents in the King County - Metro - Seattle area.

The most glaringly obvious example is Metro-Council which is not elected at all. The membership is appointed only and therefore politically unresponsive to the people, yet the political boundaries are now identical with King County and great savings to the taxpayer could be achieved by consolidating these two governmental bodies. County Council should either be reduced to a maximum membership of 5 or the County should assume the political functions of Metro-Council.

Sincerely,



Vick Gould