



**2007-2008 King County
Charter Review Commission**

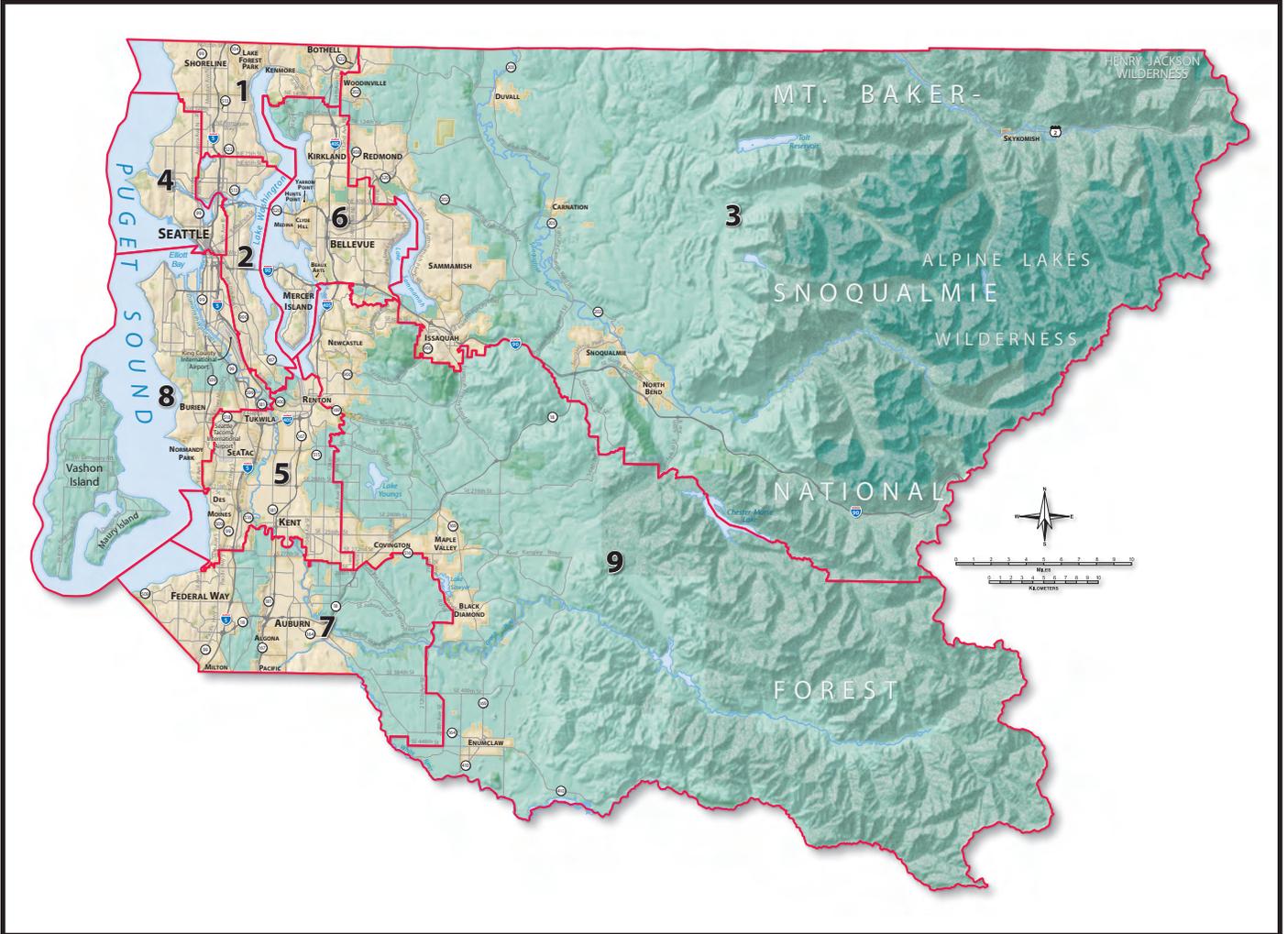
Final Report and Recommendations



*Recognizing Forty Years of
Good Governance*

**King County, Washington
May 2008**

King County Council Districts



Map courtesy of Metropolitan King County Council. Cartography by the King County GIS Center.

King County Charter Review Commission Members

Mike Lowry, Co-Chair, District 9

Lois North, Co-Chair, District 4

Trisha Bennett, District 7

Juan Bocanegra, District 2

Doreen Cato, District 6

Jim English, District 8

Dan Gandara, District 2

Bryan Glynn, District 4

Darcy Goodman, District 2

John Groen, District 3

Kirstin Haugen, District 1

Tara Jo Heinecke, District 5

Gregg Hiramawa, District 4

John Jensen, District 9

Terry Lavender, District 3

Gary Long, District 8

Sharon Maeda, District 8

Allan Munro, District 8

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Mike Wilkins, District 4

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May 30, 2008

To: Metropolitan King County Council

From: King County Charter Review Commission

Re: Final Report and Recommendations of the Charter Review Commission

On behalf of the King County Charter Review Commission, we are pleased to present you with our final report and recommendations. This report is the culmination of a process that spanned more than a year. It is the result of much hard work and dedication by the Commission, and by the many citizens and organizations that believe in maintaining the effectiveness of King County government. We are confident that our proposed charter amendments will enhance King County's government, while preserving the enduring constitution that was crafted by our Charter's Freeholders in 1968. The Commission urges the Council to adopt these recommendations.

In order to ensure that the King County Charter continues to function as a sound guide for county government and reflect our fundamental public values, the Commission undertook a thorough examination of the state of the county. The Commission identified issues that could be addressed by amending the King County Charter, as opposed to those that fall outside its purview. Then the Commission selected for thorough study those issues that were of such significance that they warranted possible changes in the King County Charter. Our proposed amendments incorporate input from hundreds of King County citizens, community leaders, current and former elected officials, county department heads, and good government organizations, all of whom offered invaluable insights into the issues the Commission considered.

The Commission has suggested a three-year schedule (see page 14) for bringing its twelve proposed amendments to a vote of the people. We anticipate that the 2008 election year's Presidential contest will likely overshadow proposed charter amendments, while the 2009 ballot will focus more heavily on county races. In addition, the November 2008 ballot will already include a number of charter amendments not initiated by the Commission.

We, as the Co-Chairs, ask that the Executive reconvene this Commission after the November 2008 election to review the progress on the Commission's proposed amendments. We would welcome the opportunity to report our findings to the Council following that review.

We look forward to working with Councilmembers to ensure that the Charter meets the challenges of today's county while honoring forty years of good government. We greatly appreciate the opportunity to serve the people of King County.

Sincerely,

THE 2007-2008 KING COUNTY CHARTER REVIEW COMMISSION



Mike Lowry, Co-Chair



Lois North, Co-Chair

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Acknowledgements

The 2007-2008 Charter Review Commission acknowledges a debt of gratitude to the many individuals, public officials and organizations whose contributions and support made the Commission's work possible. The Commissioners extend special thanks to:

- King County Executive Ron Sims, who appointed the Commissioners, dedicated resources to the Charter review process, and actively supported the work of the Commission;
- King County Councilmembers, who monitored the Commission's work and provided input to the Commission upon request, and whose staff sustained a highly productive working relationship with the Commission;
- The Prosecuting Attorney's Office for assigning dedicated, skillful and supportive staff to provide legal counsel to the Commission;
- The many knowledgeable and accomplished guests of the Commission who contributed their time and expertise over the course of the Commission's deliberations, ensuring that Commissioners were well-informed about the Charter issues before them;
- The staff of the Charter Review Commission, Council, the Executive's Office and the Department of Natural Resources and Parks and, especially;
- The many individual citizens, good government groups and other organizations who participated in the Charter review process by sharing their comments on the Charter and advocating for new ways to address the challenges that King County faces now and in years to come.

I. Executive Summary

About the Charter Review Commission

As the constitution for King County, the Charter provides the foundation for the county's governance structure. The Washington State Constitution authorizes counties to create their own "home rule" charters. Charter counties have broad authority to address local governance issues.

The Charter specifies that, at least once every 10 years, the King County Executive shall appoint a citizen commission to review the Charter. In January 2007, Executive Ron Sims appointed 21 members to the county's fifth Charter Review Commission. The Commission includes members from a wide variety of professional, political, geographic and ethnic backgrounds.

The King County Executive and Council believe that the Charter remains an essentially sound and enduring foundation for King County's government. The 2007-2008 Charter Review Commission is committed to preserving the lasting integrity of the King County Charter.

The Charter Review Process

The King County charter review process began with an extensive public outreach campaign. In spring and summer of 2007, the Commission reached out to the public, as well as hundreds of groups and organizations and many government officials, to gather input on the Charter. Nine public meetings were held around the county, one in each Council district.

After gathering information from King County citizens, officials and good government groups, the Commission began its deliberation process. As part of the process, in fall of 2007 the Commission established four subcommittees to prioritize issues, gather additional information and develop and propose recommendations to the full Commission. In early 2008, the Commission deliberated on the subcommittees' proposals to determine which should be recommended to the King County Council.

Beginning in April 2008, the Commission invited public comment on its proposed charter amendments. The Commission held four public hearings, and also welcomed input from the public through email, phone, letter, and its website. Nearly 100 citizens attended the hearings, and the Commission received over 200 comments.

The Commission completed its work in May 2008, and transmitted its recommendations to the King County Council. The Council is charged with considering the recommended changes and deciding which of the Commission's proposed amendments will come before King County voters in upcoming general elections. A majority vote of the people is required to pass a charter amendment.

PROPOSED AMENDMENTS

- **Anti-Discrimination:** Prohibit discrimination based on disability, sexual orientation, and gender identity or expression in county employment and contracting.
- **Budget Timeline:** Provide the County Council with an additional 20 days to review the Executive's proposed budget, providing a total of 65 days for review.
- **Charter Amendment by Citizen Initiative:** Clarify the process by which citizens may amend the charter through initiative, and increase the signature threshold to 20 percent.
- **Commission Procedures:** Clarify the Commission appointment and confirmation process, and require the County Council to review all charter review commission recommendations and decide at an open public meeting how to proceed on each recommendation.
- **Elections Deadlines:** Authorize the county to establish deadlines by ordinance for submitting local ballot measures to the Elections Division.
- **Elected Officials and Collective Bargaining:** Require the Executive to provide for increased involvement of separately elected county officials, including the Sheriff, in collective bargaining.
- **Open Space Protection:** Establish additional protection for over 100,000 acres of open space properties in which the county owns an interest.
- **Qualifications:** Permit the council to establish additional qualifications for separately elected officials who head charter-based departments.
- **Regional Committees:** Reduce the number of County Councilmembers on regional committees, establish a vice-chair position to be filled by a non-Council member; and increase the authority of committees to initiate legislation and, in the case of the Regional Policy Committee, to adopt its own work program, including new subject matter which involves regional policies or plans.
- **Unincorporated Areas Representation:** Designate a high-level position within the Office of the Executive to represent the interests of rural and urban unincorporated area residents, and amend the Charter Preamble to reflect the county's commitment to unincorporated areas.

The Commission also recommended two non-substantive, technical amendments:

- **Budget Allotments:** Remove the outdated requirement that county agencies submit estimates of spending to the Executive.
- **Transitory Provisions:** Remove obsolete charter language pertaining to the county's transition to a home rule charter government and consolidation with Metro.

In addition, the Commission recommended non-charter action on two significant issues of great concern to the public:

- Instant Runoff Voting: Recommend that the Council convene a citizen commission no later than January 2010 to examine Instant Runoff Voting and report its findings to the Council by January 2011 (see page 48).
- King County Library System: Recommend that the Council, Executive and King County Board of Trustees take specific actions to improve the library system's management and operation (see page 45).

II. The Charter Review Process

About the Charter

As the constitution for King County, the Charter provides the foundation for the County's governance structure. The Washington State Constitution authorizes counties to create their own "home rule" charters. Home rule charter counties have broad authority to address local governance issues, such as determining the form of county government, establishing county initiative and referendum processes, providing for the appointment or election of county officers, and other matters that are not in conflict with state law.

The Charter serves another important function as well. The Charter is the framework within which King County fulfills its local government responsibility to the citizens of unincorporated King County, while also enabling the county to evolve into a regional government that serves all of its citizens.

Regular review of the Charter ensures that King County government can continue to be responsive, dynamic and innovative. Federal and state laws and regulations, as well as county demographics, undergo significant changes over time. In order to assure that the King County Charter will continue to function as an effective guide for King County government operations and to reflect fundamental public values, the King County Charter is reviewed at least every 10 years.

The King County Charter calls for the appointment of a citizen commission to conduct the charter review. In addition, the County Council may review and propose charter amendments outside of the commission process. Regardless of how it is reviewed, the Charter explicitly authorizes the Council to place charter amendments onto the ballot. A Washington Supreme Court decision has also confirmed that the Charter allows for citizen-initiated charter amendments.

History/Development of the Charter

In the 1960s, King County government experienced a series of scandals involving the Assessor's office, the Prosecutor's office and a project to remodel the King County Courthouse. In response to these scandals, the League of Women Voters and the Municipal League of King County conducted a review of county government. These civic organizations petitioned the King County Commissioners to hold an election of freeholders who could draft a home rule charter for King County. While the Commissioners ruled the petition out of order, they noted the growing strength of the charter movement and eventually put the election of Freeholders on the 1967 primary and general election ballots. The Freeholders' charter proposal was approved by the voters. On May 1, 1969, King County became Washington State's first home-rule charter county.

State of the County over the Past Decade

The 2007-2008 Charter Review Commission is the first commission to convene in the new millennium. King County's political landscape has changed significantly since the 1996-1997 charter review process. That review took place five years after King County assumed control of Metro, thereby consolidating or realigning many former King County Metro functions and services. The consolidation greatly expanded King County's regional scope, adding significantly to the county's existing responsibilities.

Over the course of the 2007-2008 Commission's review, it has become apparent that the county faces a number of challenges:

- Some rural residents express continuing dissatisfaction with the county's approach to rural affairs. In particular, the new restrictions on land use created by the Critical Areas Ordinance, which was adopted in 2004 as part of the Growth Management Act's (GMA) requirements, contributed to discontent in some parts of the county.
- Also as part of the GMA's requirements, King County continues to pursue a policy of encouraging cities to annex unincorporated areas within the urban growth boundary. While many urban unincorporated areas have been annexed, the county faces increasing financial difficulties in providing local government services to the remaining unincorporated areas.
- The 2004 gubernatorial election process and results were highly contentious; consequently, the King County Elections Division came under intense scrutiny, which continues to this day. This has been the impetus for citizen initiatives and a call for the office of Elections Director to be an elected position. There is recent precedent for converting appointed positions into elected offices: in 1996, the Sheriff became an elected office.

In spite of these challenges, the King County Executive and Council believe that the Charter remains an essentially sound and enduring foundation for King County's government. The 2007-2008 Charter Review Commission has been committed to preserving the lasting integrity of the King County Charter.

The Commission

The Commission includes members from every Council district; different political parties; rural, unincorporated, suburban and urban areas; diverse ethnic and racial backgrounds; and a range of professions. Many Commissioners have had legal or public service experience.

Co-chair Mike Lowry, Renton, *former Washington State Governor and former King County Councilmember (District 9)*

Co-chair Lois North, Seattle, *former King County Councilmember (District 4)*

Trisha Bennett, Federal Way, *Vice President of Government Affairs, Bennett Forest Industries (District 7)*

Juan Bocanegra, Seattle, *Community Activist, NW Empowerment Institute (District 2)*

Doreen Cato, Bellevue, *Executive Director, First Place (District 6)*

Jim English, Vashon, *President, Vashon-Maury Island Community Council (District 8)*

Dan Gandara, Seattle, *Attorney, Vandeberg Johnson & Gandara; President, King County Bar Association (District 2)*

Bryan Glynn, Seattle, *Legal Counsel, Cascade Land Conservancy (District 4)*

Darcy Goodman, Seattle, *former King County District Court Judge (District 2)*

John Groen, Redmond, *Attorney, Groen Stephens & Klinge LLP (District 3)*

Kirstin Haugen, Bothell, *Account Executive, Mercury (District 1)*

Tara Jo Heinecke, Des Moines, *Business Representative, International Association of Theatrical and Stage Employees Local 15 (District 5)*

Gregg Hirakawa, Seattle, *Attorney and Deputy Director, Washington Bar Association (District 4)*

John Jensen, Newcastle, *former President, Newcastle Chamber of Commerce (District 9)*

Terry Lavender, Woodinville, *Citizen Activist, King County Conservation Futures (District 3)*

Gary Long, Seattle, *Former City Manager, Burien and Carnation (District 8)*

Sharon Maeda, Seattle, *President, Spectra Communications (District 8)*

Allan Munro, Seattle, *Attorney (District 8)*

Sarah Rindlaub, Mercer Island, *Past Chairman, Washington Policy Center (District 6)*

Mike Wilkins, Seattle, *former King County Deputy Assistant County Executive (District 4)*

James Williams, Federal Way, *Partner, Perkins Coie (District 7)*

The Commission formed four subcommittees to prioritize issues, gather information and provide recommendations to the full Commission:

1. *Governmental Structure* – examined the county’s overall governance structure including elected/appointed offices, partisanship, and elections.
2. *Regional Governance* – examined issues addressing the county’s role as a regional government including regional committees and departmental issues.
3. *Rural/Local Issues* – examined rural and urban unincorporated area representation and governance, and other issues relevant to the rural and unincorporated areas of the county.
4. *Ad Hoc and Technical* – examined proposed amendments that were considered technical or that did not fall within the scope of other subcommittees, and assigned them to subcommittees (see Appendix F).

Charter Review Commission – Subcommittee Members

Governmental Structure	Regional Governance	Rural/Local	Ad Hoc & Technical
Trisha Bennett	Juan Bocanegra	Jim English	Bryan Glynn
Dan Gandara	Kirstin Haugen	John Groen	John Jensen
Darcy Goodman	John Jensen	Mike Lowry	Terry Lavender
Kirstin Haugen	Gary Long	Gary Long	Gary Long
Gregg Hirakawa	Sharon Maeda	Allan Munro	Mike Wilkins
John Jensen	Lois North	John Jensen,	
Mike Lowry	Mike Wilkins	<i>Co-Chair</i>	
Lois North	James Williams	Terry Lavender,	
Sarah Rindlaub,	Bryan Glynn,	<i>Co-Chair</i>	
<i>Chair</i>	<i>Chair</i>		
Tara Jo Heinecke,	Doreen Cato,		
<i>Vice-chair</i>	<i>Co-chair</i>		

2007-2008 Charter Review Process

The 2007-2008 charter review process began in January 2007, when Executive Sims formally appointed the 21 members of the Charter Review Commission. The Commission concluded in May 2008 when it transmitted this final report to the Council. The Council has the authority to place the Commission's proposed amendments before King County voters in upcoming general elections.

Public Outreach Phase: April 2007-August 2007

The first phase of the King County charter review process was an extensive public outreach campaign. The Commission reached out to the public, as well as hundreds of groups and organizations and many government officials, to gather input on the Charter. Over 800 letters and emails were sent to organizations and officials seeking comments about how the Charter should be changed.

TIMELINE WITH KEY DATES

Feb-Aug 2007	Sept 2007-Mar 2008	Apr-May 2008	June-Nov 2008
Gather Issues and Public Hearings	CRC Deliberations	Public Comment Period	Transmit Amendments and Public Vote
<p>Feb 27, 2007 First meeting</p> <p>Mar-June 2007</p> <ul style="list-style-type: none"> • Issue gathering • Written feedback • Community group presentations <p>June-July 2007 Hold 9 public hearings</p>	<p>Sept 2007 Form subcommittees</p> <p>Oct 2007 Deliberations commence</p> <p>Mid-Mar-Early Apr 2007 Begin drafting Report and recommendations</p> <p>Mar 29, 2008 Deadline to complete work on draft proposed charter amendments and Report</p>	<p>Apr 2008 Public comment begins on proposed charter amendments. Hold 4 public meetings</p> <p>April 29, 2008 Last official meeting: finalize list of all amendments in report</p> <p>May 30, 2008 CRC transmits final Report and recommendations to Council</p>	<p>June 16, 2008 Council town hall on proposed amendments</p> <p>Sep 19, 2008 Final day for Council action to comply with charter deadline (45 days before general election)</p> <p>Nov 2008 General election</p>

The Commission also held nine public meetings, one in each Council district, which were attended by nearly 200 citizens. Meetings were held in Shoreline, downtown Seattle, West Seattle, Kent, Federal Way, Bellevue, Preston/Issaquah and Black Diamond.

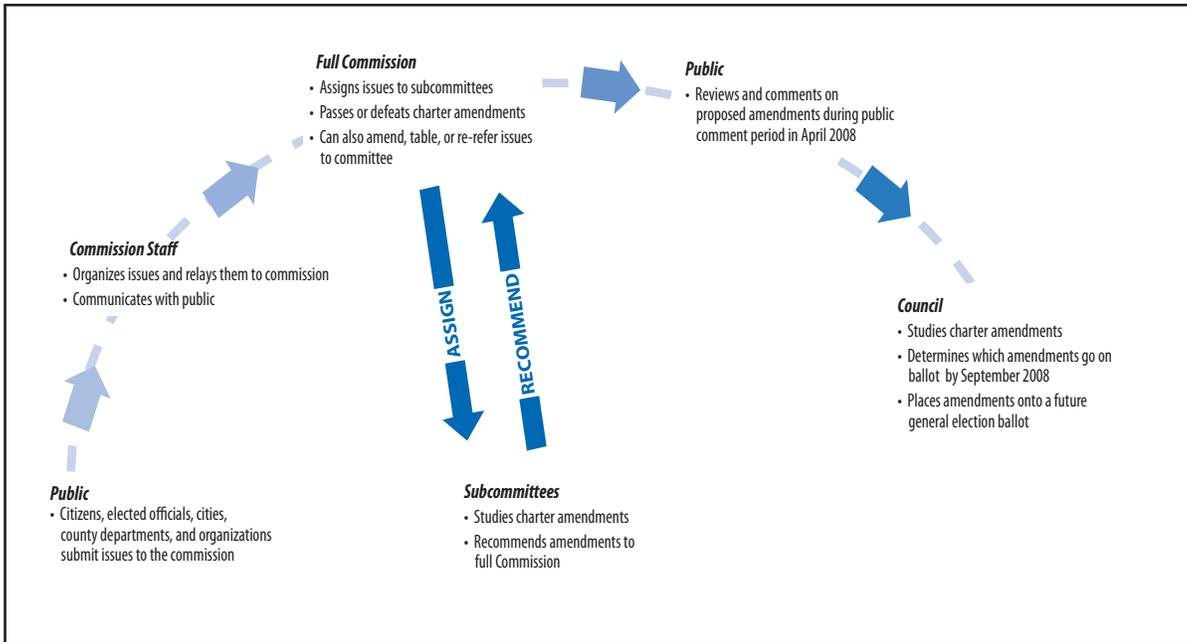
A full library of all of the comments received on the Charter – more than 400 remarks – can be accessed on the Commission's website at <http://www.metrokc.gov/exec/charter/issues>. The majority of public comments were received on the topics of the elections process, elected/appointed county positions, partisanship, rural representation, the King County Library System and instant runoff voting.

Deliberation Phase: September 2007-March 2008

The subcommittees deliberated from September 2007 to March 2008. Each subcommittee reviewed the comments received during the public outreach phase and prioritized those issues it considered most significant. During this time, speakers made presentations both to the subcommittees and to the full Commission on specific charter issues (see list of speakers

in Appendix E). The public was also invited to attend Commission meetings and comment on the issues. In February 2008, the subcommittees began sending their recommendations for charter amendments to the full Commission. In accordance with procedures previously established by Commissioners, prior to voting the Commission heard each subcommittee recommendation twice: first, to have a full discussion of an issue; and second, to vote on an issue, with additional discussion if necessary. The Commission finalized its list of proposed amendments for public review in March 2008.

Issue Process



Public Comment Phase: April 2008 - May 2008

The Commission sought public comment on its proposed amendments beginning in April 2008. Public meetings were held in four areas of the county: West Seattle, Shoreline, Preston/Issaquah and Renton. Nearly 100 citizens attended the hearings, and the Commission received over 200 comments.

Local papers published a number of articles on the Commission’s work, including an opinion piece from co-chairs Lowry and North in the *Seattle Times*¹. The Commission also reached out to over one thousand citizens, organizations, and government officials to gather input on its charter recommendations. Citizens were invited to voice their opinions by emailing, calling or mailing the Commission.

In response to public comment, the Commission revised the anti-discrimination amendment to include gender identity and expression among the protected classes, and also recommended that the Council form a citizen commission to consider Instant Runoff Voting. The Commission transmitted its final report and recommendations to the County Council on May 30, 2008.

¹ Lowry, Mike and Lois North, “King County Charter review includes chance for citizens to have an impact,” *Seattle Times*, April 4, 2008.

Council and Public Action Phase: June 2008-November 2008

The County Council determines not only how, but whether the Commission's work will come before King County voters. First, the Council has until September 19, 2008 to review the Commission's proposed amendments for the November 2008 ballot. Second, it may choose to defer action on any amendment until future general elections. Finally, the Council may choose to take no action on some or all of the proposed amendments.

Commissioners observed that the 2008 election year's Presidential contest will likely overshadow the charter amendments, which will be located far down the ballot. In addition, the November 2008 ballot will already include a number of charter amendments not initiated by the Commission. Therefore, the Commission recommends that the Council phase the amendments in over time.

The Commission suggests that the Council place the amendments before voters according to the following schedule:

- November 2008 – Anti-Discrimination, Budget Timeline, Elected Officials and Collective Bargaining, Open Space Protection, Qualifications, Regional Committees
- November 2009 – Charter Amendment by Citizen Initiative, Elections Deadlines, Unincorporated Areas Representation
- November 2010 – Budget Allotments, Commission Procedures, Transitory Provisions

III. Charter Review Issues and Recommendations

The Charter Review Commission recommends the following amendments to the King County Charter. The full text of the amendments can be found in Appendix A.

A. PROPOSED CHARTER AMENDMENTS

Anti-Discrimination

Charter Section – Section 840

Subcommittee – Regional Governance

Amendment Language – See page 30

The Commission recommends adding disability, sexual orientation, and gender identity and expression to the list of protected classes identified in Section 840 of the Charter (Anti-Discrimination). The proposed amendment would also clarify contract-related portions of Section 840 to avoid risk that the provision could be misinterpreted to prohibit contracts with the federal government.

Though discrimination on the basis of sexual orientation is already prohibited in county code and state law, it is not included as a protected class in the Charter. County code and state law include gender identity and expression in their definitions of sexual orientation. However, Commissioners heard extensive testimony during the public comment period regarding the need to provide explicit protection based on gender identity and expression. In response to this testimony, the Commission unanimously voted to add gender identity and expression to the protected classes in the anti-discrimination section of the Charter.

Final vote: | Yes – 18 | No – 0 | Abstain – 0 | Absent – 3 |

Budget Allotments

Charter Section – Section 475

Subcommittee – Regional Governance

Amendment Language – See page 30

The Commission recommends striking budget allotment requirements in Section 475. Budget allotment requirements in the Charter provide little or no practical value to the county's current budgeting process. Prior the advent of computerized bookkeeping and automated reports, the County Council and the Executive used the budget allotment process to keep control and oversight of expenditures throughout the year. However, modern bookkeeping practices allow for more frequent reports to the Council from the budget office. The Council and Executive agree that the allotment system is no longer required.

Final vote: | Yes – 18 | No – 0 | Abstain – 0 | Absent – 3 |

Budget Timeline

Charter Section – Sections 410 and 420

Subcommittee – Regional Governance

Amendment Language – See page 30

The Commission recommends a charter amendment to provide the Council with 65 days instead of 45 days to review the Executive's annual budget. Since 1992, the county budget has more than quadrupled and become increasingly complex, yet the current budget timeline allows the Council no more than 45 days for review of the budget. Councilmembers believed that the existing

timeframe for Council deliberation was insufficient. The Executive agreed that the current budget review period was inadequate, and supports this amendment.

Final vote: | Yes – 19 | No – 0 | Abstain – 0 | Absent – 2 |

Current Budget Timelines for King County and Selected Other Counties with Elected Executives (listed in order of days for legislative review)

Jurisdiction	Includes	2000 Census Population (millions)	2006-2007 Budget Size (\$ billions)	Date Proposed	Date Adopted	Days for Legislative Review
King County, WA ¹	Seattle	1.7	3.9	17 Oct 2006 ²	1 Dec 2006	45
Allegheny County, PA ³	Pittsburgh	1.3	0.7	17 Oct 2006 ⁴	6 Dec 2006	50
Suffolk County, NY ⁵	Brentwood	1.4	1.6	15 Sep 2006	8 Nov 2006	54
St. Louis County, MO ⁶	Florissant	1.0	0.5	1 Nov 2006 ⁷	31 Dec 2006	60
Wayne County, MI ⁸	Detroit	2.1	2.3	9 June 2006	31 Aug 2006	83
Miami-Dade County, FL ⁹	Miami	2.3	7.0	31 May 2006	20 Sep 2006	112

¹ Budget size excludes effect of biennial budget.

² Charter deadlines.

³ Identified as "comparable" to King County by FCS Group.

⁴ Statutory deadlines.

⁵ Identified as "comparable" to King County by FCS Group.

⁶ Identified as "comparable" to King County by FCS Group. St. Louis County is adjacent to, but does not include, the City of St. Louis.

⁷ Statutory deadlines.

⁸ Identified as "comparable" to King County by FCS Group.

⁹ Identified as "comparable" to King County by FCS Group. Mayor is elected and appoints a county manager, who is confirmed by the county commissioners.

Charter Amendment by Citizen Initiative

*Charter Section – New Section 800.20
Subcommittee – Governmental Structure
Amendment Language – See page 30*

The Commission recommends an amendment to Section 800 of the Charter to establish and clarify the process by which citizens can amend the charter by initiative. The Washington Supreme Court recently ruled that citizens have the right to propose such charter amendments. Existing charter language does not, however, have clear procedures for considering such proposals.

During the course of the public hearing process, several citizens, organizations and elected officials commented on the charter initiative process including King County Executive Ron Sims, King County Councilmember Larry Phillips, the King County Democrats and Republicans, the

Citizen Initiative Signature Threshold

JURISDICTION		
Washington State Counties with Home Rule Charters (6)	Initiative Process in Charter	Signature Threshold Percent
Clallam ¹	YES	10% (Last gubernatorial election) 20% for charter amendments
King ²	YES	10% (Last King County Executive election) No provisions for charter amendment initiatives
Pierce ³	YES	10% (Last Pierce County Executive election) 20% for charter amendments
San Juan ⁴	YES	15% (Last gubernatorial election) 15% for charter amendments
Snohomish ⁵	YES	7% (Last gubernatorial election) 15% for charter amendments
Whatcom ⁶	YES	7% (Last general election) 15% for charter amendments

¹ http://www.clallam.net/Board/html/board_charter.htm

² <http://www.metrokc.gov/exec/charter/charter.aspx>

³ <http://www.co.pierce.wa.us/pc/abtus/ourorg/council/charter.htm>

⁴ www.co.san-juan.wa.us/freeholders/Final.11082005.pdf

⁵ <http://www.co.snohomish.wa.us/executive/charter.htm>

⁶ <http://www.co.whatcom.wa.us/council/code/charter/charter.jsp>

Suburban Cities Association, and the Municipal League of King County. Some individuals favored the initiative process, and others opposed it, while still others approved of the initiative process but with a different signature threshold than the current 10 percent. After extensive research and discussion, the subcommittee decided to propose a charter amendment adopting new language that will clarify the process by which citizens may amend the charter by initiative.

The Commission recommends that a clear signature threshold for charter initiatives be set at 20 percent of the votes cast for the office of King County Executive in the most recent election. The Commission further recommends that the charter initiative process eliminate the need for multiple votes on a single charter amendment proposal, and that the process for considering alternative charter amendments be specified in a clear and common sense manner. These recommended changes are intended to strike an appropriate balance between the goal of retaining a stable charter framework for county governance and the goal of affording citizens meaningful opportunities to initiate charter amendments.

Final vote: | Yes – 17 | No – 1 | Abstain – 0 | Absent – 3 |

Commission Procedures

Charter Section – Section 800

Subcommittee – Governmental Structure

Amendment Language – See page 30

The Commission recommends an amendment requiring the County Council to review all charter review commission recommendations and decide at an open public meeting how to proceed on each recommendation. This amendment is in response to the concerns of previous commissions that their recommendations were not fully and publicly considered. This proposed amendment would require Council to undertake public review of any proposed amendments that the Charter Review Commission brings forth. The Commission rejected an alternate amendment to recommend the election of Commissioners, whose recommendations would be sent directly to the ballot.

The Commission also recommends that the Charter be amended to clarify the charter review commission’s appointment and confirmation process. While the Charter generally requires that the Council confirm Executive appointments, there was uncertainty regarding whether Council confirmation was required for charter review commission members.

Final vote: | Yes – 19 | No – 0 | Abstain – 0 | Absent – 2 |

Elected Officials and Collective Bargaining

Charter Section – Section 890

Subcommittee – Regional Governance

Amendment Language – See page 31

The Commission recommends an amendment to the Charter that would require the Council to enact an ordinance providing for collective bargaining and the “effective participation in [collective] bargaining by those separately elected officials who head departments that are subject to this charter” (currently the Assessor and Sheriff). The amendment would preserve a single bargaining agent—the Executive—who is empowered to negotiate county labor contracts. The amendment requires, however, that prior to the Executive negotiating language specific to working conditions, he or she must garner the consent of the separately elected official. In addition, if the Executive and a separately elected official are unable to

resolve a conflict that arises regarding such language, the amendment directs the Executive and the official to seek guidance from the County Council.

The Commission also proposes that, where the code sets forth the powers and general provisions for the Human Resource Division (HRD), the Council adopt ordinance language that: 1) requires HRD to go beyond merely representing departments that are headed by elected officials to consulting with those county agencies in collective bargaining and related processes; and 2) provides recourse for the elected official if he or she believes that department objectives are not being met in the course of the collective bargaining process.

The Sheriff originally proposed five charter amendments to the Commission. These amendments would 1) grant the Sheriff authority to negotiate working conditions in labor contracts, leaving compensation (including wages and benefits) under the authority of the Executive; 2) reinstate the civil service commission; 3) remove references to the Sheriff's Office as an executive branch department; 4) change language in the Charter to designate the Sheriff rather than the Executive as chief peace officer; and 5) strike reference to the Department of Public Safety and replace it with the Sheriff's Office.

According to Sheriff Rahr, these amendments would affirm the independence and increase the authority of the Sheriff's Office. However, the Commission found that these five amendments taken as a whole would establish the Sheriff's Office as a governmental entity separate from the County Council and Executive, severely undermining internal accountability on budgetary and personnel matters. Moreover, the commission found that these proposals are in direct conflict with the Charter Freeholders' vision for a cohesive county government.

At the urging of the Sheriff's Blue Ribbon Panel, which advised the Commission to amend the Charter in order to give the Sheriff authority to bargain working conditions, the Commission agreed to consider the first of the Sheriff's proposals. The Panel asserted that this amendment would provide the Sheriff with the means for enacting necessary reforms in her office, particularly those focusing on discipline and hiring. Sheriff Rahr asserted that as an elected official she is solely accountable for the operation and performance of her department and, under current charter provisions, is effectively prevented from exercising the authority necessary to do her job because she does not have control over the collective bargaining process.

Many members of the Commission believed that giving the Sheriff collective bargaining authority would undermine the Executive's ability to manage the county's budget and personnel system, while other Commissioners believed that the conclusions of the Blue Ribbon Panel should be heeded. In the end, the Commission, in a divided vote, concluded that amending the language in the Employee Representation section of the Charter as proposed would affirm the Sheriff's bargaining authority by holding the Executive accountable for effectively including the Sheriff and other elected officials in the bargaining process. The Commission also drafted recommended ordinance language for adoption by the Council (see Appendix C).

In proposing these amendments to the Charter, the Commission agrees that there is a need to provide assurances to the Sheriff and other elected officials that they will have the opportunity to participate effectively in the collective bargaining decisions affecting their departments. The Commission recommends that the amendment should reference all separately elected officials, as they have similar circumstances to those of the Sheriff.

Specific to the Sheriff’s concerns, the Commission encourages the Council to consider the recommendations in the Blue Ribbon Panel report and its subsequent Progress Report. The Commission agrees that there is a need to improve the current system. The remedies suggested by the Commission are different from those put forward by the Blue Ribbon Panel, partly due to the different charges of the Commission (broad) and the Blue Ribbon Panel (focused). The Commission believes that the recommendations of both bodies can be used by the Council to create a more functional and responsive County government.

Minority Report Summary (6 signatories): The collective bargaining amendment for elected officials is a compromise that places in the County Charter a matter that should be governed by “good faith” conduct of the elected officials of King County. The appropriate place to prescribe management rules of conduct between elected officials and the branches of County government is the King County Code, not the Charter. This amendment is a step back for King County governance to a pre-charter time when the county and its leadership were fragmented. See page 39 for the full minority report.

Final vote: | Yes – 12 | No – 5 | Abstain – 0 | Absent – 4 |

Elections Deadlines

Charter Section – Sections 230.40, 230.50, and 800

Subcommittee – Governmental Structure

Amendment Language – See page 31

The Commission recommends an amendment to change the deadlines for placing initiatives, referenda, and proposed charter amendments on the ballot from 45 days before the election to a deadline to be specified by county ordinance. The Elections Division brought it to the Commission’s attention that the current deadline does not provide sufficient time for the production of election materials, especially ballots and voter pamphlets.

The proposed amendment would allow the Council to specify a deadline that appropriately reflects the time necessary to process such ballot measures in a timely way (state law currently provides 84 days). This revised deadline would allow more time to prepare and mail election materials such as notices, ballots, and voters’ pamphlets, without affecting the amount of time allowed for citizens to gather signatures on initiatives or for the Council to consider ballot initiative language.

Final vote: | Yes – 19 | No – 0 | Abstain – 0 | Absent – 2 |

Open Space Protection

Charter Section – New Section 897

Subcommittee – Rural/Local Issues

Amendment Language – See page 31

The Commission recommends providing additional, charter-based protection to certain open space properties in which King County holds an interest (either owns or owns the development rights to). The Open Space Amendment (OSA) would create a list of high conservation value county properties as an appendix to the Charter. These lands would be permanently protected from sale, transfer, or conversion to a different use than was authorized at the time of their acquisition. There would be no change in how residents currently use these spaces.

The Executive, in conjunction with the Department of Natural Resources and Parks, originally developed the amendment. The Rural/Local subcommittee took up this proposal, studied it, and amended it. The amendment has the following features:

- Adds additional protection to the most ecologically valuable and irreplaceable open space lands owned by King County.
- Creates a charter list of high value, natural open space properties. A charter amendment would be required to add or remove properties from this list, as confirmed by a majority vote of the people (see page 53 for the list of properties).
- Prevents the county from transferring or selling these high value open space lands without a majority vote of the people, except in certain specified circumstances.

A majority vote of the people would be required to remove this protection from a charter property. The lands protected by the OSA would remain natural, open spaces unless an exception must be made for the public good, such as a utility project or in the event of a natural disaster. No new land is required to be purchased under this amendment. King County already owns the OSA-protected land, or the development rights to the land. No direct costs are associated with OSA.

The specific properties protected by the OSA were chosen for their high value in safeguarding the county's drinking water, habitat, recreation opportunities, and rural economy:

- Clean drinking water – protects the water quality of rivers, lakes, streams, and aquifers that county residents rely upon for their drinking water.
- High-quality habitat – provides some of the best habitat in the county for native vegetation and wildlife, including salmon, which are threatened by urbanization.
- Recreation – provides open spaces for recreation opportunities such as hiking, biking, horseback riding, and wildlife viewing.
- Rural economy – commercial timber production maintains a vibrant rural economy, as well as large open spaces important for recreation, wildlife habitat, and water quality. Much of the acreage protected by the OSA is commercial timberland.

Minority report summary (3 signatories): The Open Space Amendment seeks to use the King County Charter as the vehicle for regulating the use of specific parcels of real estate. This dangerous step undermines the proper role of the charter. King County should resist attempts to use the charter review process for agendas unrelated to the structure of county government. The better public policy is to regulate the use of properties through duly enacted ordinances. See page 39 for the full minority report.

Final vote: | Yes – 17 | No – 2 | Abstain – 0 | Absent – 2 |

Qualifications

Charter Section – Sections 340.50 and 630

Subcommittee – Governmental Structure

Amendment Language – See page 32

The Commission recommends a charter amendment that would allow the Council to establish by ordinance additional qualifications for separately elected officials who head charter-based departments. Currently, Section 630 identifies general qualifications for

elective offices and includes a provision whereby the County Council can create by ordinance additional qualifications for the Office of Sheriff.

During subcommittee deliberations, Commissioners raised the issue of providing additional qualifications for the offices of the Assessor and/or Elections Director. Their intent was to ensure that an unqualified person would not be elected or appointed to these positions. Currently, Sections 340.50 and 630 of the Charter provide language that the County Administrative Officer and the chief officers appointed by the Executive shall be appointed based on abilities, qualifications, integrity, and prior experience. Similarly, the Commission's intent in proposing this amendment is to ensure that an unqualified person is not elected to head charter-based departments.

Final vote: | Yes – 18 | No – 0 | Abstain – 0 | Absent – 3 |

Regional Committees

Charter Section – Sections 270.20, 230.10, and 270.30

Subcommittee – Regional Governance

Amendment Language – See page 32

The Commission recommends amendments to increase the authority and effectiveness of the county's three regional committees: the Regional Policy Committee, the Regional Transit Committee and the Regional Water Quality Committee. The amendments were negotiated by a work group composed of representatives of the County Council, the cities of Seattle and Bellevue, the Suburban Cities Association, and the sewer and water districts. The Regional Committees Work Group discussed concerns regarding the composition and operation of the Regional Committees. Members on this work group included the following representatives:

- Deputy Mayor Tim Ceis, City of Seattle
- Deputy Mayor John Chelminiak, City of Bellevue
- Councilmember Richard Conlin, Seattle City Council Chair
- Karen Goroski, Executive Director and Sonny Putter, Suburban Cities Association
- Councilmember Kathy Lambert, District 3, King County Council
- Gary Long and Mike Wilkins, Commissioners, 2007-2008 Charter Review Commission
- Tom Peardon, Coal Creek Utility District and Vicky Henderson, Representative of KC Special Districts of the Washington State Association of Sewer and Water Districts
- Councilmember Larry Phillips, District 4, King County Council

Based on the work of the Regional Committees Work Group, the Regional Governance Subcommittee recommended charter amendments that would accomplish the following:

1. Reduce the number of County Council members who serve on committees from six to three without affecting the 50/50 balance in voting power between the Councilmembers and the non-county members, by giving each County Councilmember two votes and leaving the non-county fractional voting formula the same. This change was proposed to reflect the reduction in the size of the Council from thirteen to nine members.
2. For each of the three regional committees, provide for a chair to be selected by the County Council, and for a vice-chair to be selected by the non-County members. These changes were proposed by the cities to increase the relative authority of non-county members on regional committees and to reduce the number of meetings cancelled due to the absence of the chair.

3. Allow the Regional Policy Committee to adopt its work program by a majority vote with a quorum of 6½ votes. The work program may include new subject matter which involves regional policies or plans. This change is proposed to provide the committee with greater authority over its agenda.
4. Allow regional committees to initiate motions and ordinances, including ones not assigned by the Council, which would be introduced without the usual sponsorship of a County Council member. This change is proposed to offer regional committees better access to legislative consideration of their recommendations.
5. Require County Council and standing committees to take an action of record on each proposed motion and ordinance initiated by regional committees.
6. Empower the County Council to add, by ordinance, non-voting representation to the Water Quality Committee for areas outside of King County served under contract by King County sewerage treatment services. This change is proposed in light of increasing presence of King County sewage facilities and services in areas beyond the boundaries of the county.

The Regional Governance subcommittee also recommended ordinance language for adoption by the Council (see Appendix C).

Final vote: | Yes – 16 | No – 2 | Abstain – 0 | Absent – 3 |

Transitory Provisions

Charter Section – Article 9 and Section 350.20.30

Subcommittee – Regional Governance

Amendment Language – See page 33

The Commission recommends an amendment to strike transitory provisions in the Charter that are no longer relevant. Most of Article 9 and all of Section 350.20.30 of the Charter are vestiges of King County’s transition from a non-charter form of government and the county’s consolidation with Metro. These provisions are no longer relevant and should therefore be removed. Similarly section 350.20.30 may be stricken because transitional direction regarding the Metro consolidation is no longer necessary. While most of Article 9 can be stricken, the last two sentences in section 990 should be retained, because they affirm official actions taken before the charter’s effective date.

Final vote: | Yes – 18 | No – 0 | Abstain – 0 | Absent – 3 |

Unincorporated Areas Representation

Charter Section – Sections 220.20 and 320.20

Subcommittee – Rural/Local Issues

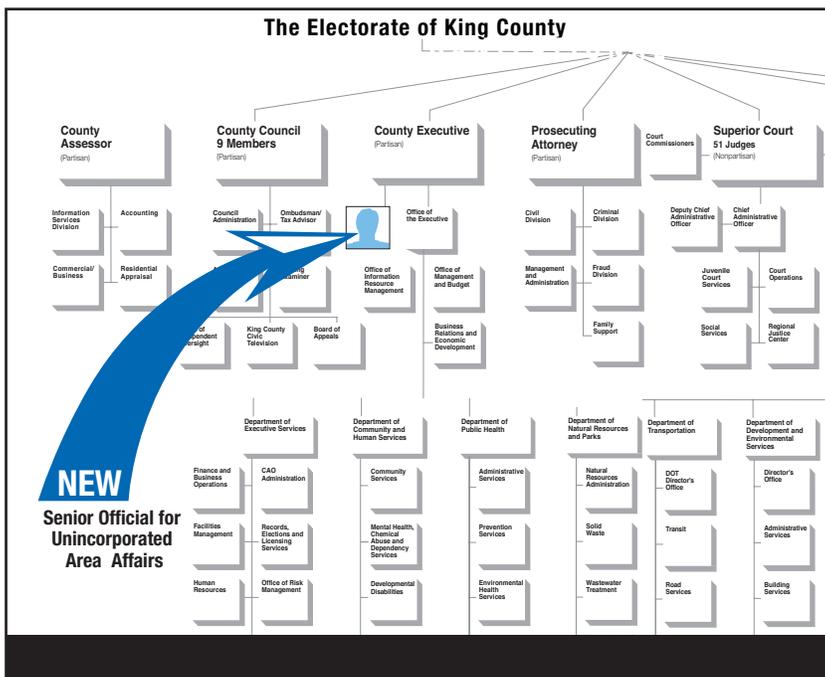
Amendment Language – See page 38

The Commission recommends that a high-level position inside the Office of the Executive be designated to represent the interests of unincorporated area residents. The County Council would also be required to ensure that a structure or structures be created with the power and responsibility to serve unincorporated areas of the county. In essence, the amendment would require the Council to assume an oversight role in ensuring that the County made an adequate organizational commitment to the unincorporated areas, while the Executive would be responsible for implementing and overseeing a specific position.

The Rural/Local subcommittee made improving unincorporated area representation and governance its top priority. The subcommittee considered various options including:

- Strengthening, replacing, or reducing the role of the Unincorporated Area Councils
- Creating a Rural/Unincorporated Affairs Department under the Executive
- Implementing Subarea/Community Planning
- Instituting Townships
- Forming a Rural/Unincorporated Advisory Council, Commission, or Planning Council
- Hiring additional staff for Councilmembers with unincorporated areas in their districts
- Restructuring certain staff under the Executive (the Executive’s Rural Services Initiative)

The subcommittee decided that designating a specific high-level position inside the Office of the Executive, comparable in authority to a Deputy Executive, would be most effective. The Commission found that these proposed amendments would: 1) provide a powerful voice and focus for unincorporated issues in county government, 2) demonstrate to unincorporated area residents that their issues are a priority, 3) provide a clear point of contact for unincorporated area residents with concerns about their county government, 4) establish a permanent, charter-based structure, and 5) facilitate the transition of urban unincorporated areas to incorporated areas. Commissioners stressed that this position should focus equal attention



on rural and urban unincorporated areas, and noted that the inclusion of urban unincorporated areas should not detract from the needs of rural residents.

The Commission also recommends an amendment to the Charter Preamble to reflect the county’s dual role as both a regional government for the entire county and a local government for the unincorporated areas. The Commission found that the Charter did not

explicitly address the county’s responsibilities to unincorporated areas. The Preamble states the purpose of the Charter, and is a de facto mission statement for the county. Amending the Preamble as above makes a powerful statement to citizens about the priorities of its government, and reflects an enduring commitment on the part of county government to providing high-quality governance, services, and environment in the unincorporated areas.

Final vote: | Yes – 19 | No – 0 | Abstain – 0 | Absent – 2 |

B. OTHER RECOMMENDED ACTIONS

King County Library System

Recommendation / Not a Charter amendment

During public meetings, patrons of the King County Library System (KCLS) voiced several concerns about KCLS' governance structure and operations, including lack of oversight and accountability, an unengaged and unresponsive board of trustees, limited public access to board decision-making processes and lack of planning. The Commission recognized that amendments to the Charter could not address these issues, as KCLS' authority and responsibility are governed predominately by state statute. Nevertheless, the Commission believes that is appropriate and helpful to recommend actions to improve the KCLS. The Commission is transmitting letters to the Council, the Executive Office, and the KCLS Board of Trustees to make the following recommendations (see letters in Appendix D):

1. To the King County Council: To lobby the state legislature to amend RCW 27.12.190 to require larger library systems to have at least seven trustees on their governance boards. A greater number of trustees on the KCLS board would facilitate broader patron representation, expand library system expertise, and help address concerns about appropriately sized subcommittees. The Commission also recommended that the Council consider the importance of having a Board of Trustees that is broadly representative of the KCLS service area when confirming the Executive's appointments;
2. To the Executive Office: To ensure that its process of nominating trustees to serve on the KCLS Board of Trustees provides for greater outreach in order to broaden representation of the areas served by the KCLS; and
3. To the KCLS Board of Trustees: To adopt procedural policies that ensure all full board and subcommittee meetings are open to the public irrespective of whether there is a quorum. This openness includes notifying the public in advance of meeting times and subject matter and making publicly available all materials produced for and as a result of the meetings. Regardless of whether a less publicly accessible approach might be legally supportable, greater openness will help allay many of the existing public concerns about accountability and transparency.

Final vote: | Yes – 16 | No – 2 | Abstain – 0 | Absent – 3 |

Instant Runoff Voting

Recommendation / Not a Charter amendment

The Commission is transmitting a letter to the Council (see Appendix D) recommending that it convene a citizen commission no later than January 2010 to examine Instant Runoff Voting (IRV). The Commission recommends that the citizen commission report its findings to the Council by January 2011.

Many citizens contacted the Commission to advocate that King County adopt IRV for the election of county officials, to replace the current primary system. IRV is a voting system in which voters rank candidates in order of preference. In an IRV election, if no candidate receives a majority of first-place votes, the candidate with the fewest first-place votes is eliminated, and ballots cast for that candidate are redistributed to the remaining candidates according to the voters' indicated preference. The process of eliminating the candidate with

the fewest first-place votes and redistributing his or her votes continues until one candidate receives a majority, and thus wins the election.

After listening to many citizens and guest presenters on the topic of IRV, the subcommittee recommended against an amendment to the Charter that would establish IRV in King County, particularly since the King County elections department is undergoing significant changes including the transition to all mail balloting. Currently Pierce County is in the process of implementing IRV. However, the Commission believes that IRV may be an improvement upon the current system, and that the Council should study it further.

Final vote: | Yes – 16 | No – 1 | Abstain – 0 | Absent – 4 |

IV. Charter Review Commission Subcommittees

In order to develop its recommendations, the Commission established four subcommittees. In addition to proposed amendments that the subcommittees forwarded to the full Commission for its consideration, they considered a wide range of issues on which they took no action.

A. Governmental Structure Subcommittee

The Commission formed the Governmental Structure subcommittee (GS subcommittee) to address several areas affecting King County's overall governance structure and elections process. Close to 140 public comments were considered by the GS subcommittee, which were separated into the following issue categories:

- Charter Review Process (Initiative process, confirmation process)
- Elected/appointed officials (Includes Sheriff, Elections Director, and Assessor)
- Partisanship/nonpartisanship
- Elections systems – processes and management
- Instant runoff voting

Once the issues were grouped and categorized, the subcommittee organized a list of speakers to educate the Commissioners on the issues in more detail. Speakers gave the subcommittee a considerable amount of insight on each of their respective issues (see Appendix E for list of speakers).

The GS subcommittee's recommended the following amendments: Charter Amendment by Citizen Initiative, Qualifications for Assessor and Elections Director, Council Action on Charter Review Recommendations, Elections Division Deadline, and Clarifying the Charter Review Appointment Process. In addition, the subcommittee brought Instant Runoff Voting forward for the Commission's consideration as a non-charter amendment. The subcommittee considered three issues on which it took no action:

Partisanship/nonpartisanship: A number of individuals encouraged the Commission to make all county elected charter positions nonpartisan, including King County Executive and King County Councilmembers. However, Initiative 26, which would make all county elected positions nonpartisan, has qualified for the November 2008 ballot. In light of that ongoing process, the Commission has opted not to recommend its own charter amendment on this issue.

An Elected Charter Review Commission: Some Commissioners argued that all proposed amendments from the charter review commission should go directly to the ballot, bypassing Council review. In order to address the legal risk associated with this approach, it was proposed that charter review commission members be elected. Staff research showed that in all other home rule counties in Washington State, charter review commissioners were elected. A motion to have an elected charter review commission failed in the full Commission. Many Commissioners believed that an appointed body was needed in order to ensure diversity and talent and to avoid the influence of special interests in commissioner elections. Furthermore, the need to raise money and run a campaign for charter review commissioner would be a significant disincentive to many who would otherwise be interested in serving in this capacity.

To respond to concerns that previous councils did not fully consider recommendations of previous commissions, the Commission recommended an amendment requiring the County Council to review all charter review commission recommendations and decide at an open public meeting how to proceed on each recommendation.

Elected/Appointed Positions for Assessor, Sheriff, and Elections Director: Over the course of the charter review process many citizens, organizations, and elected officials commented on whether certain county positions should be elected or appointed. Currently, the Sheriff and Assessor are elected positions, and the Elections Director is an appointed position. In terms of the Sheriff and Assessor positions, arguments were made to change the positions back to being appointed. A far greater number of responses were received from the public regarding the Elections Director, particularly in light of Initiative 25, which proposes electing the Director. Initiative 25 will appear on the ballot in November 2008. Many citizens felt that the county elections department squandered the public's trust during the 2004 general election, and that the Elections Director should be an elected position to create more accountability to the public.

After analyzing the different positions, the GS subcommittee determined that the full Commission should maintain the status quo for the positions of the Assessor and Sheriff, leaving each of the positions elected. Given that Initiative 25 will be on the ballot in November, the subcommittee took no position on the issue of whether the Elections Director should be an elected or appointed position.

B. Regional Governance Subcommittee

The Commission formed the Regional Governance subcommittee (RG subcommittee) to address King County's role as a regional government. King County faces a number of challenges as it transitions from a government that oversees the provision of municipal services to a government that primarily serves a regional citizenry. In addition, members of the RG subcommittee were assigned responsibility for other issues in order to bring more balance to the workload among the subcommittees.

The RG subcommittee vetted nearly 150 issues received during the public outreach process. The public outreach process elicited a wide range of regional concerns, including the management and operation of the King County Library System and the composition and function of regional committees.

The subcommittee's criteria for identifying those issues of greatest importance included, among others, the regional impacts associated with a given issue, and the number and nature of public comments received on a given issue. The RG subcommittee identified the following priority issues: anti-discrimination, regional committees, Sheriff's issues, changes to technical provisions in the Charter, and the King County Library System.

In some cases, these were issues about which there was little or no disagreement, including removal of transitory provisions of the Charter. Other provisions of the Charter, such as the section outlining a budget allotment process, were similarly determined to be obsolete and no longer necessary. The RG subcommittee also recommended an amendment brought forth by the Council to increase the timeline for legislative review of the budget.

Some of the issues considered by the subcommittee were more complex and controversial, such as the Sheriff's proposals and the regional committees issues, both of which resulted in proposed amendments to the Charter. The RG subcommittee also made recommendations regarding the King County Library System that were outside the purview of the Charter, in order to address citizen concerns.

C. Rural/Local Subcommittee

The Commission formed the Rural/Local Issues subcommittee to address the numerous, long-standing concerns of many rural and unincorporated area residents. Originally serving as a provider of local government services to an overwhelmingly rural population, the county has over time assumed a dual role as both a regional and a local government. As the county has shifted its focus toward regional duties such as implementing the Growth Management Act (GMA), its relationship with some rural residents has been strained by disagreements over land use, environmental issues, and access to government. Many rural unincorporated residents feel they have borne the brunt of the county's decisions, while remaining locked into minority status in countywide elections and policymaking. Representing rural residents is complicated by the fact that the beliefs and opinions of these residents are not homogenous. For example, some rural residents would like more latitude in developing their properties, and others would prefer more environmental constraints and enforcement.

For rural county residents, King County is the local government. The county will continue to provide local government services such as police protection, permitting, and animal control to these areas in perpetuity.

Urban unincorporated areas, on the other hand, have been encouraged to incorporate or annex. Over the past two decades, annexations and incorporations have successfully shifted about half of the unincorporated population into cities. Yet most unincorporated area residents still live inside the urban growth boundary, and the county has struggled to facilitate the annexation of the remaining urban unincorporated neighborhoods. In the meantime, the county remains responsible for providing basic government services to these areas, without the taxing authority to fully support the services.

The Commission heard more than 80 comments on these topics during the public outreach process; most remarks fell into one of the following categories:

- Governance and representation in the unincorporated areas, particularly rural areas
- Land use and development
- Annexation and urban unincorporated areas
- The practices of the Department of Development and Environmental Services (DDES)
- Local service budgeting

A number of speakers were invited to address the Commission or subcommittee over the course of the charter review process; these speakers are identified in Appendix E. The committee proposed two amendments to the Charter: Unincorporated Areas Representation and the Open Space Amendment. The Rural/Local subcommittee also considered four separate issues on which it took no action:

Community planning – Subcommittee members found that subarea/community planning was a crucial need for the unincorporated areas. Very little formal planning is conducted by

the county in the unincorporated areas, leaving residents without an organized and formal voice in the development of their communities. While the subcommittee did not find that community planning rose to the level of a charter amendment, it did recommend that the proposed senior official for unincorporated areas should be responsible for implementing community planning.

Annexation and urban unincorporated areas – Annexation was also a topic of frequent discussion for the subcommittee. After extensive deliberation, the subcommittee decided to assign issues relating to responsibility for the urban unincorporated areas to the proposed senior official for unincorporated areas. The official will be specifically tasked with the responsibility to facilitate the transition of urban unincorporated areas to cities.

Some committee members were initially reluctant to include responsibility for urban unincorporated areas in the duties of the senior official, due to concerns that the official might become consumed by annexation issues. However, subcommittee members ultimately agreed that these recommended changes would: 1) provide unincorporated area residents, as recipients of local government services by the county, with a much-needed additional voice in their government; and 2) provide additional impetus for urban unincorporated area annexations.

Intergovernmental contracting – The Suburban Cities Association and the King County Budget Advisory Task Force recommended that charter Section 510 be amended to expressly permit intergovernmental contracting and contracting with private entities, respectively. This change would allow the county to contract with other entities to provide county services, including police services, animal control, and road maintenance among many others currently provided by the county. The recommendation arose from the belief that, particularly in urban unincorporated areas, neighboring cities might be able to provide more efficient and less costly services than the county. The subcommittee met with labor leaders, who were concerned that this amendment could lead to erosion in county jobs, pay, and benefits. Ultimately, the subcommittee found that there was little support for this amendment and that there were insufficient reasons to recommend it.

Issues with the Department of Development and Environmental Services (DDES) – The subcommittee heard a number of comments from the public on DDES' work, particularly in the rural areas. After meeting with the director of DDES, the subcommittee found that DDES was making progress in addressing public concerns, and that no charter amendments would facilitate better service by DDES.

V. APPENDICES

APPENDIX A: Proposed Charter Amendment Language

Amendments proposed for addition to the Charter are underlined. Amendments proposed for removal from the Charter are shown in strikeout.

Anti-Discrimination

Section 840. Anti-Discrimination.

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, sexual orientation, gender identity or expression, or age except by minimum age and retirement provisions; and the county shall not enter into any contract with any person, firm, organization, or corporation, or other non-governmental entity which discriminates on the basis of sex, race, color, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, or age except by minimum age and retirement provisions.

Budget Allotments

Section 475. Work Programs and Allotments.

Within thirty days after the adoption of the appropriation ordinances, each agency of county government except the county Council shall present to the county executive work programs and requested allotments by program, project, object of expense or period of time to properly control expenditures and prevent deficits; and the county executive may allot and withhold appropriations. At any time during the fiscal year, the county executive may transfer current expense appropriations between general classifications of expenditures within the same executive department, administrative office, board or Commission.

Budget Timeline

Section 410 Presentation and Adoption of the Budget

At least ~~seventy-five days~~ 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, 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.

Section 420 Budget Information

At least ~~one hundred thirty-five days~~ 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.

Charter Amendment by Citizen Initiative

800.20 Amendments by the Public.

The public may propose amendments to the charter by filing petitions with the county council bearing a number of signatures equal to or greater than twenty percent of the votes cast for the office of county executive at the last preceding election for county executive. The petitions shall contain the full text of the proposed charter amendment. Publication of a proposed amendment and notice of its submission to the voters shall be made in accordance with the state constitution and general law. Submittal to the voters shall occur at the next general election occurring more than one hundred thirty-five days after the petitions are filed. Within ninety days after the petitions are filed, the county council may enact an ordinance to submit a substitute charter amendment concerning the same subject matter on the same ballot with the proposed amendment; 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. If a majority of the voters voting on the first issue is for either, then the version 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 version shall be approved regardless of the vote on the second issue. Any amendment that is approved by a majority of the voters voting on the issue shall become effective ten days after the results of the election are certified unless a later date is specified in the amendment.

Commission Procedures

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 present-

ed, 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.

Elected Officials and Collective Bargaining

Section 890 Employee Representation.

The county council (~~(may)~~) shall enact an ordinance providing for collective bargaining by the county with county employees covered by the personnel system. If an ordinance providing for collective bargaining is enacted, it shall not be subject to the veto power of the county executive; and it shall designate the county executive as the bargaining agent of the county. Any such ordinance shall provide for the effective participation in bargaining by those separately elected officials who head departments that are subject to this charter. Language controlling working conditions (including work rules, shift schedules, discipline and termination) in any collective bargaining agreement covering employees of such a separately elected county official must be consented to by that official prior to the bargaining agent agreeing to such language, proposing its inclusion in a bargaining agreement or sending the bargaining agreement to the county council for ratification. If the executive and separately elected official are unable to resolve a conflict that arises regarding such language, they shall report this in writing to the council, which shall provide guidance on how to proceed in further negotiations concerning the matter in conflict. Any agreement reached as a result of negotiations by the county bargaining agent with county employees shall not have the force of law unless enacted by ordinance.

Elections Deadlines

230.40 Referendum

... After the petitions are filed, the ordinance to be referred shall be placed on the ballot at the next special or general election occurring more than forty-five days after the petitions are filed after the minimum time established by ordinance for presentation of referendum measures to the county officer responsible for conducting elections, 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. ...

230.50 Initiative

... If the proposed ordinance is not enacted within ninety days after the petitions are ~~presented~~ filed, it shall be placed on the ballot at the next ~~regular~~ general or special election occurring after the minimum time established by ordinance for presentation of initiative measures to the county officer responsible for conducting elections, occurring more than one hundred thirty-five days after the petitions are filed or at an earlier election designated by the county council. ...

800 Charter Review Commission

... 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 occurring after the minimum time established by ordinance for presentation of proposed charter amendments to the county officer responsible for conducting elections. ...

Open Space Protection

New Section 897. High Conservation Value Properties.

The clerk of the council shall maintain the list of inventoried high conservation value properties set forth as Appendix A to this charter. The inventory may include only properties in which the county owns a fee simple interest or a lesser interest. No inventoried county property interest shall ever be conveyed, relinquished, or converted to a different use than was authorized at the time of acquisition, as evidenced by deed, easement, covenant, contract or funding source requirements, except that this section shall not prevent: the conveyance of an inventoried property interest to another government, the conveyance of an inventoried property interest under the lawful threat or exercise of eminent domain; the grant of an easement, license, franchise or use agreement for utilities or other activities compatible with use restrictions in place at the time of acquisition; or the use of an inventoried property interest for habitat restoration, flood control, low-impact public amenities or regionally significant public facilities developed for purposes related to the conservation values of the property, road or utility projects, or emergency projects necessary to protect public health, welfare or safety. This section shall not affect any contractual obligations entered into as part of the county's acquisition of an inventoried property interest.

See page 53 for the proposed inventory of high conservation value properties, Appendix A to the Charter.

Qualifications

Section 630 Qualifications.

Each county officer holding an elective office shall be, at the time of his appointment or election and at all times while he holds office, at least twenty-one years of age, a citizen of the United States and a resident and registered voter of King County; and each councilman shall be a resident of the district which he represents. Any change in the boundaries of a councilman's district which shall cause him to be no longer a resident of the district which he represents shall not disqualify him from holding office during the remainder of the term for which he was elected or appointed. Additional qualifications of the office of sheriff, for those separately elected officials who head departments that are subject to this charter may be established by ordinance.

Regional Committees

230.10 Introduction and Adoption.

Proposed ordinances shall be limited to one subject and may be introduced by any councilmember, by initiative petition, by proposal of a regional committee in accordance with Section 270.30 of this charter or by institutional initiative. At least seven days after the introduction of a proposed ordinance, except an emergency ordinance, and prior to its adoption or enactment, the county council shall hold a public hearing after due notice to consider the proposed ordinance. Except as otherwise provided in this charter, a minimum of five affirmative votes shall be required to adopt an ordinance.

270.20 Composition of Regional Committees

Each regional committee shall consist of ~~twelve~~ nine voting members. ~~Six~~ Three members shall be metropolitan county councilmembers appointed by the chair of the council, and shall include councilmembers from districts with unincorporated residents. Each county councilmember vote shall be weighted as two votes. The remaining six members of each committee except the water quality committee shall be local elected city officials appointed from and in proportion to the relative populations of: (i) the city with the largest population in the county and (ii) the other cities and towns in the county. Committee members from the city with the largest population in the county shall be appointed by the legislative authority of that city. Committee members from the other cities and towns in the county shall be appointed in a manner agreed to by and among those cities and towns representing a majority of the populations of such cities and towns, provided, however, that such cities and towns may appoint two representatives for each allocated committee membership, each with fractional (1/2) voting rights.

The special purpose districts providing sewer service in the county shall appoint two members to serve on the water quality committee in a manner agreed to by districts representing a majority of the population within the county served by such districts. The remaining four local government members of the water quality committee shall be appointed in the manner set forth above for other regional committees. The council may by ordinance authorize the appointment to the water quality committee of additional, non-voting members representing entities outside of the county that receive sewerage treatment services from the county. Allocation of membership of each committee's members who are city and town representatives shall be adjusted January 1 of each even-numbered year beginning in 1996 based upon current census information or, if more recent, official state office of financial management population statistics.

In the event any areas are annexed pursuant to powers granted to metropolitan municipal corporations under state law, the populations of any cities and towns in such annexed areas shall be considered as if they were within the county for purposes in this section with regard to regional committee participation on policies and plans which would be effective in such annexed areas.

Members representing six and one-half votes constitute a quorum of a regional committee. In the absence of a quorum, the committee may perform all committee functions except for voting on legislation or a work program. Each committee shall have a chair and a vice-chair with authority as specified by ordinance. The chair shall be a county councilmember appointed by the chair of the county council. The vice-chair shall be appointed by majority vote of those committee members who are not county councilmembers, in accordance with voting rights that are apportioned as provided in this section.

270.30 Powers and Duties.

Each regional committee shall develop, propose, review and recommend action on ordinances and motions adopting, repealing, or amending county-wide transit, water quality or other regional countywide policies and plans relating to within the subject matter area for which a regional of the committee has been established. The subject matter area of the regional policies committee may, by majority vote, request that the county council assign to the committee proposed policies and plans concerning other regional issues including but not limited to public health,

~~human services, regional services financial policies, criminal justice and jails, and regional facilities siting shall consist of those countywide plans and policies included in the committee's work program by a majority of the members present and voting, with no fewer than three and one-half affirmative votes.~~

~~The metropolitan county council shall assign refer each such proposed ordinance or motion, except those developed and proposed by a regional committee, to a regional committee for review. When a proposed policy or plan is referred to a The regional committee for shall complete review, a time limit for such review shall be and recommend action within one hundred twenty days or such other time as is jointly established by the metropolitan county council and the committee, which shall be confirmed in the form of a motion by the metropolitan county council. If the committee fails to act upon the proposed policy or plan ordinance or motion within the established time limit, the metropolitan county council may adopt the proposed policy or plan ordinance or motion upon six affirmative votes. The committee may request, by motion to the county council, additional time for review.~~

~~A proposed policy or plan recommended ordinance or motion that has been reviewed and recommended or developed and proposed by a regional committee may be adopted, without amendment, by the metropolitan county council by five affirmative votes. If the metropolitan county council votes prior to final passage thereof to amend a proposed policy or plan ordinance or motion that has been reviewed or recommended or proposed by a regional committee, the proposed policy or plan ordinance or motion, as amended, shall be referred back to the appropriate committee for further review and recommendation. The committee may concur in, dissent from, or recommend additional amendments to the policy or plan ordinance or motion. After the regional committee has had the opportunity to review all metropolitan county council amendments, final action to adopt any proposed policy or plan ordinance or motion that differs from the committee recommendation shall require six affirmative votes of the metropolitan county council.~~

~~Each regional committee may develop and propose directly to the council, an ordinance or motion adopting, amending, or repealing a county-wide policy or plan within the subject matter area of the committee. Such proposals must be approved by a majority of the members present and voting, with no fewer than three and one-half affirmative votes. Within 120 days of introduction or such other time as is jointly established by the metropolitan county council and the committee, which shall be confirmed in the form of a motion by the metropolitan county council, the council shall consider the proposed legislation and take such action thereon as it deems appropriate, as provided by ordinance.~~

~~The council shall not call a special election to authorize the performance of an additional metropolitan municipal function under state law unless such additional function is recommended by a regional policy committee, notwithstanding the provisions of Section 230.50.10 of this charter. Such recommendation shall require an affirmative vote of at least two-thirds of the membership of each of: (1) metropolitan councilmembers of the committee; (2) members from the city with the largest population in the county; and (3) other city or town members of the committee. Nothing in this section prohibits the metropolitan county council from calling a special election on the authorization of the performance of one or more additional metropolitan functions after receiving a valid resolution adopted by city councils as permitted by RCW 35.58.100(1)(a) and RCW 35.58.100(1)(b), or a duly certified petition as permitted by RCW 35.58.100(2).~~

Transitory Provisions

350.20.30 Metropolitan Services Department Transitory Provisions:

~~The metropolitan services department shall be independent of all other executive departments and administrative offices of county government. The metropolitan services department shall operate the metropolitan services in order to perform the metropolitan functions of public transportation and water pollution abatement performed by the Municipality of Metropolitan Seattle (METRO) prior to county assumption of METRO'S metropolitan functions, and shall perform all additional metropolitan functions hereafter authorized under authority of RCW 35.58. Upon county assumption of the rights, powers, functions and obligations of METRO, the metropolitan services department shall take jurisdiction of all the assets and property, real and personal, of METRO.~~

~~The metropolitan services department shall initially have the same organizational and reporting structure as has METRO immediately prior to county assumption of METRO's functions. Notwithstanding any other provision of this charter, for a period of two years after January 1, 1994, the county Council shall not abolish, combine, or divide the administrative divisions of the metropolitan services department, nor shall it transfer the personnel or powers or duties or property of that department from one division to another, either within the metropolitan services department or to another executive department or administrative office of county government. Thereafter, any organizational changes shall not adversely affect the provision of metropolitan function services.~~

Section 900 Effective Date and Elections.

The effective date of this charter shall be May 1, 1969, except that special nominating primaries and a special election shall be held on February 11, 1969, and March 11, 1969, respectively to elect the first county executive, county assessor and Councilmen to be elected after the adoption of this charter. The nominating primaries and election shall be conducted in accordance with the provisions of Sections 610 and 620, except that the declarations of candidacy for the nominating primaries shall be filed during December 16-20, 1968; provided, however, that the declarations of candidacy for the nominating primary for a Councilman district in which a county Commissioner elected in 1966 or 1968 resides shall be December 23-27, 1968, if that county Commissioner resigns or files a declaration of candidacy for county executive or county assessor. A candidate may withdraw his nomination in accordance with the provisions of the last paragraph of RCW 29.18.030, and a vacancy on a party ticket may be filled in accordance with the provisions of RCW 29.18.150.

Section 910 Councilman Districts.

Until they are changed by a districting ordinance in accordance with the provisions of this charter, the districts of the Councilmen shall be as follows: Councilman District No. 1 shall consist of: the following precincts in Legislative Districts 44, 45 and 46 and all precincts lying north of them: 44-85 through 44-88, 45-98 through 45-100, 46-97 through 46-101, 46-106, 46-115 and 46-116; all precincts in Legislative District No. 1 except those south of precincts Juanita, Bokirk, Phyllis, Firlock and Willows; and precinct Woodinville in Legislative District No. 48.

Councilman District No. 2 shall consist of Precincts 32A-1 through 32A-51, 32B-82 through 32B-119, 43-1 through 43-29, 43-106, 45-1 through 45-33, 45-42 through 45-45, 45-54 through 45-59, 45-61 through 45-1 through 46-96, 46-102 through 46-105 and 46-127.

Councilman District No. 3 shall consist of: all precincts in Legislative District No. 48 except precinct Woodinville; the following precincts in Legislative District No. 41 and all precincts lying north of them: Enatai, Bellevue No. 1, Bellevue No. 62, Bellevue No. 65, Bel-Air, Beachcrest, Squak Mountain, Gilman, Tiger Mountain and Hutchison; and precincts Lorraine and Timber Lake in Legislative District No. 47.

Councilman District No. 4 shall consist of precincts 44-1 through 44-84, 45-34 through 45-41, 45-46 through 45-53, 45-60, 45-69, 45-70 through 45-79, 45-82 through 45-96, 32B-60 through 32B-81, 43-85, 43-92, 43-100, 43-101, 43-103, 37-1 through 37-4, and all precincts in Legislative District No. 36. Councilman District No. 5 shall consist of precincts 37-5 through 37-106, 43-30 through 43-84, 43-86 through 43-91, 43-93 through 43-99, 43-102, 44-104, 43-107 through 43-109, 33-1 through 33-50, 33-54 through 33-56, and 34-96 through 34-114.

Councilman District No. 6 shall consist of all precincts on Mercer Island and all of the following perimeter precincts and all precincts lying within them: 33-100, 33-101 and 33-107 in Legislative District No. 33; 35-6, 35-7, 35-9, 35-17, 35-18, 35-19, Laurel and Lakeridge in Legislative District No. 35; Bryn Mawr, Fillmore, and Renton No. 1 through Renton No. 57 in Legislative District No. 47; Olympic, McDivitt, Hazelwood, Lake Heights, Mocking Bird and Newport in Legislative District No. 41; Bellevue No. 66, Eastgate, Arline, Horizon, Willowridge and Cougar Mountain in Legislative District No. 47; Kathleen, Hi-Valley, Maple Hills, Cedar Mountain, Arthur, Spring Lake and Milwaukee in Legislative District No. 41; Fairway, Merrihill, Petrovitsky, Iowa, Darlene and Tukwila No. 1 through Tukwila No. 5; and Rentthree, Thorndyke, Galway, Showalter, Riverton, Quarry, Duwamish, Boeing, Avon, 35-21, 35-16, 35-11 and 35-12 in Legislative District No. 35.

Councilman District No. 7 shall consist of all precincts on Vashon Island and Maury Island and the following perimeter precincts and all precincts lying within them: Virginia, Nokomis, Seahurst, Seapark, Shoreview, Shorewood, Seola, Qualheim, Aquaview, Greene, Wynona, Mount View, Kingston, Greendale, Marian and Sylvan in Legislative District No. 31; Florina, Emeline, South Park, Danish, Meath, Military Road, Charlotte, Val-Vue, Earls, Duncan, Ford, Falcon, Airport, Moriarity, McMicken, Sunrise, Emerald and Leinster in Legislative District No. 35; and Cork, Crestview, Tyee, Diane, Lakefront, Columbus, Mansion Hill, Ferdinand, Mayo, Midway, Redwood, Sequoia, Zedinick, Zenith, Des Moines No. 1 through Des Moines No. 8, Marine View, Normandy Park No. 1 through Normandy Park No. 9, Crescent, Three Tree Point and Maplewild in Legislative District No. 30.

Councilman District No. 8 shall consist of: precincts 33-51 through 33-53, 33-57 through 33-99, 33-102 through 33-106, 33-108 and 34-1 through 34-95, 35-1 through 35-5, 35-13 through 35-15; and following precincts and all precincts in Legislative District No. 31 lying north of them: 31-1 through 31-64, Sunnywood, Seaview, Oakpark, Bangor, Center, Heights, and Norfolk.

Councilman District No. 9 shall consist of the following perimeter precincts and all precincts lying within them: Lakeland, St. George, Pierce, Netac, Candlewood, Palisades, Lakota, Adelaide, Buenna, Delray, Redondo, Soundcrest, Woodmont, Salt Water, Seacoma, Kent No. 1 through Kent No. 27,

Roosevelt, Grandview, O'Brien, Wayne, and Sue City in Legislative District 30; Fuller, Wanda, Carriage Lane in Legislative District No. 47; Lake Desire, Shadow Lake, Riverside, Pipe Line, Dorre Don, Tahoma, Hobart, Lester,

Sno Pass, Chinook, Sierra, Boise, Osceola, White River, Wabash and Muckleshoot in Legislative District No. 41; and Stuck, Pacific City and Trout Lake in Legislative District No. 47.

As used in this section, "precincts" refers to King County Voting Precincts as they were established by Resolution No. 35545 as passed by the Board of King County Commissioners on June 24, 1968, and all prior resolutions.

Section 920 Administrative Offices and Executive Department.

The initial administrative offices and executive departments of the executive branch shall include the following:

920.10 Administrative Offices.

920.10.10 Office of Budgets and Accounts.

The office of budgets and accounts shall prepare a proposed annual budget for the county as provided in Article 4, shall prescribe the accounting procedures to be used by the county and shall check all disbursement requests to determine that funds have been appropriated and are available and that the requested disbursements are in accordance with the terms of the contract or appropriation ordinance under which the disbursement is to be made. (King County 12-2005)

920.10.20 Office of Personnel.

The office of personnel shall have the responsibilities established by Article 5 and shall perform any other duties assigned to it by the chief administration officer.

920.10.30 Office of Systems Services.

The office of systems services shall establish and maintain a modern system for processing information in accordance with the needs of county government and shall provide central services for all branches of county government.

920.10.40 Office of Property and Purchasing.

The office of property and purchasing shall assign the use of all real and personal property owned or leased by the county, shall maintain all property unless its maintenance is otherwise assigned by this charter, by ordinance or by the county executive, shall negotiate the lease or sale of county property, shall contract for all services and public works which are not performed by county employees and shall purchase all real and personal property purchased by the county.

20.20 Executive Departments.

920.20.10 Department of Public Works, Utilities and Transportation.

The department of public works, utilities and transportation shall administer the construction and maintenance of the county road system and related facilities and shall be responsible for flood control, garbage disposal and other public works and utilities.

920.20.20 Department of Public Safety.

The department of public safety shall enforce law and order, shall administer the county jail and shall be responsible for civil defense.

920.20.30 Department of Public Health.

The department of public health shall administer all health programs under the control of the county including all medical services necessary to assist the department of public safety and shall perform autopsies.

920.20.40 Department of Records and Elections.

The department of records and elections shall record, file and register all documents presented to it which by general law may be recorded, filed or registered to provide constructive legal notice and all other documents specified by ordinance; shall maintain the county archives to store all county records which should not be destroyed and which are not necessary for the current operation of county government; shall be responsible for the registration of voters in unincorporated areas of the county; and shall conduct all special and general elections held in the county.

920.20.50 Department of Finance.

The department of finance shall collect all county revenue, shall make all disbursements approved by the office of budgets and accounts and shall be responsible for investing county funds.

920.20.60 Department of Parks.

The department of parks shall operate and develop all county parks and other recreational facilities and programs and shall be responsible for public open space and other related public community services.

920.20.70 Department of Planning.

The department of planning shall prepare and present to the county Council comprehensive plans for adoption by ordinance with or without amendments; shall advise all agencies of the county on planning; shall coordinate planning of the county with other governmental agencies; and shall assist the office of budgets and accounts in developing capital improvement programs and capital budgets.

The department of planning shall receive and consider all zoning applications. It shall make the initial decision concerning all applications for zoning variances and conditional use permits, and its decisions shall be final unless appealed to the board of appeals. It shall consider and make recommendations to the county Council concerning all applications for rezoning or original zoning.

920.20.80 Department of Building.

The department of building shall be responsible for the issuance of building permits and shall administer and enforce building codes, zoning ordinances, fire regulations and other codes and regulations assigned to it.

920.30 Modification of Administrative Offices and Executive Departments.

For a period of two years after the effective date of this charter, the county Council shall not abolish, combine or divide the administrative offices and the executive departments specified in this section and shall not transfer the specified powers and duties from one office or department to another; except that the county Council may adopt an ordinance to combine the department of planning and the budget function of the office of budgets and accounts and to combine the departments of finance and the accounting function of the office of budgets and accounts.

Section 930 County Commissioners.

Unless he resigns or seeks nomination to the office of county executive or county assessor, a county Commissioner elected at the general election in November 1966 or November 1968 shall be entitled to assume a position as a Councilman on the county Council established by this charter and shall represent the Councilman district established by this charter in which he resides on September 1, 1968, in which case a special election for the first Councilman for that district shall not be held.

Section 940 County Assessor.

Unless he resigns or seeks nomination to the office of county executive or Councilman, the county assessor elected at the general election in 1966 shall be entitled to assume the position as the county assessor established by this charter in which case a special election for the first county assessor after the adoption of this charter shall not be held.

Section 950 Commencement and Terms of Office.

The terms of office of officers elected at the special election on March 11, 1969, and the county Commissioners or assessor elected at the general elections in 1966 or 1968 who assume positions as Councilmen or assessor in the offices established by this charter, shall commence on May 1, 1969. The terms of office of the county assessor and Councilmen representing even numbered districts shall expire when their successors are elected at the general election 1971, have qualified and have commenced their terms of office. The terms of office of the county executive and Councilmen representing odd numbered districts shall expire when their successors are elected at the general election in 1973, have qualified and have commenced their terms of office.

Section 960 Compensation.

The Councilmen and county assessor who take office on the effective date of this charter shall receive during their first term of office under this charter the compensation specified by general law for county Commissioners and county assessors, respectively. The county executive who takes office on the effective date of this charter shall receive during his first term of office under this charter one and one-half times the compensation paid to a Councilman. Thereafter all compensation shall be established by the county Council by ordinance.

Section 970 The Personnel System.

970.10 Personnel Board Members

The original members of the personnel board shall be appointed and confirmed or elected by June 1, 1969[sic] The appointed members shall be appointed for the following terms: one for a five year term, one for a four year term, one for a three year term and one for a two year term; and the member elected by the members of the career service shall be elected for one year. Thereafter, any new appointment or election, except to fill out an unexpired term, shall be for a five year term.

970.20 Effective Date

The county executive shall present to the county Council a proposed ordinance containing a comprehensive set of personnel rules as soon as possible, and the effective date of the personnel system shall be no later than January 1, 1970. Prior to the effective date of the personnel system, each employee shall be appointed, promoted, suspended and removed by the officer in whose office he serves.

970.30 Elective County Officers.

Every elected county officer except a county Commissioner whose office is abolished or made appointive by the adoption of this charter and who holds office on the effective date of this charter shall be continued in county employment at the rate of compensation specified by general law for the office which he held on the effective date of this charter until the date when the term of office to which he was elected would have expired but for the adoption of this charter; and, thereafter, he shall be entitled to be appointed at the same rate of compensation to an administrative position covered by the career service subject to all of the rules of the personnel system including rules concerning compulsory retirement but excluding the rules concerning initial appointment.

970.40 County Employees.

A non-elective county officer or employee employed by the county on the effective date of the personnel system shall be entitled to be appointed to a similar position covered by the career service for which he is qualified subject to all of the personnel rules including those concerning compulsory retirement but excluding the rules concerning initial appointments; provided, however, that a county employee who was employed by the county on June 1, 1968, and was involuntarily suspended, demoted or removed without just cause prior to the effective date of the personnel system shall have a preferential right to be appointed to a position covered by the career service similar to that in which he was employed on June 1, 1968. A non-elective county officer or employee employed in a position which is not covered by the career service on the effective date of the personnel system shall have the right to be appointed to a position which is covered by the career service which is as nearly comparable as possible to the position which he held on the effective date of the personnel system when he is removed from the position subject to all of the rules of the personnel system including rules concerning compulsory retirement but excluding the rules concerning initial appointment.

970.50 Sheriff's Civil Service System.

The sheriff's civil service system as provided by general law shall continue in full force and effect for a period of two years after the effective date of the personnel system. At the end of the two year period, the county Council may by ordinance provide that the sheriff's civil service Commission be terminated and that its duties be assumed by the personnel system established by this charter. In such an event, the personnel rules adopted by the county Council shall not be applied so as to decrease or eliminate any of the rights, privileges and protections granted to the deputy sheriffs and other employees covered by the sheriff's civil service system except to the extent permitted by the state constitution and general law; and, if a personnel rule cannot be applied to the deputy sheriffs and other employees covered by the sheriff's civil service system, the county Council may adopt special rules which will apply only to the deputy sheriffs and other employees covered by the sheriff's civil service system.

Section 980 Board of Appeals.

The original members of the board of appeals shall be appointed and confirmed by June 1, 1969, and shall be appointed for the following terms: two for a four year term, two for a three year term, two for a two year term and one for a one year term. Thereafter, any new appointment, except to fill out an unexpired term, and any reappointment shall be for a four year term.

Section 990 Transition.

Except as provided by this article, the terms of office of elective county officers subject to this charter holding office on April 30, 1969, shall terminate on the effective date of this charter. All appointed officers and employees holding office on the effective date of this charter shall continue in the performance of their duties until their successors are appointed or until their duties are transferred, altered or abolished in accordance with the provisions of this charter. All boards and Commissions whose functions have not been transferred by this charter to another agency of county government established by this charter shall continue to function for one hundred twenty days after the effective date of this charter, at the end of which time they are hereby abolished unless re-established or continued by ordinance. All ordinances, resolutions and other official actions of the board of county Commissioners which are in effect on the May 1, 1969 effective date of this charter and which are not inconsistent with this charter shall continue in effect until they are amended, repealed or superseded in accordance with the provisions of this charter. All rights, claims, actions, orders, obligations, proceedings and contracts existing on the effective date of this charter shall not be affected by the adoption of this charter.

Unincorporated Areas Representation

220.20 Powers (The Metropolitan County Council)

The county council shall be the policy determining body of the county and shall have all legislative powers of the county under this charter. The county council shall exercise its legislative power by the adoption and enactment of ordinances; shall levy taxes, appropriate revenue and adopt budgets for the county; shall establish the compensation to be paid to all county officers and employees and shall provide for the reimbursement of expenses; except as otherwise provided herein shall have the power to establish, abolish, combine and divide administrative offices and executive departments and to establish their powers and responsibilities; shall designate within the administrative offices or executive departments a structure or structures with the power and responsibility to serve rural and urban unincorporated King County;

320.20 Powers and Duties (County Executive)

The county executive shall be the chief executive officer of the county and shall have all the executive powers of the county which are not expressly vested in other specific elective officers by this charter; shall supervise all administrative offices and executive departments established by this charter or created by the county Council; shall designate within the office of the executive a senior official with primary responsibility for the communication with and oversight of service provision to rural and urban unincorporated King County, including services to facilitate transition of urban unincorporated areas to cities; ...

Preamble:

We, the people of King County, Washington, in order to form a more just and orderly government, establish separate legislative and executive branches, insure responsibility and accountability for local and regional county governance and services, enable effective citizen participation, preserve a healthy urban and rural environment and economy, and secure the benefits of home rule and self-government, in accordance with the Constitution of the State of Washington, do adopt this charter.

APPENDIX B: Minority Reports

Minority Report – Elected Officials and Collective Bargaining

The Charter Commission has been faced with a barrage of issues proposed by the King County Sheriff, including the collective bargaining amendments that passed with a divided vote. The clear impact of all of the proposals would have been to create a new, separate executive branch of government in King County, the Sheriff's Office. The best solution for all of the issues and the collective bargaining issue would have been no amendments. The voted compromise language approved by the Charter Commission is placing a matter in the County Charter that should be dealt with by "good faith" management relationships. If there is any proper place to write rules of good conduct for King County elected department heads, it is the County Code – not the Charter.

This amendment will further divide the working relationships of the County executive branch. It is the beginning of a move to isolate the Sheriff and perhaps other elected officials from working with the King County Executive. Structurally, it is moving the County backwards to the old days of County government before the County adopted its home rule Charter in 1968. It will not improve accountability or authority within the County.

If further amendments to the Charter are granted to separate the Sheriff or other elected officials from effective working relationships with the County Executive, the patterns of past abuse that arose in a fragmented County and precipitated the 1968 Charter reform will repeat themselves. The greatest opportunity for abuse of public office is in the exercise of police powers and in the management of the police officers serving the County. Effective oversight by the County Council and Charter requirements that elected department directors work together with the County Executive are the best preventative measures to avoid future problems.

Signed,

Kirstin Haugen
Gary P. Long
Gov. Mike Lowry
Sharon Maeda
Lois North
Mike Wilkins

Minority Report – Open Space Protection

The Open Space Amendment seeks to use the King County Charter as the vehicle for regulating the use of specific parcels of real estate. This is a dangerous step that undermines the proper role of the charter.

Under the Washington Constitution, when a county frames a "home rule" charter, it is establishing a government. Wash. Const. art. 11, sec. 4. When adopted, the charter becomes the "organic law" that creates the body politic and establishes the structure and function of county government. *Id.*, see also *Ford v. Logan*, 79 Wash.2d 147, 155 (1971). Unfortunately, the recommendation to utilize the charter as a regulatory tool is a step away from this role and opens the door for charter amendments based on agendas or the politics of the day, rather than defining the structure of county government.

King County should resist attempts to use the charter review process for agendas unrelated to the structure of county government. The better public policy is to regulate the use of properties through duly enacted ordinances.

Signed,

Jim English
John Groen
Sarah Rindlaub

APPENDIX C: Ordinance Language

Ordinance language proposed for addition to the King County Code is underlined. Language proposed for removal from the code is shown in ~~strikeout~~.

Collective Bargaining and Elected Officials

An ordinance amending the King County Code as follows:

K.C.C. 2.16.035.

...

- C. The duties of the human resources management division shall include the following:
1. Developing and administering training and organizational development programs, including centralized employee and supervisory training and other employee development programs;
 2. Developing proposed and administering adopted policies and procedures for employment (recruitment, examination and selection), classification and compensation, and salary administration;
 3. Developing proposed and administering adopted human resources policy;
 4. Providing technical and human resources information services support;
 5. Developing and managing insured and noninsured benefits programs, including proposing policy recommendations, negotiating benefits plan designs with unions, preparing legally mandated communications materials and providing employee assistance and other work and family programs;
 6. Developing and administering diversity management and employee relations programs, including affirmative action plan development and administration, management and supervisory diversity training and conflict resolution training;
 7. Developing and administering workplace safety programs, including inspection of work sites and dissemination of safety information to employees to promote workplace safety;
 8. Administering the county's self-funded industrial insurance/worker's compensation program, as authorized by Title 51 RCW;
 9. Consulting with and ((R)) ~~representing~~ county agencies in the collective bargaining process as required by chapter 41.56 RCW;
 10. Consulting with and ((R)) ~~representing~~ county agencies in labor arbitrations, appeals and hearings including those in chapter 41.56 RCW and required by K.C.C. Title 3;
 11. Administering labor contracts and providing consultation to county agencies regarding the terms and implementation of negotiated labor agreements;
 12. Advising the executive and council on overall county labor and employee policies;
 13. Providing labor relations training for county agencies, the executive, the council and others;
 14. Overseeing the county's unemployment compensation program;
 15. Developing and maintaining databases of information relevant to the collective bargaining process; and
 16. Collecting and reporting to the office of management and budget on a quarterly basis information on the numbers of filled and vacant full-time equivalent and term-limited temporary positions and the number of emergency employees for each appropriation unit.

K.C.C. 3.16.020 Powers.

The bargaining agent is authorized on behalf of King County to meet, confer and negotiate with bargaining representatives of the public employees of King County for the purpose of collective bargaining as contemplated by chapter 41.56 RCW and Section 890 of the King County Charter, and to timely recommend to the King County council proposed wages, hours, and employee benefits and other conditions of county employment for the purposes of county budgets and such collective bargaining agreement or agreements as may be required and authorized by ordinance. The bargaining agent shall not negotiate new collective bargaining agreements prior to preparing for bargaining and conferring with the labor policy committee as required in K.C.C. 3.16.012, 3.16.025 and 3.16.050. The bargaining agent shall additionally prepare for bargaining concerning departments headed by elected officials in accordance with KCC 3.16.025.

K.C.C. 3.16.025 General provisions.

- A. The bargaining agent shall establish and conduct a process to prepare for negotiations that performs at least the following functions:
1. The bargaining agent should continue to use collaborative or interest-based bargaining where both parties agree, and this chapter shall not be construed to restrict or inhibit such bargaining;
 2. The bargaining agent shall cause to be developed and maintained a database of information within King County government on wages, hours, employee benefits, vacation and other leave, job classifications and substantial and factual information to provide knowledge of working conditions necessary to conduct effective negotiations. Such information shall be made available to the bargaining representatives to the extent provided by RCW 41.56.030(4), Public Employees' Collective Bargaining law of the state of Washington, as set forth by the collaborative process identified in King County council Motion 9182; and
 3. The policy committee and implementation committee shall each confer with the bargaining agent to develop necessary guidelines for the implementation of this section, consistent with this chapter and King County council Motion 9182.
 4. Prior to negotiating collective bargaining agreements with employees in the departments headed by elected officials, the bargaining agent shall consult with the elected official or his or her designee regarding bargaining objectives and in crafting proposed bargaining agreement language. The bargaining agent shall give due consideration to the elected officials objectives during the negotiation process. Objectives may include management ability to efficiently assign work and deploy the work force and to efficiently hire, promote and discipline employees. The bargaining agent shall also give due consideration to the short and long term fiscal impact of achieving these objectives. Language controlling working conditions (including work rules, shift schedules, discipline and termination) in any collective bargaining agreement covering employees of such a separately elected county official must be consented to by that elected official prior to the bargaining agent agreeing to such language, proposing its inclusion in a bargaining agreement or sending the bargaining agreement to the county council for ratification. If the executive and separately elected official are unable to resolve a conflict that arises regarding such language, they shall report this in writing to the council, which shall provide guidance on how to proceed in further negotiations concerning the matter in conflict.
- B. The bargaining agent shall be the sole negotiator for King County government and shall bargain in good faith as provided by law. The bargaining agent shall commence and complete collective bargaining negotiations in a timely manner and in accordance with the overall principles and intent of this chapter.

Regional Committees

..Title

AN ORDINANCE relating to council rules and order of business for Regional Committees; and amending Ordinance 11683, Section 7, as amended, and K.C.C. 1.24.065.

..Body

SECTION 1. Ordinance 11683, Section 7, as amended, and K.C.C. 1.24.065 are each hereby amended to read as follows:

Rule 7: Regional committees.

- A. Establishment. Three regional, standing committees are established as provided under the King County Charter to develop, recommend and review regional policies and plans for consideration by the council: the regional transit committee, the regional water quality committee and the regional policies committee.
- B. Membership.
1. Composition of committees.
 - a. The regional policies committee and regional transit committee are to each have ~~((twelve))~~ nine voting members. ~~((Six))~~ Three members of each committee, including the chair of each, must be county councilmembers appointed by the chair of the council and must include councilmembers from districts with unincorporated residents. Each county councilmember shall have two votes. The chair of the county council shall also appoint the chair of each committee. The remaining members of each committee must be local elected city officials appointed from and in proportion to the relative populations of the city of Seattle and the other cities and towns in the county. Cities and towns other than the city of Seattle may appoint two persons for each of their allocated memberships in each committee, each person with one-half vote. A vice-chair of each committee shall be elected by majority vote of the committee members who are not county councilmembers.
 - b. The regional water quality committee is to have ~~((twelve))~~ nine voting members. ~~((Six))~~ Three members of the

committee, including the chair, must be county councilmembers appointed by the chair of the council, and must include councilmembers from districts with unincorporated residents. The chair of the county council shall also appoint the chair of the committee. Each county councilmember shall have two votes. The remaining members of the committee must be local elected city officials appointed from and in proportion to the relative populations of the city of Seattle and the other cities and towns in the county, and two members from special purpose districts providing sewer service in King County. Cities and towns other than the city of Seattle may appoint two persons for each of their allocated memberships, each person with one-half vote. Special purpose districts located outside of the county that receive sewerage treatment services from the county may jointly designate one non-voting representative to serve on the committee. A vice-chair of the committee shall be elected by majority vote of the committee members who are not county councilmembers.

2. Alternating memberships. Each appointing authority may alternate members in accordance with the procedures established by the authority. The appointments must be announced at the beginning of each regional committee meeting to the committee chair or vice-chair and committee secretary by a person authorized by the appointing authority. Each appointing authority shall identify those members to receive mailings and notices of meetings.
3. Powers and duties of the chair. The chair of the committee has the following powers and duties:
 - a. The chair shall:
 - (1) Call the committee to order at the hour appointed for meeting and, if a quorum is present, shall cause the minutes of the previous meeting to be approved;
 - (2) Proceed with the order of business; and
 - (3) Adjourn the committee upon a motion to adjourn approved by a majority of members present;
 - b. The chair shall preserve order and decorum and in the interest of efficiency may impose time and subject matter limits for testimony and comment given by the public and members of the committee;
 - c. The chair shall promote efficient operation of the committee. The chair's act of adding to, removing from or taking out of order an item on a distributed and posted agenda may be appealed to the full body by members whose cumulative voting power is at least two votes. The chair shall discourage activities that are dilatory or disruptive. The chair shall endeavor to facilitate the will of the majority of members present at all times;
 - d. The chair may speak to points of order, inquiry or information in preference to other members. Upon a ruling of the chair on a point of order, the chair shall allow any members whose cumulative voting power is at least two votes to immediately request that the decision be placed before the body. If a majority of votes present agree to the ruling of the chair, the business of the committee must proceed without further debate. If a majority of the votes present do not support the ruling of the chair, the chair shall immediately allow a procedural motion to dispense with the issue in question, proceeding until a decision of the committee is secured and the business of the committee is allowed to proceed;
 - e. The chair shall provide copies to all committee members of all official communications and requests for committee action addressed to the chair.
4. Powers and duties of the vice-chair.
 - a. There shall be one vice-chair of each committee.
 - b. At committee meetings, the vice-chair shall exercise the duties, powers, and prerogatives of the committee chair in the chair's absence.
5. Chair actions, vice-chair consultation. The chair shall consult with the vice-chair in: (a) developing a draft work program for consideration by the full committee; (b) setting a schedule for carrying out the committee's work program; and (c) cancelling or changing the date, time or place of committee meeting. If the vice-chair disagrees with a chair's proposed decision regarding such matters, the chair shall not take unilateral action and shall refer such matters to the full committee.
- C. Quorum, notice and voting. Members representing six and one-half votes constitute a quorum of a regional committee. In the absence of a quorum, the committee may perform all committee functions except for voting on legislation or a work program. Notice of all regular and special meetings must be provided as specified in the Open Public Meetings Act of 1971, chapter 42.30 RCW, and notice must be given to members of the committees, including members who at any time during the calendar year have served on the committee or have been designated by their appointing authority to receive notice. All recommendations of a regional committee on council referred ordinances or motions must be approved by a majority of the members present and voting and must consist of at least three and one-half affirmative votes. All recommendations must be signed only by members who were present and voting on the matter and be made on a committee report form supplied by the council. There may not be voting by proxy.

- D.1.a. Referral to the regional transit committee. The chair of the council shall refer to the regional transit committee countywide policies and plans related to the transit services formerly provided by the municipality of metropolitan Seattle. If a standing committee of the council is considering an issue that, upon the standing committee's subsequent review, the standing committee believes should be considered as a countywide policy or plan related to transit, then the standing committee shall so inform the chair of the council. The chair of the council may then determine whether the policy or plan is to be referred to a regional committee.
- b. Referral to the regional water quality committee. The chair of the council shall refer to the regional water quality committee countywide policies and plans related to the water quality services formerly provided by the municipality of metropolitan Seattle. If a standing committee of the council is considering an issue that, upon the standing committee's subsequent review, the standing committee believes should be considered as a countywide policy or plan related to water quality, then the standing committee shall so inform the chair of the council. The chair of the council may then determine whether the policy or plan is to be referred to a regional committee.
2. Regional policies committee work program. The regional policies committee shall establish its subject matter through a work program adopted by ~~((ordinance by the council))~~ a majority of those committee members present and voting, with no fewer than three and one-half affirmative votes, provided that the work program shall be limited as provided by charter or ordinance, including but not limited to section K of this rule, K.C.C. 1.24.065.K. Once the work program is adopted, all regional policies and plans related to the subject matter must be referred to the committee by the council.
3. Provisions applicable to referrals by council chair and rereferrals. Referrals by the council chair or rereferrals are subject to the procedures, rights and constraints of Rules 13, 17 and 26, K.C.C. 1.24.125, 1.24.165 and 1.24.255.
- ~~((4. Proposals and recommendations. If a regional committee develops a proposed countywide policy or plan, or amendment or repeal of a policy or plan, and adopts a recommendation with respect to the policy, plan, amendment or repeal, a county councilmember may introduce the appropriate legislation to adopt the recommended policy or plan.))~~
- E. Time for review -- committees. A regional committee shall review legislation referred to it by the county council within one hundred twenty days of the legislation's referral or such other time as is jointly established by the council and the committee, which shall be confirmed in the form of a motion adopted by the council. However, the committee may request, and the county council may grant by motion, additional time for review. If the committee fails to act upon the proposed policy or plan within the established time limit, the county council may adopt the proposed policy or plan upon six affirmative votes.
- F. Time for review – council. The council shall amend, adopt or defeat the legislation referred to a regional committee within ninety days after receipt of an initial regional committee recommendation. However, upon receipt of the council chair's written request for an extension of the time limit, the committee may approve the request in writing by a majority vote at a special meeting or the next regular meeting of the committee.
- G. Adoption.
1. A proposed policy or plan recommended by a regional committee may be adopted, without amendment, by the county council by five affirmative votes.
 2. A proposed policy or plan that differs from the policy or plan recommended by a regional committee may be adopted by the county council by six affirmative votes after the regional committee has had the opportunity to review all county council amendments.
- H. Amendments and rereferral.
1. If the county council votes before the final passage to amend a proposed policy or plan that has been reviewed or recommended by a regional committee, the proposed policy or plan, as amended, must be referred to the appropriate regional committee for further review and recommendation.
 2. The timeline for the committee's review after rereferral may not be greater than sixty days. However, the committee may request, and the county council may grant by motion, additional time for review. The committee may concur in, dissent from or recommend additional amendments to the policy or plan.
 3. The council shall amend, adopt or defeat the legislation within sixty days after receipt of a regional committee recommendation following rereferral by the council.
- I. Regional committee consideration of other regional issues. The chair of the council may request that one or more regional committees examine and comment upon other pending issues that are not countywide policies or plans but would benefit from interjurisdictional discussion. The issues may include, but are not limited to, operational, organizational or implementation measures for countywide plans and policies. This type of regional committee analysis and comment is not subject to the mandatory procedural requirements of Section 270.30

of the King County Charter and the county council may need to act on such issues before comment from the regional committee.

- J. The regional committee is governed by the King County Charter, the King County Code and, except to the extent expressly provided otherwise, the rules and procedures established for standing and special committees in this chapter.
- K. Role of regional committees.
 - 1. A regional committee shall focus on planning and policy setting in program areas where it has been determined that regional service or facility planning is required and in area where it is agreed the opportunity and need for the planning exist. A regional committee is not responsible for routine review and recommendation on operational and administrative matters such as contracts, budgets, appropriations, and fares and rates, formerly performed by the council of metropolitan Seattle. A regional committee may, however, deal with policies to develop fares and rates within the committee's subject matter area.
 - 2. The regional transit committee shall develop, review and recommend countywide policies and plans related to the transportation services formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, the long-range transit system and capital improvement plans, service design, development and allocation policies, financial policies, fare policies, facility siting policy and major facilities siting process, and review and comment upon Regional Transit Authority plans.
 - 3. The regional water quality committee shall develop, review and recommend countywide policies and plans related to the water pollution control functions formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, water quality comprehensive and long-range capital improvement plans, service area and extension policies, rate policies, and the facility siting policy and major facilities siting process.
 - 4. The regional policies committee shall review and recommend regional policies and plans, other than transit and water quality plans, that are within the subject matter area for the committee. Also, the committee may develop proposed policies and plans on issues of countywide significance but, unless referred to the committee by the county council, the policies and plans are not subject to the procedural requirements of Section 270.30 of the King County Charter. Issues that may be referred to the committee or be the subject of the committee's policy development include, but are not limited to, public health, human services, open space, housing, solid waste management, regional services financial policies, criminal justice, jails and district court services, and regional facilities siting. In addition, the regional policies committee may consider major regional governance transition and consolidation issues, particularly those involving potential changes in organization and responsibilities with other county, city or regional organizations.
- L. Policies or plans proposed by regional committees.

A regional committee may develop and propose directly to the council, an ordinance or motion adopting, amending, or repealing a county-wide policy or plan regarding regional transit, water quality or other county-wide policies and plans within the subject matter area of the committee. Such proposals must be approved by a majority of the committee members present and voting, with no fewer than three and one-half affirmative votes. For purposes of this section, the subject matter of the regional policies committee shall include matters set forth in the committee's adopted work program. Within 120 days of introduction by the committee, the council or a standing committee shall consider the proposed legislation and take such action thereon as it deems appropriate, including approval, rejection, amendment and re-referral, postponement, or any other action of record during a council or standing committee meeting. Within five calendar days following council or standing committee action, the clerk of the council or the standing committee shall notify the vice-chair of the committee of the action taken. If the council amends the proposed legislation, the procedures described in Section H shall be followed, except that the council's duty to act on such legislation under Section H.3 shall be satisfied by approval, rejection, amendment and re-referral, postponement, or any other action of record taken during a council or standing committee meeting within sixty days following receipt of the legislation from the regional committee.

~~(E)~~M. To assist each regional committee in evaluating countywide policies and plans, the committee may conduct public meetings and hearings and request briefings and other information from citizens, county, state and local agencies, business entities and other organizations.

APPENDIX D: Recommendation Letters

King County Library System

1- Letter to the Executive

May 30, 2008

The Honorable Ron Sims
King County Executive
Columbia Center
701 Fifth Avenue, Suite 3210
Seattle, WA 98104

Dear Executive Sims:

The 2007-08 Charter Review Commission (CRC) thanks you for sending your representative, Rick Ybarra, to participate in our Regional Governance Subcommittee's meeting on October 29, 2007. At that meeting, we discussed the King County Library System (KCLS) and the concerns of its patrons. Commissioners heard from representatives of the Ad Hoc Group of KCLS patrons, representatives of the KCLS Board, and Mr. Ybarra.

As a result of those discussions and our consideration of information obtained over the course of the CRC's public outreach campaign, we have made several important observations regarding proposed Charter revisions involving the KCLS. The CRC has concluded that public concerns over the workings of the KCLS and its Board of Trustees will most effectively be addressed by recognizing the following:

1. The need for a greater number of board members in order to ensure adequate expertise, sufficient numbers to facilitate subcommittee deliberations, and broader representation of King County residents served by the KCLS;
2. The need for a more deliberate board selection outreach process in order to establish a Board of Trustees that is representative geographically of KCLS patrons countywide; and
3. The need for public access to all meetings of the board and its subcommittees in order to address concerns about accountability.

We recognize that the County Charter does not have a significant role in addressing these matters given that KCLS' authority and responsibility is predominately governed by state statute. We nevertheless believe that addressing these concerns is significant to the residents of King County. To that end, the CRC is issuing recommendations to the King County Executive Office, King County Council, and the King County Library Board of Trustees as part of the CRC's 2008 Charter review submittal.

First, the CRC recommends that the process for KCLS trustee appointment provide for greater outreach in order to broaden representation of the geographic areas served by the KCLS. We respectfully recommend that you institute such a process that will guide Executive Office KCLS trustee appointments now and in the future.

Second, the CRC recommends that the County Council's 2008 legislative agenda include a proposal to amend RCW 27.12.190 to require larger library systems to have at least seven trustees on their governance boards. Having a greater number of trustees on the KCLS board would facilitate broader patron representations, expand library system expertise, and help address concerns about appropriately sized subcommittees.

Finally, the CRC recommends that the current KCLS Board of Trustees adopt procedural policies that ensure all full board and subcommittee meetings are open to the public irrespective of whether there is a quorum. This openness includes notifying the public in advance of meeting times and subject matter and making publicly available all materials produced for and as a result of the meetings. Regardless of legal arguments that call for a less publicly accessible approach, greater openness will help allay many of the existing public concerns about accountability and transparency.

It is readily apparent to the Charter Review Commissioners that KCLS officials, the King County Ad Hoc Group of Library Patrons, and elected and appointed officials from whom the CRC heard comments are extraordinarily

dedicated to ensuring that the KCLS continues to be one of the outstanding library systems in the country. We want to urge your support of this overriding goal and sincerely thank you for your attention to the concerns of KCLS patrons.

Sincerely,

Mike Lowry
Co-Chair
2007-2008 Charter Review Commission

Lois North
Co-Chair
2007-2008 Charter Review Commission

Cc: Bill Ptacek, Director, King County Library System
King County Councilmembers
Board of Trustees, King County Library System
Ad Hoc Group of the King County Library System Patrons

2- Letter to the Council

May 30, 2008

Metropolitan King County Council
516 Third Avenue, Room 1200
Seattle, WA 98104-3272

Dear Councilmembers:

The 2007-08 Charter Review Commission (CRC) thanks the Council in advance for taking under consideration the CRC's formal recommendations for changes to the King County Charter. Among the issues to which the CRC gave full consideration were concerns raised by patrons of the King County Library System (KCLS). These included the following:

- 1 The need for a greater number of board members in order to ensure adequate expertise, sufficient numbers to facilitate subcommittee deliberations, and broader representation of King County residents served by the KCLS;
- 2 The need for a more deliberate process of board selection outreach in order to establish a Board of Trustees that is representative geographically of KCLS patrons countywide; and
- 3 The need for public access to all meetings of the board and its subcommittees in order to address concerns about accountability.

We recognize that the King County Charter does not have a significant role in addressing these matters given that KCLS' authority and responsibility is predominately governed by state statute. We nevertheless believe that addressing these concerns is significant to the residents of King County. To that end, the CRC is issuing recommendations to the King County Council, the King County Executive Office and the King County Library Board of Trustees as part of the CRC's 2008 Charter review submittal.

First, the CRC respectfully recommends that you, members of the King County Council, include on the County Council's 2008 legislative agenda a proposal to amend RCW 27.12.190 to require larger library systems to have at least seven trustees on their governance boards. Having a greater number of trustees on the KCLS board would facilitate broader patron representation, expand library system expertise, and help address concerns about appropriately sized subcommittees.

Second, the CRC recommends that the Executive Office's process of nominating trustees to serve on the KCLS Board of Trustees provide for greater outreach in order to broaden representation of the geographic areas served by the KCLS. As part of this process, the CRC recommends that, as the Council deliberates on its confirmation of Executive appointed KCLS trustees, it consider the importance of a Board that is broadly representative of the KCLS service area.

Finally, the CRC recommends that the current KCLS Board of Trustees adopt procedural policies that ensure all full board and subcommittee meetings are open to the public irrespective of whether there is a quorum. This openness includes notifying the public in advance of meeting times and subject matter and making publicly available all materials produced for and as a result of the meetings. Regardless of whether legal arguments can be made to defend a less publicly accessible approach, greater openness will help allay many of the existing public concerns about accountability and transparency.

It is readily apparent to the Charter Review Commissioners that KCLS officials, the King County Ad Hoc Group of Library Patrons, and elected and appointed officials from whom the CRC heard comments are extraordinarily dedicated to ensuring that the KCLS continues to be one of the outstanding library systems in the country. We want to urge your support of this overriding goal and sincerely thank you for your attention to the concerns of KCLS patrons.

Sincerely,

Mike Lowry
Co-Chair
2007-2008 Charter Review Commission

Lois North
Co-Chair
2007-2008 Charter Review Commission

Cc: Bill Ptacek, Director, King County Library System
Board of Trustees, King County Library System
King County Executive Ron Sims
Ad Hoc Group of the King County Library System Patrons

3- Letter to the KCLS Board of Trustees

May 30, 2008

Board of Trustees
King County Library System
960 Newport Way NW
Issaquah, WA 98027
Dear Trustees:

The 2007-08 Charter Review Commission (CRC) thanks the King County Library System (KCLS) Board of Trustees for participating in our discussions regarding the library system and the concerns of its patrons. Commissioners are particularly grateful for the participation of Jessica Bonebright and Judge Richard Eadie at our subcommittee's meeting on October 29, 2007. As you know, at that meeting, Commissioners heard from representatives of the Ad Hoc Group of King County Library System patrons, King County Executive Ron Sims' representative Rick Ybarra, and the KCLS Board.

As a result of those discussions and our consideration of information obtained over the course of the CRC's public outreach campaign, we have made several important observations regarding proposed Charter revisions involving the KCLS. The CRC has concluded that public concerns over the workings of the KCLS and its Board of Trustees are likely to be best addressed by recognizing the following:

The need for a greater number of Board members to ensure adequate expertise, sufficient numbers to facilitate subcommittee deliberations, and broader representation of King County residents served by the KCLS;

The need for a more deliberate board selection outreach process in order to establish a Board of Trustees that is representative geographically of KCLS patrons countywide; and

The need for public access to all meetings of the Board of Trustees and its subcommittees in order to reduce concerns about a lack of open decision-making and accountability.

We recognize that the County Charter does not have a significant role in addressing these matters given that KCLS' authority and responsibility is predominately governed by state statute. CRC members nevertheless believe

that addressing these concerns is significant to the residents of King County. To that end, the CRC is issuing recommendations to the King County Council, the King County Executive Office and the King County Library Board of Trustees as part of the CRC's 2008 Charter review.

First, the CRC recommends that the County Council's 2008 legislative agenda include a proposal to amend RCW 27.12.190 to require larger library systems to have at least seven trustees on their governance boards. Having a greater number of trustees would facilitate broader patron representation, expand library system expertise, and help address concerns about appropriately sized subcommittees.

Second, the CRC recommends that the Executive Office's process of nominating trustees to serve on the KCLS Board of Trustees undertake greater outreach in order to provide for broader representation from geographic areas served by the KCLS.

Finally, the CRC respectfully recommends to you, members of the KCLS Board of Trustees, adopt procedural policies to ensure all full board and subcommittee meetings are open to the public irrespective of whether there is a quorum. This openness includes notifying the public in advance of meeting times and subject matter and making publicly available all materials produced for and as a result of the meetings. Regardless of whether legal arguments could be made to defend a less publicly accessible approach, greater openness will help allay many of the existing public concerns about accountability and transparency.

It is readily apparent to the Charter Review Commissioners that KCLS officials, the King County Ad Hoc Group of Library Patrons, and elected and appointed officials from whom the CRC heard comments are extraordinarily dedicated to ensuring that the KCLS continues to be one of the most outstanding library systems in the country. We urge your continued work towards this overriding goal and sincerely thank you for your exceptional service.

Sincerely,

Mike Lowry
Co-Chair
2007-2008 Charter Review Commission

Lois North
Co-Chair
2007-2008 Charter Review Commission

Cc: Bill Ptacek, Director, King County Library System
King County Council
King County Executive Ron Sims
Ad Hoc Group of the King County Library System Patrons

Instant Runoff Voting

May 30, 2008

The Honorable Julia Patterson
Council Chair
Metropolitan King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Patterson,

Throughout the community outreach process, the Charter Review Commission heard from a number of citizens urging adoption of ranked choice voting – combining the primary and general election by having voters rank candidates in order of preference on one ballot. Endorsed by the League of Women Voters of Washington, ranked choice voting preserves a role for political parties without sacrificing voter choice.

In 2006, Pierce County adopted ranked choice voting as a solution to the pick-a-party primary.

Pierce County is conducting their first ranked choice election this fall. Used since 1941 in Cambridge, Massachusetts, ranked choice voting has now spread to San Francisco, Minneapolis, and a dozen more jurisdictions throughout the country, from Florida to Colorado.

Ranked choice voting could save \$2.5 million annually by eliminating the August primary. King County already uses the same tabulation equipment as other ranked choice voting jurisdictions. Optical scan ballots, with a secure paper trail, can be hand counted as necessary, affording maximum transparency.

The Charter Review Commission recommends that the Council form a citizen commission to study Instant Runoff Voting in-depth, with the appointment of the commission completed by January 2010. The commission should finish its work and report its recommendations back to the Council no later than January 2011. The citizen commission should include at least one representative from King County Elections.

Thank you for your consideration of this issue.

Sincerely,

The Honorable Mike Lowry
Co-Chair
2007-08 Charter Review Commission

Lois North
Co-Chair
2007-08 Charter Review Commission

Cc: Metropolitan King County Council
Kurt Triplett, Chief of Staff, County Executive Office
Ross Baker, Chief of Staff, King County Council
Rebecha Cusack, King County Council Liaison to the Commission
Mike Sinsky, Senior Deputy, King County Prosecuting Attorney's Office

APPENDIX E: List of Guest Speakers

The 2007-2008 Charter Review Commission thanks all of the speakers who participated in the review process.

1. Governmental Structure:

Speakers who spoke on behalf of issues related to this group include:

- Richard Albrecht, Former Charter Review Commissioner
- Richard Anderson-Connolly, President, Instant Runoff Voting Washington
- Christal Brunnenkant , League of Women Voters
- Kelly Haughton, Citizens for a Better Ballot
- Councilmember Kathy Lambert
- Ralph Munro, Former Secretary of State
- Toby Nixon, Former State legislator and I-25 spokesperson
- Suzie Sheary, King County Democrats
- Mark Smith, Associate Professor of Political Science – University of Washington
- Lucy Steers, Municipal League
- Don Whiting, Former Chief Elections Officer
- Michael Young, King County Republicans

2. Regional Governance:

Speakers who spoke on behalf of issues related to this group include:

- Jessica Bonebright, Trustee, King County Library System Board
- Deputy Mayor John Chelminiak, Bellevue
- Councilmember Richard Conlin, Seattle City Council
- Bob Cowan, King County Budget Director
- Judge Richard Eadie, Trustee, King County Library System Board
- Steve Eggert, President of the King County Police Officer's Guild
- Vicky Henderson, Representative of KC Special Districts of the Washington State Association of Sewer and Water Districts.
- Bob Hirsch, King County Department of Natural Resources and Parks
- John W. Milne, General Counsel for Coal Creek Utility District
- Tom Peadon, Coal Creek Utility District, Representative of KC Special Districts of the Washington State Association of Sewer and Water Districts.
- Larry Phillips, King County Councilmember, District 4
- Sonny Putter, Suburban Cities Association
- Sue Rahr, King County Sheriff
- Randy Revelle, former King County Executive and Chair, Sheriff's Blue Ribbon Panel
- Mian Rice, City of Seattle
- Kurt Triplett, Executive Chief of Staff
- Chris Vick, Attorney for the King County Police Officer's Guild
- Rick Ybarra, King County Office of the Executive

3. Rural/Local:

Speakers who spoke on behalf of issues related to this group include:

- Rod Brandon, Director of Environmental Sustainability for the Office of the Executive
- Bob Burns, Deputy Director of the Department of Natural Resources and Parks
- Gene Duvernoy, President of the Cascade Land Conservancy
- Rick Spence, Tom Carpenter, and Jim English of the Four Creeks and Vashon/Maury Island Unincorporated Areas Councils
- David Spohr, Rural Ombudsman for King County
- Kurt Triplett, Chief of Staff for King County Executive Ron Sims
- Stephanie Warden, King County Director of Department of Development & Environmental Services (DDES)

APPENDIX F: Summary of Issues Reviewed by the Ad Hoc Committee

Annexation – issues received from the Suburban Cities Association and Councilmember Lambert. Issues include development of land in potential annexation areas, transfer of debt burdens, encouraging resident support for annexation.

Budgeting – issues received from the City of Burien, Councilmember Lambert, the Suburban Cities Association, and others. Issues include separating the regional budget from the local service budget, the Executive’s budget transmittal timeline, the presentation of budget information to the Council, and biennial budgeting.

Council procedures – issues received from Brian Derdowski, Councilmember Lambert, and others. Issues include holding meetings without a quorum, Council line of succession, emergency ordinances, and redistricting.

Paid signature gathering – issues received from the former Director of Elections Julianne Kempf, Mark Early of WA Public Campaigns, and others. Issues included whether to ban paid signature gathering and residency requirements for signature gatherers.

Sheriff – issues received from the Sheriff’s Operational Master Plan Committee (via Sue Rahr and Bob Cowan), the Sheriff’s Office, the Suburban Cities Association, and others. Issues included control over management rights, including negotiating pay and benefits; excluding contract matters relevant to the Sheriff from the Charter; giving the Sheriff the ability to make staff appointments; and allowing for collective bargaining by the county with employees covered by the Sheriff’s Office civil service system.

Appendix G: Open Space Amendment Inventory (Charter Appendix A)

The following is a summary of the Open Space Amendment property list adopted by the Commission, and does not include specific parcel and recording numbers for each property. These numbers would be a part of Charter Appendix A if the Open Space Amendment is adopted. The full property list is available on the Commission's website at <http://www.kingcounty.gov/exec/charter/issues/openspace>.

PROPERTY NAME	ACRES (Fee)	ACRES (Easement)
Ames Lake Forest	0	425
Auburn Narrows Natural Area - portion	16	0
Bass Lake Complex Natural Area	93	0
Belmondo Reach Natural Area	12	0
Big Spring/Newaukum Creek Natural Area - portion	0	17
Black Diamond Natural Area - portion	427	0
BN Peninsula Natural Area	27	0
Boxley Creek Site	147	0
Carey Creek Natural Area	0	10
Carnation Marsh Natural Area	68	12
Cavanaugh Pond Natural Area	57	0
Cedar Downs Site	78	0
Cedar Grove Natural Area	75	0
Cedar Grove Road Natural Area	3	0
Cemetery Reach Natural Area	46	0
Chinook Bend Natural Area	71	3
Christiansen Pond Natural Area	0	19
Cold Creek Natural Area	130	0
Cougar Mountain Regional Park - portion	2688	0
Cougar/Squak Corridor	431	0
Covington Natural Area	56	0
Crow Marsh Natural Area - portion	0	100
Dockton Forest	19	0
Dockton Natural Area	26	0
Dorre Don Reach Natural Area - portion	29	0
Ellis Creek Natural Area	3	0
Evans Creek Natural Area	38	0
Evans Crest Natural Area	30	0
Fall City Natural Area	49	29
Fall City Park West	33	0
Girl Scouts Totem Council	0	367
Green River Natural Area - portion	757	0
Griffin Creek Natural Area	62	0
Hatchery Natural Area	24	0
Hazel Wolf Wetland Natural Area	0	116
Inspiration Point Natural Area	6	0

PROPERTY NAME	ACRES (Fee)	ACRES (Easement)
Island Center Forest	288	0
Island Center Forest Natural Area	81	0
Issaquah Creek Natural Area - portion	38	0
Jones Reach Natural Area	3	0
Kanaskat Natural Area	170	0
Kathryn C. Lewis Natural Area	10	0
Landsburg Reach Natural Area	50	0
Little Soos Creek Wetlands Natural Area	7	0
Log Cabin Reach Natural Area	118	0
Lower Bear Creek Natural Area	11	0
Lower Lions Reach Natural Area	2	0
Lower Newaukum Creek Natural Area	30	0
Lower Peterson Creek Corridor Natural Area	67	0
Manzanita Natural Area	2	0
Marjorie R. Stanley Natural Area	18	0
Maury Island Marine Park - portion	270	0
May Valley 164th Natural Area	4	0
Middle Bear Creek Natural Area	66	25
Middle Evans Creek Natural Area	0	38
Middle Fork Snoqualmie Natural Area	644	0
Middle Issaquah Creek Natural Area	14	0
Mitchell Hill Connector Forest	426	0
Moss Lake Natural Area - portion	318	0
Mouth Of Taylor Reach Natural Area	12	0
Neely Bridge Natural Area	28	0
Neill Point Natural Area	52	0
Nowak Natural Area	8	0
Paradise Lake Natural Area	123	31
Paradise Valley Natural Area	5	0
Patterson Creek Natural Area	205	0
Patterson Creek Preserve Forest	0	243
Peterson Lake Natural Area	145	0
Piner Point Natural Area	7	0
Pinnacle Peak Park - portion	228	0
Porter Levee Natural Area	56	0
Raab's Lagoon Natural Area	10	0
Raging River Natural Area	51	0
Ravenhill Open Space	26	0
Ravensdale Retreat Natural Area	138	0
Ricardi Reach Natural Area	10	0
Ring Hill Forest	321	0
Rock Creek Natural Area - portion	86	0
Shadow Lake Natural Area	0	59
Shinglemill Creek Natural Area	0	46

PROPERTY NAME	ACRES (Fee)	ACRES (Easement)
Snoqualmie Forest	0	90476
Soos Creek 140th Open Space	16	0
Spring Lake/Lake Desire Park	386	0
Squak Mt/Tiger Mt Corridor	266	0
Stillwater Natural Area	45	101
Sugarloaf Mountain Forest	284	0
Taylor Mountain Forest	1845	0
Three Forks Natural Area	267	0
Tollgate Farm - portion	161	0
Tolt River Natural Area	264	0
Uplands Forest	0	353
Upper Bear Creek Conservation Area	22	16
Upper Raging River Forest	0	2724
Wetland 14 Natural Area	41	0
Wetland 79 Natural Area	7	0
Total acres (108,460)	13,249	95,211

We the People

Article 1

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 3. The Senate shall be composed of two Senators from each State, chosen by the Legislature of the State for six Years; and each Senator shall have the Qualifications requisite for Senators of the most numerous Branch of the State Legislature.



King County