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**Resigned*

**1996-97 KING COUNTY
CHARTER REVIEW
COMMISSION**

**FINAL REPORT AND
RECOMMENDATIONS**

JUNE 1997

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TABLE OF CONTENTS

Page

1	EXECUTIVE SUMMARY
6	PART I: BACKGROUND
6	What Is The Charter and Why Was It Reviewed?
6	Charter Review and Amendment Requirements
6	Development of the Charter
7	History of Charter Review and Amendments
11	PART II: RECOMMENDATIONS
11	Summary
12	Priority Charter Amendment
	• Establish an Initiative Process to Amend the Charter
12	Overarching Charter Amendments
	• Modify Regional Committee Procedures
	• Create an Independent Ethics Board
	• Establish Whether the Executive, Council and Assessor Positions Should Be Partisan or Nonpartisan
13	Technical Charter Amendments
	• Establish Procedures for Interim Assessor, Sheriff, and Executive
	• Increase the Value of Public Works Projects Carried Out by County Work Forces
	• Assessor Qualifications
	• Allow a Biennial Budget
	• Clarify the Method for Determining the Number of Signatures for Unincorporated Area Initiative and Referendum Petitions
	• Authorize Revisions to Laws Enacted by Initiative or Referendum after Two Years
15	Ordinance Changes
	• Create a Task Force to Develop a Proposal for an Unincorporated Area Legislative Body and to Revise the Method Of Electing The Council
	• Create Subarea Planning Commissions for Unincorporated King County
	• Extend the Amount of Time for Initiative and Referendum Signature Gathering

- 16 Issues Considered: No Action Recommended
- Council Committee for Unincorporated Areas
 - Inquest Procedures
 - Judicial Administration Department Transfer to Superior Court:
 - Percentage Voting
 - Personnel
 - Unincorporated Area Councils
- 18 Issues Set Aside From Further Consideration
- Balance of Powers
 - Charter Review Commission
 - Charter Review Commission Recommendations to Go Directly to Ballot
 - Citizen Involvement
 - Council Referendum
 - Elected Sheriff Roles and Responsibilities
 - Enterprise Departments
 - Frequency of Charter Review
 - Latent Powers
 - Nondiscrimination Clause
 - Number Votes Required for Voter Approval of Charter Amendments
 - Preamble Update
 - Redistricting
 - Regional Finance and Governance
 - Size of Council
 - Term Limits

PART III: APPENDICES

- A. Minority Reports
- B. Text of Proposed Charter Amendments and Ordinances
- C. Brief Biographical Statement of Charter Review Commission Members
- D. History of King County's Home Rule Charter
- E. Table: Summary of County Regional and City/County Local Services in King County, Washington

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The 1996-97 Charter Review Commission acknowledges that its work could not have been accomplished without the support and contributions from many individuals and organizations, including . . .

- . . . Governor Gary Locke, who, as King County Executive, made the initial appointments to the Commission and created a solid foundation for the Commission's work by establishing its mission and making a commitment of resources to carry out that mission;
- . . . King County Executive Ron Sims who supported the Commission throughout the charter review process, first as a member of the Metropolitan King County Council and then as County Executive, and who encouraged the Commission to think independently and creatively in identifying problems and developing solutions to improve the effectiveness and efficiency of King County government;
- . . . Metropolitan King County Council Chair Jane Hague and the members of the Metropolitan King County Council who maintained an active dialogue with the Commission about charter issues throughout the review process—especially regarding regional committee and unincorporated area issues— and who encouraged the Commission to be creative in seeking solutions to improving King County government operations, especially those that address the regional committees and the unincorporated area;
- . . . the Department of Transportation, Department of Natural Resources, and Prosecuting Attorney's Office for the generous loan of staff, space, and resources without which the charter review process could not have gone forward; and
- . . . the many citizens who have collectively contributed hundreds of hours of their time in not only reading the Commission's work, but also attending meetings, making phone calls, filling out comment cards, and writing letters.

**1996-97
King County
Charter Review Commission**

FINAL REPORT AND RECOMMENDATIONS

EXECUTIVE SUMMARY

INTRODUCTION

The 1996-97 King County Charter Review Commission convened as the 20th Century was drawing to a close and the American political system was undergoing significant changes. The U.S. electorate was, paradoxically, both anxious for government to address the many complex problems it faced and wary of a government that meddled too much in the citizenry's business. Local governments in particular were feeling pressured to offer services that until very recently the federal government had provided. To make matters worse, they were being expected to do so without raising taxes.

King County government was not immune to the pressures that local governments were feeling nationwide, but it was also at a critical juncture in its 29-year history. King County government had recently undergone the consolidation of Metro and King County into a single entity charged with the delivery of both regional and local services. This infant government was experiencing the growing pains that understandably resulted from merging two quite different governments.

At the same time, the population of the County was undergoing its most significant growth and re-location ever, with people moving to existing cities in record numbers, or creating new cities in formerly unincorporated areas. King County experienced the formation of no fewer than eight cities from 1986 to 1996. In 1997, the pace of urbanized unincorporated areas incorporating or annexing continued unabated, creating tremendous pressure on King County government, which needed to meet the regional demands of an increasingly urbanized county, at the same time that it responded to the requirements of the rural population for local services.

REVIEW PROCESS

This was the setting as the 29-member 1996-97 Charter Review Commission began its deliberations in October 1996. Every decade, the King County Charter is reviewed by an appointed advisory commission composed of citizens chosen both for their knowledge of government and for how well they reflect the diverse population of the county. The 1996-97 Charter Review Commission was charged with reviewing all existing Charter provisions and developing recommendations for structural amendments to improve the way the County government was organized, as well as technical amendments to improve the way the County

government operated. In addition, the Commission was asked to assess King County's role as a regional government and to recommend amendments that would improve its ability to deliver regional services.

The 1996-97 Commission worked on a compressed schedule from October 1996 until June 1997 so that its recommended charter amendments would have enough time to be reviewed by the Executive and the Council and placed on the 1997 ballot. The Commission began its work with a review of past Commission efforts and an outreach process requesting input from citizens on issues of governance they believed required attention. From this exercise, as well as from consultation with various "good government" groups, elected officials, county agencies, and representatives from the county's 33 cities, the Commission compiled a list of 30 issues to examine in depth.

Between February and June 1997, Commission members met with nearly 30 community and interest groups including six public meetings at locations throughout the county, and distributed an estimated 1000 copies of the Charter to the public for review. The Commission's public involvement process was among the first King County outreach efforts to make use of an Internet home page and e-mail for communicating information about the review process. In addition to general information about the Charter and the Commission, the Commission's agendas, minutes, issue summaries, and public comment were all posted on the Internet.

RECOMMENDATIONS

In January 1997, the Commission formed three working committees: Regional, Structural/Organizational, and Technical/Operational. By April 1997, the Commission had begun voting on recommendations as they came out of committee and by June 12, the Commission had concluded its work with recommendations for 10 Charter amendments to be placed on the fall 1997 ballot and for three ordinances to be enacted in 1997 by the King County Council.

Each issue was debated extensively with Commission members expressing a diverse range of opinions on topics. While not every issue achieved a 100 percent consensus vote, Commission members were unanimous in their view that all of its Charter amendments and ordinance recommendations should be acted on in 1997.

Priority Recommendation: Amending the Charter by Citizen Initiative

A super-majority of Commission members determined that the recommended charter amendment to permit citizens to amend the Charter by the initiative process deserved to stand above the others for emphasis. The remaining nine Charter amendment recommendations and three ordinances were to be given equal weight. Under the current Charter, only the King County Council may place a Charter amendment on the ballot. Commission members reasoned that the Charter was created and approved by the voters of King County and that the citizens should, therefore, have the ability to amend the Charter. The Commission opined that the King County Charter should provide for King County citizens to have that same right as neighboring citizens in Snohomish and Pierce Counties.

Commission members recognized the potential for the initiative process to be used frivolously or, as has been the case statewide, to result in language that is flawed, so they recommended a 20 percent threshold for the required number of signatures to validate an initiative proposing a Charter amendment to ensure only serious amendments with broad based support would be successful. In addition, the Commission recommended that the County Council be permitted to place a substitute charter amendment on the ballot at the same time that a citizen-led initiative went before the voters.

The remaining recommendations are grouped into three categories: overarching, technical, and ordinances:

Overarching Charter amendments effecting King County government’s external relationships with the general public and the cities, and its role as a regional government:

- Amendment to the Charter to improve the effectiveness of the procedures of the three Regional Committees established by the merger of King County and Metro.
The Regional Water Quality, Transit, and Policy Committees were created to be an essential part of a regional government that brought together the cities and the County to address mutual concerns. After 2 1/2 years, several problems existed that prevented the Regional Committees from achieving that goal.
- Amendment to the Charter to strengthen the independence of the County’s Board of Ethics by making it a separate entity.
The King County Board of Ethics was established by ordinance in 1972. Over the past 25 years, questions have arisen as to whether the board is sufficiently independent to address ethics issues involving County elected officials and employees.
- Amendment to the Charter to allow the voters to determine whether the County’s elective offices (King County Executive, the County Council, and the Assessor) should be elected on a partisan or nonpartisan basis.¹
The question of whether the County Executive, Council, and Assessor should be partisan or nonpartisan offices has been debated for years without giving the public a chance to vote on it. It was part of the original recommendation from the King County/Metro merger.

Technical Charter Amendments having to do with the internal operation of King County government:

- Amendment to the Charter to provide for automatic interim succession for the offices of Assessor, Sheriff, and Executive in the event of a sudden vacancy.
The current provisions for filling vacancies in these elected offices are provided by state statute and the state constitution. Even with such provisions, there could be a lapse of several days to several weeks in the case of a sudden vacancy.

¹ A minority report on this recommendation can be found in Appendix A.

- Amendment to the Charter to allow King County to use county employees for the construction of public buildings and works, including roads projects, with a monetary value of \$25,000 or less, where one trade or craft is involved and a monetary value of \$70,000, where two or more trades or crafts are involved.

Currently, the Charter restricts King County to the use of county employees in the construction of roads projects only having a value monetary value of \$25,000 or less. The proposed change will not decrease the amount of work that is contracted to consultants. It will allow the County Road Services Division and other King County agencies to be more efficient and timely in completing roads and other public projects that are within the above stated monetary values.

- Amendment to the Charter to authorize the County Council to establish qualifications for the office of the Assessor by ordinance.

The Assessor's duties are both policy-making and technical in nature and therefore should be administered by a professional. Currently, there are no safeguards ensuring that an elected Assessor has the qualifications necessary to perform the duties of the office professionally.

- Amendment to the Charter to authorize the County to operate on a biennial budget.

State law allows counties to adopt biennial budgets, but the King County Charter currently is worded to only support annual budgeting. This proposed amendment provides the opportunity to adopt a biennial budget. It does not advocate annual or biennial budgeting.

- Amendment to the Charter to clarify the method for determining the number of signatures for referendum and initiative petitions for matters that only effect unincorporated areas of the county.

The current method required to determine the number of signatures required on unincorporated-area-only referenda and initiatives is not very efficient or responsive to citizens needs.

- Amendment to the Charter to authorize the County Council to revise ordinances approved through the initiative process after two years.

All other home rule Charter counties in Washington and the state allow legislative bodies to revise ordinances or laws enacted by initiatives after a specified period of time.

Changes to King County government that can be done by ordinance and do not require a Charter amendment:

- An ordinance creating a task force charged with developing a plan for a separately elected body for the unincorporated area, as well as a method for electing the County Council that is different from its current process of electing by district.²

In 2010, even with expected incorporations and annexations, the unincorporated area population will be nearly 300,000, making it equivalent to the second largest city in King County. King County is the local government for the unincorporated area, but that role is being overshadowed by its expanding regional government role. A majority of the County Councilmembers making local area decisions for the unincorporated area reside in cities. In order for King County to effectively meet its local and regional government roles, local and regional decisions should be separated and those making decisions about matters of unincorporated area jurisdiction should be elected from the unincorporated area. There are

² A minority report on this recommendation is in Appendix A.

concerns that the present method of electing the County Council detracts from regional decision-making. At the same time, it has raised concerns about unincorporated area representation in County decisions effecting the unincorporated area only.

- An ordinance that would create one or more planning commissions for the unincorporated area of King County.

King County had a planning commission prior to the adoption of the Charter. This was replaced by the Hearing Examiner and community planning committees to advise in the development of local unincorporated area community plans. With the adoption of Countywide Planning Policies and a comprehensive plan pursuant to the Growth Management Act, King County has moved away from citizen planning advisory committees.

- An ordinance that would extend the amount of time allowed for gathering signatures for initiative and referendum petitions.

Because of the large geographic area of the County, it is difficult for citizens to have a reasonable opportunity to gather the required number of signatures in the amount of time currently allowed (45 days for initiative and 60 days for referendums)

PART I: BACKGROUND

WHAT IS THE CHARTER AND WHY WAS IT REVIEWED?

As the constitution for King County government, the Charter provides the basic governance structure that provides for a system of checks and balances³, accountability measures⁴ and ways to determine merit⁵. The charter is the framework within which King County government acts as the local government to the citizens of unincorporated King County and the regional government to all the citizens of King County. It is the vehicle that helps organize the business of local government so it can be effective, efficient, and responsive.

The charter does not deal with specific details of operation of the County. This is largely handled by (1) Council-approved ordinances that establish law, and (2) administrative measures, including (a) formally adopted public rules and administrative policies, and (b) procedures established by the director of the department or office responsible for the program. The King County Charter provides the essential direction for these actions.

CHARTER REVIEW AND AMENDMENT REQUIREMENTS

The King County Charter must be reviewed at least every 10 years to ensure that the Charter continues to reflect fundamental public values and that it continues to function as an effective guide to King County government operations in light of changes in federal and state law and regulations that affect King County and changing population. As originally adopted by the voters in 1968, the Charter provide that the Executive review the Charter or cause it to be reviewed at least once every 10 years and report on any recommended charter changes to the County Council. The details of this process are at the Executive's discretion with no constraints, requirements, or other guidance provided.

As a result of the 1987-88 charter review process, the King County Charter (Article 8, Section 800) was amended in 1988 to require the appointment of a citizen commission to conduct the review. Nothing prohibits the Executive from reviewing the Charter at other times by other methods. The Council may also review the Charter at any time by whatever means it chooses. Regardless of how the Charter is reviewed, the Charter empowers only the Council to place charter amendments on the ballot. Ordinances placing charter amendments on the ballot are not subject to Executive veto or repeal by citizen referendum.

DEVELOPMENT OF THE CHARTER

In the 1960s, King County government experienced a series of scandals involving, in separate events, the assessor's office, the prosecutor's office, and a project to remodel the King County Courthouse. In response to these scandals, the Leagues of Women Voters of King County and

³ *Balances power between citizens and elected officials, between executive and legislative branches, between employees and King County as an employer.*

⁴ *Establishes clear lines of authority and responsibility; defines processes where necessary to ensure fairness.*

⁵ *Decisions are based on what is in the best interest of the citizenry.*

the Municipal League of King County conducted a review of King County government. Eventually, they went to the three County Commissioners to request the election of freeholders to draft a home rule charter for King County be placed on the ballot. The commissioners were not responsive to this request. The Municipal League then established a committee to reorganize County government. This committee, as provided by the State Constitution (Article XI, Section 4), obtained the signatures of 10 percent of the voters in King County on a petition placing the election of freeholders on the ballot. The commissioners ruled the petition out of order on the ground that the 10 percent figure was based on the wrong election. The commissioners, however, noted the growing strength of the charter movement and eventually put the election of freeholders on the 1967 primary and general election ballots. There were 225 candidates in the primary election for the 15 freeholder positions.

The freeholders drafted a charter proposal, but not without difficulty. They initially had trouble securing adequate funding from the County Commissioners who resisted the reorganization. They also had to contend with a prosecuting attorney who equally opposed a change in the County's organization. The freeholders hired their own attorney and a consultant to assist them in drafting the charter. Among the more controversial issues the freeholders addressed was whether the assessor's position should be elected (they decided it should be), whether elected offices should be partisan or nonpartisan (they decided on partisan), and whether the clerk of the court functions should be under the administration of the Superior Court or the Executive (they placed these functions under the Executive).

The freeholders' charter proposal was placed on the November 1968 ballot and was approved by the voters. It took effect on May 1, 1969.

HISTORY OF CHARTER REVIEW AND AMENDMENTS⁶

Summary

Proposals to amend the Charter have been made 10 times—in 1971, 1975, 1977, 1981, 1988, 1989, 1992, and 1996. In 1971, 1977, and 1988, a total of nine amendments came after a citizen's charter review process. Council-initiated proposals account for the other amendments. In 1975, 1981 and 1989, the Charter was amended in response to specific issues regarding a change the redistricting process (1975), to provide guidance for political activities by County employees (1988) and to limit campaign contributions for County charter elected offices (1989). In 1979, a proposal that came out of the 1977 charter review process to abolish the Metropolitan Municipality of Metropolitan Seattle (the regional transit and water pollution control/sewage treatment agency known as “Metro”) and assign Metro’s responsibilities to King County failed at the ballot. Because the proposal made no changes to King County (unlike the 1996 amendments as part of the merger of King County and Metro), there were no charter amendments associated with this ballot measure. In 1986, a proposal to reduce the ratio between the Executive's and Councilmembers' salaries was placed on the ballot and failed.

⁶ See the Appendix for a more detailed history of King County's Home Rule Charter.

Most of the above changes were relatively minor adjustments to the charter. The early 1990s saw the first substantive changes to the Charter in response to structural changes in King County government. In 1991, a proposal to merge King County and Metro, to expand the Council from nine to 13 members, and to create multi-jurisdictional committees with city membership failed. (Technically, the charter amendment passed but, since it was contingent upon the ballot measure to merge King County and Metro that failed, the charter amendment did not take effect.) A repeated attempt in 1992 to merge King County and Metro passed. It included charter amendments to (1) expand the Council from nine to 13 members, (2) create three multi-jurisdictional policy committees as part of the County Council for transit, water quality, and regional issues, (3) create an initiative process for cities for countywide matters, and (4) modify the citizen's initiative process.

In 1996, the County Council placed two charter amendments on the ballot. Both were approved by voters. The first charter amendment changed the frequency of redistricting from every five years to every 10 years. Between the normal five-year cycle and the fact that King County had to be redistricted when the consolidation of Metro and King County expanded the Council from nine to 13 positions, King County had undergone frequent redistricting. The 10-year cycle was viewed as being sufficient to address population changes and less disruptive than the five-year cycle.

The second charter amendment changed the position of county sheriff from an appointed director of the department of public safety under the executive branch to a directly elected sheriff (as it was before the Charter was adopted). The change was initiated by the County Council in response to Council concerns that, as an appointed director, the sheriff was not able to establish an independent budget to respond to community public safety needs. While there was considerable opposition to the measure by good government groups and in newspaper editorials, there was no organized campaign against the proposed amendment, which was quietly supported by law enforcement officers and agencies. It was approved by voters.

1996-97 Charter Review Process

The 1996-97 Charter Review Commission convened in the wake of the merger of King County and Metro, a change whose significance is similar to the change from a commissioner to a home rule government nearly 30 years earlier. The merger in 1994, greatly expanded King County's regional scope, adding to its already considerable regional responsibilities as an "arm-of-the-state" and its arrangements with the cities through interlocal agreements.⁷ The 1996-97 charter review process began during the first year of a major reorganization that consolidated or realigned many former King County and Metro functions and services into a single agency. This also included a major effort to downsize King County government as promised to voters during the merger ballot debates.

The issue of whether King County's elected offices should be partisan or nonpartisan had resurfaced as a significant issue during the negotiations leading to the King County/Metro merger proposal although the final merger ballot proposal did not change the County's partisan

⁷ See Services Provided by King County in the Appendix.

offices. Frustrated by this, the Leagues of Women Voters of King County, the Municipal League of King County, and an informal group of interested individuals discussed, but did not actively pursue a change in county elected offices from partisan to nonpartisan in part because of the difficulty of getting such a measure past the partisan County Council and because a charter review commission would be appointed within the next year.

Despite of the anticipated appointment of a charter review commission, the County Council initiated a ballot measure to change the appointed department of public safety director to an elected (nonpartisan) sheriff as had been the case prior to the adoption of the charter. The more urbanized unincorporated areas continued to incorporate or annex amidst this change, and with a substantial number of reports or issues concerning King County government, the 29-member 1996-97 Charter Review Commission began meeting in November 1996.

The mission of the 1996-97 King County Charter Review Commission was to fulfill the requirement of Section 800 of the King County Charter that the Charter be reviewed at least every 10 years by an appointed advisory committee of knowledgeable citizens representing the diversity of the public that King County serves. The Commission's mission was to:

- Review all existing provisions of the Charter and develop recommendations for any technical amendments to improve the operation of King County government.
- Review all existing provisions of the Charter and develop recommendations for any necessary structural changes to improve the organization of King County government; and
- Assess King County's role as a regional government and to recommend any necessary amendments to improve King County's ability to deliver regional services.

Although Executive Locke initiated the appointment process in May 1996, the Commission was not fully appointed until November 1996 when it met for the first time. The Commission established a Public Involvement Committee at its first meeting to develop an extensive and inclusive public involvement process. After reviewing the work and processes of the past charter review commissions and a list of nearly 30 issues compiled from a variety of sources including cities, the Leagues of Women Voters, County agencies, and others, the Commission first developed a public issue scoping process to ensure that the list of issues was complete.

The second major decision was to decide whether the 1997 or 1998 ballot would be the target date for completion of the Commission's work. Its mission, as assigned by Executive Gary Locke and later reaffirmed by Executive Ron Sims was to make recommendations for charter amendments for the 1997 ballot, which required completing its work no later than the end of June, which meant only four months to do substantive issue review and development. After considerable discussion, the Commission members decided to target the 1997 ballot because it offered the opportunity to highlight the charter amendments as part of the public agenda when seven of the 13 councilmembers were up for office. Commission members committed to an intensive work program to achieve this objective with a progress review in April 1997 to

determine whether there were issues that Commission members wanted to work on past June 1997.

In January 1997, the Commission organized into three committees around its three-part mission—Regional, Structural/Organizational, and Technical/Operational—and began reviewing issues. In February 1997, the Commission began an issue scoping process which included a widely mailed flyer asking for input on issues and four public meetings held throughout King County. Between February and June 1997, Commission members met with nearly 30 community and special interest groups. As a result of the outreach process, an estimated 1000 copies of the Charter were distributed to the public. The Commission was among the first King County program to actively use King County's Internet site and e-mail for information sharing and communication. In addition to general information about the Charter and the Commission, Commission agendas and minutes, summaries of the issues, and public comment were posted on the Internet.

Four issues—allowing citizens to amend the Charter by initiative, unincorporated area representation in County decision-making, the effectiveness of the three Regional Committees, and the independence of the Ethics Board—emerged as the major work efforts of the Commission.

- From the beginning of the Commission's work, giving citizens the right to amend the Charter through an initiative process was a priority issue.
- The public issue that captured the Commission's greatest attention was how King County's decisions for unincorporated areas were being made by a legislative body with an increasingly regional perspective.
- From 1994-1996, the County Council's three Regional Committees, which were created as part of the King County/Metro merger process, came under close review and considerable criticism. A separate outreach effort was made to cities to get input regarding the three Regional Committees. The Regional Issues Committee members met with each of the Regional Committees several times, sent out letters to current and past members of the Regional Committees, met with the Suburban Cities Association, and participated in general briefings for the Bellevue, Renton, and Seattle City Councils.
- The effectiveness of the Ethics Board emerged as a significant issue involving County Executive Sims, County Councilmember Rob McKenna, the Ethics Board, and the Office of Citizen Complaints.

In April 1997, the Commission reviewed its progress and determined that: (1) it would be able to complete its work in time for the November 1997 ballot, and (2) there were no issues that all members wanted to work on past June 1997. Also in April 1997, in recognition of the impact of the election campaigns on the County Councilmembers, the Commission agreed to cut short their work program by two weeks to get the recommendations to the Council two weeks earlier. By May 15, 1997, the issue committees had completed their work. Their preliminary

recommendations were distributed for public comment and two public meetings were held as well.

Beginning in April 1997, each issue coming out of committee went through a first and second reading. A two-thirds majority vote was required for approval to pass a charter amendment recommendation to the Council. In May 1997, the Commission moved from a monthly to an almost weekly schedule of three-hour meetings. On June 12, 1997, the Commission members concluded their work with recommendations for 10 charter amendments and three ordinances. The overall priority was a recommendation to create a process for charter amendment by initiative, but beyond that, the Commission unanimously concluded that all the charter amendment recommendations were worthy of being placed on the November 1997 ballot and the ordinances enacted in 1997. The Commission grouped the recommendations into categories for ease of understanding but did not assign priority order for recommendations other than amending the Charter by initiative.

PART II. RECOMMENDATIONS

SUMMARY

The Charter Review Commission identified two goals during the review process: (1) to continue to build on developing a regional government for the county, and (2) to identify efficiencies in governmental functions. The Charter Review Commission identified to charter amendments affecting eight sections of the charter and creating three new sections, as well as three actions to be implemented by ordinance. Of the total recommendations, the Commission gave overall priority to giving citizens the right to amend the charter by initiative.

The Charter Review Commission members had a diverse range of opinions on issues. Each issue was well debated and not every issue received a consensus vote. However, it is important to note that the Commission members were *unanimous* in their opinion that *all* of the charter amendments and ordinance recommendations should be acted on in 1997. No priority was attached to the remaining recommendations except to note that establishing procedures for interim Assessor, Sheriff, and Executive is, as history has proven with the untimely death of King County Assessor Bruce Holland in 1992, a serious omission in the Charter for which correction is essential.

The Commission's recommendations are grouped into three categories for ease of understanding. Proposed charter amendment language for each recommendation can be found in Appendix B.

PRIORITY CHARTER AMENDMENT

Charter Amendment By Initiative: By charter amendment, allow the citizens to amend the charter through an initiative process

Comment: A super-majority of Commission members determined that one Charter amendment recommendation deserved to stand above the others for emphasis, while the remaining nine charter amendment recommendations and three ordinances were to be given equal weight. The recommendation commanding top priority was an amendment to permit citizens to amend the charter by the initiative process. The current system provides that only the King County Council may place a charter amendment on the ballot. Commission members reasoned that the Charter was created and approved by the voters of King County and that the citizens should, therefore, have the ability to amend the Charter.

Commission members recognized the potential for the initiative process to be used frivolously or, as has been the case statewide, to result in language that is flawed. To address this concern, the Commission recommended a 20 percent threshold for the required number of signatures to validate an initiative proposing a charter amendment. In addition, the Commission recommended that the County Council be permitted to place a substitute amendment on the ballot at the same time that a citizen-led initiative went before the voters.

OVERARCHING CHARTER AMENDMENTS

These overarching amendments address King County government's external relationships with the general public and the cities, and its role as a regional government.

Modify Regional Committee Procedures: By charter amendment, revise procedures to allow the Regional Committees to operate more effectively by: (1) allowing the Regional Committees to initiate their own legislation; (2) allowing designation of alternates; (3) allowing committees to establish their own operating procedures including selection of chair and committees, (4) requiring the King County Council to respond to Regional Committee recommended ordinances within 90 days (amend, reject, or approve) or the matter must be referred to the voters; and (5) deleting the term "countywide" to avoid confusion with the term "regional," which is also used in the Charter.

Comment: The Regional Water Quality, Transit, and Policy Committees were created to be an essential part of a regional government that brought together the cities and the County to address mutual concerns. After 2 1/2 years' experience with the Regional Committees, several problems have been identified that prevent the Regional Committees from achieving that goal. The 5 recommended charter amendments address structural problems, that if solved, should make resolution of other non-charter problems possible.

Create an Independent Ethics Board: By charter amendment, strengthen the independence of King County's Board of Ethics.

Comment: The King County Board of Ethics was established by ordinance in 1972. Over the past 25 years, questions have arisen as to whether the board is sufficiently independent to address ethics issues involving King County elected officials and employees.

Establish Whether the Executive, Council and Assessor Positions should be

Partisan/Nonpartisan Offices: Allow the voters to determine whether elective offices for the positions of King County Executive, Council, and Assessor should be partisan or nonpartisan.

Comment: The question of whether the elected offices of King County Executive, Council and Assessor should be partisan or nonpartisan offices has been debated for years without giving the public a chance to vote on it. Changing the position to nonpartisan was part of the original recommendation from the King County/Metro merger, but the County Council did not include that in the merger ballot measures. The Charter Review Commission recommended that the electorate be allowed to resolve this question. *The minority report on this issue is in Appendix A.*

TECHNICAL CHARTER AMENDMENTS

These primarily address internal process effecting the effectiveness and efficiency of King County government services.

Establish Procedures for Interim Executive, Sheriff and Assessor: By charter amendment, provide for automatic, emergency succession on a short-term basis for the Executive by the Deputy Executive; Sheriff by the Chief of Operations; and Assessor by the Chief Deputy Assessor, until statutory or constitutional provisions are fulfilled.

Comment: The current provisions for filling vacancies in these elected offices are provided by state statute and the state constitution. There could be a lapse of several days to several weeks in the case of a sudden vacancy. During that time, critical and sometimes costly government functions cannot be carried out including issuance of payroll and contractor payments, loss of interest earnings on funds invested on behalf of the County and special purpose districts for which King County acts as treasurer, and any arrest made or enforcement action taken during the interim would be subject to dismissal or other civil remedy. These functions cannot be delegated if there is no one in office to make the delegation of authority. The King County Prosecutor's Office regards this charter amendment as essential to ensure the continuity of critical responsibilities of King County government.

Increase the Monetary Value of Public Works Projects Carried out by County Workforce: By charter amendment, allow King County to use county employees in the construction of public buildings and works, including roads projects, with a monetary value of \$25,000 or less where

one trade or craft is involved and a monetary value of \$70,000, where two or more trades or crafts are involved.

Comment: Currently, the charter restricts King County to the use county employees in the construction of roads projects only with a monetary value of \$25,000 or less. The proposed change will not decrease the amount of work that is contracted to consultants. It will allow the King County Road Services Division and other county agencies to be more efficient and timely in completing projects that are within the above stated monetary values.

Establish Assessor Qualifications: By charter amendment, provide for qualifications to be set by ordinance for the office of Assessor, as currently provided for the office of Sheriff.

Comment: The Assessor's duties are both policy making and technical in nature and therefore should be administered by a professional. Currently, there are no safeguards ensuring that an elected Assessor has the qualifications necessary to perform the duties of the office professionally.

Allow Biennial Budgeting: By charter amendment, allow the County Council to provide for biennial budgeting by ordinance.

Comment: State law allows counties to adopt biennial budgets, but the King County Charter currently is worded to only support annual budgeting. This proposed amendment provides the opportunity to adopt a biennial budget. It does not advocate annual or biennial budgeting.

Clarify the Method for Determining the Number of Signatures Required for Unincorporated Area Initiative and Referendum Petitions: Clarify the signature requirements for referendum and initiative petitions effective only in unincorporated areas of King County.

Comment: The current method for determining the number of signatures required for unincorporated-area-only referenda and initiatives is not clear and is cumbersome to administer. A charter language change is needed to avoid confusion and possible legal challenge to the petition process.

Authorize Revisions to Laws Enacted by Initiative After Two Years: By charter amendment, allow the County Council to revise county law approved by the voters through the initiative process after the law has been in effect for two years.

Comment: All other home rule charter counties in Washington, as well as the Washington State Constitution, allow legislative bodies to revise ordinances or laws enacted by initiatives after a specified period of time. This is a power that is rarely used and only to correct serious problems that are typically unintended results of initiative language drafting flaws or conflicts with federal law or court decisions.

ORDINANCE CHANGES

These changes are no less important than the recommended charter amendments, but do not require charter amendment or are appropriate for ordinance.

Create A Task Force to Develop a Proposal for an Unincorporated Area Legislative Body:

Create a task force to develop a charter amendment proposal to create an unincorporated area legislative body and to revise the method of electing the County Council for placement on the 1998 ballot.

Comment: In 2010, even with expected incorporations and annexations, the unincorporated area population will be nearly 300,000 making it equivalent to the second largest city in King County. King County is the local government for the unincorporated area, but that role is being overshadowed by its expanding regional government role. A majority of the County Councilmembers making local area decisions for the unincorporated area reside in cities and are elected from districts that are all or mostly incorporated area. In order for King County to effectively meet its local and regional government roles, local and regional decisions should be separated. Those making decisions about matters of unincorporated area jurisdiction should be elected from the unincorporated area. At the same time, there are concerns that the present district method of electing the County Council detracts from regional decision-making. Changes in the structure of King County government to address both local and regional governance problems need to be considered together. *Proposed ordinance language is included in Appendix B.*

Create Subarea Planning Commissions for Unincorporated King County: By ordinance, create planning commissions for meaningful community land-use policy input in unincorporated King County. Where officially recognized Unincorporated Area Councils exist, they should serve this purpose if they so choose. Otherwise, the commission members should be appointed from within the commission's designated unincorporated subarea. The planning commissions should report to the King County Council, or as the unincorporated area legislative body proposed in a separate Commission recommendation.

Comment: King County had a planning commission prior to the adoption of the Charter. This was replaced by the Hearing Examiner and community planning committees to advise in the development of local unincorporated area community plans. With the adoption of Countywide Planning Policies and a comprehensive plan pursuant to the Growth Management Act, King County has moved away from citizen planning advisory committees. The planning commission(s) would re-establish a focused means for citizens to provide input on local land-use policy development. *Because of the variety of detail that would need to be addressed and the need to work with the Unincorporated Area Councils, proposed ordinance language was not developed for this recommendation.*

Extend the time for Signature Gathering for Initiatives and Referendums: By Council ordinance allow citizens 90 days to gather signatures for initiatives and 60 days to gather signatures for referendums.

Comment: Because of the large geographic area of the County, it is difficult for citizens to have a reasonable opportunity to gather the required number of signatures in the amount of time currently allowed (45 days for initiatives and 60 days for referendums). The ranges of time for the four other home rule counties range from 60 to 120 days for initiatives and from 45 to 120 day for referendums. *Proposed ordinance language is included in Appendix B.*

ISSUES CONSIDERED: NO ACTION RECOMMENDED

The following issues were considered by the Commission's issue committees. Issue papers were prepared for each item. For a variety of reasons, the issue committees recommended "no action." The Commission concurred with these recommendations.

Council Committee for Unincorporated Areas: The issue that was addressed was whether the Council Committee for Unincorporated Areas (CCUA) should have the same voting relationship with the County Council as the Regional Committees have in order to give a stronger voice to unincorporated area decisions and to improve the Council's regional/local decision-making by more clearly separating those decisions.

Comment: Should the changes to the Council Committee for Unincorporated Areas be made, this should be accomplished by ordinance. Strengthening CCUA should be considered an interim solution and secondary to achieving a long-term solution to unincorporated area representation problems. Additionally, strengthening CCUA should be considered an alternative to the preferred option of "percentage voting," where County Councilmembers would vote on matters of unincorporated area jurisdiction based the percent of unincorporated area within their district, or some other method of having those elected officials making the final decisions for the unincorporated area be elected from the unincorporated area.

Inquest Procedures: The issue that was addressed was whether revisions should be made to Section 895 of the King County Charter.

Comment: Section 895 of the King County Charter states that "An inquest shall be held to investigate the causes and circumstances of any death involving a member of the law enforcement agency of the county in the performance of his duties. The Technical Issues Committee of the Charter Review Commission spent four work sessions addressing this issue. Members heard testimony from a wide range of "stakeholders." Technical Issues Committee members recommended taking "No Action" on the issue because they felt that the Commission's work schedule did not permit a sufficient amount of time to develop an informed recommendation.

Judicial Administration Department Transfer to Superior Court: The issue that was addressed was whether the Department of Judicial Administration should be transferred from the Executive branch to the Superior Court.

Comment: Section 350.20.20 provides that the Department of Judicial Administration is an executive department. This section was amended in 1988 to provide that the director of the Department of Judicial Administration be appointed by the Superior Court judges. The Superior Court judges would like to transfer the department over to the judicial branch for better administration. They have commissioned an independent study to make recommendations on how that is best accomplished. The Executive was opposed to the move. The Structural Issues Committee concluded that there has not been an identified problem that needs to be addressed.

Percentage Voting: The issue that was addressed was whether the County Councilmembers' votes on unincorporated area only matters should be weighted by the proportion of unincorporated citizens residing in their districts.

Comment: There is strong concern in the unincorporated area community that County Councilmembers representing city residents are making decisions on matters that pertain only to the unincorporated areas. Upon further research, this option, as pursued by the Commission, was found to have constitutional problems.

Personnel: The issue that was addressed was whether revisions should be made to sections in the Charter that relate to the County's personnel system.

Comment: King County Executive Sims asked the Charter Review Commission to review the broad issue of "personnel issues." The Technical Issues Committee heard testimony from Ricardo Cruz, Director of the County's Office of Human Resources and Management. The Technical Issues Committee felt that its Committee's work schedule did not permit a sufficient amount of time for this complex and important issue.

Unincorporated Area Councils: The issue that was addressed was whether the Unincorporated Area Councils (UAC) process should be strengthened to give a better voice to the unincorporated area in County decision making.

Comment: The Unincorporated Area Councils (UAC) process was created for the purpose of providing a forum for community comment in King County decision-making. The UAC process could evolve to being a critical element in the long-term solution to accessible, responsive, and effective local governance of the unincorporated areas. The UAC process is in an early evolutionary stage and needs time to develop before necessary Charter changes can be identified and proposed to voters.

ISSUES SET ASIDE FROM FURTHER CONSIDERATION

The following list of issues were briefly reviewed by the Commission's issue committees, which recommended that they be set aside for further consideration. The Commission concurred with these recommendations. Except where indicated, issue papers were not prepared for these topics.

Balance of Powers: This topic included Executive reorganization authority and Council appropriations authority. There was a perception among Structural Issues Committee members that the Council has more authority than the Executive. Past Executive Locke and current Executive Sims asked the Commission to look specifically at the issue of giving the Executive authority to reorganize Executive departments. The Council asked the Commission to look at authorizing the Council to originate appropriations. The Structural Issues Committee determined that the powers as granted in the Charter are well balanced and require the Executive and Council to work together on reorganization and appropriations. No action recommended.

Charter Review Commission: This topic included clarifying the appointment process and confirmation of appointments. The Commission did not specifically address the issue of whether the method of appointing the Commission should be clarified. The Commission did agree that appointments should be subject to County Council confirmation. Some Commission members expressed concern that once every 10 years is not often enough, but the Commission did not provide clear direction for the Technical Issues Committee on this issue. The Technical Issues Committee concluded that these issue do not warrant further discussion at this time.

Charter Review Commission Recommendations to Go Directly to Ballot: This was suggested in the Commission's public meetings. Public comment supported giving the County's advisory charter review commissions the right to place proposed charter amendments directly on the ballot. The King County Prosecuting Attorney's Office advised that only an elected body could do this. The Technical Issues Committee concluded that this issue does not warrant further discussion at this time.

Citizen Involvement: The question from the Leagues of Women Voters was whether King County effectively involves citizens in the decisions affecting them. Under guidance from the Commission's Public Involvement Committee, the Commission has attempted to achieve this for the Commission process. The results of the Commission's outreach efforts have been summarized in a separate report to be made available at the conclusion of the Commission's work.

Council Referendum: The issue was whether the County Council should have the right to refer ordinances to the voters for approval. County Councilmember Kent Pullen had introduced a proposed charter amendment to the effect in early 1997. The matter was not pursued by the Council during the Commission's deliberations. Commission member Lois North, speaking as a former Charter Freeholder, reported that the original freeholders intentionally did not allow the Council to refer ordinances to voters because they did not want to give elected officials an opportunity to avoid "tough" issues by handing them over to voters to decide.

Commission members had mixed views on whether the Council should have this authority, although there was strong opinion that if it did, such matters should require a supermajority Council vote. The Technical Issues Committee concluded that since Councilmember Pullen had already introduced an ordinance placing this issue on the ballot, the Commission did not need to take action other than to pass on these comments for consideration during the Council's review of the proposed ordinance.

Elected Sheriff Roles and Responsibilities: The Office of Budget and Strategic Planning had initially requested this be examined due to the change to an elected sheriff. No specific proposal was brought forward. The Structural Issues Committee did not find it necessary to examine this issue. During the Commission's deliberations, Executive Sims introduced an ordinance specifying the qualifications of the sheriff to ensure professionalism of the office.

Enterprise Departments: This issue was a department suggestion, but not strongly advocated. It would require extensive research to pursue. The Technical Issues Committee concluded that this issue does not warrant further discussion at this time.

Frequency of Charter Review: The Charter provides that a citizens commission should be appointed at least every 10 years. The Charter can be, and has been, reviewed more frequently. The Charter has been amended to address specific matters more often than once every 10 years. There was some concern that the Charter needed to be reviewed more frequently given the rapid pace of change. The Technical Issues Committee concluded that this issue did not warrant further discussion at this time.

Latent Powers: Of the six powers available to Metro, transit and water pollution abatement have been enacted. There has not been interest in activating any of Metro's latent powers for water supply, garbage disposal, parks and parkways, and comprehensive planning which are now available to King County as a result of the merger. The Regional Issues Committee recommended to the full Charter Review Commission that this issue not be pursued at this time. The powers should be considered for activation by effected interest groups as the need arises. By request, an issue paper was prepared on this issue even though it was set aside.

Nondiscrimination Clause: This issue was raised by a Charter Review Commission member during the Commission's preliminary issue development work sessions. No specific language was proposed at the time. The issue was assigned to the Technical Issues Committee. The Technical Issues Committee found that due to the limited time available for the Technical Issues Committee to complete its work, the issue of expanding the County's nondiscrimination clause was not a sufficiently pressing item to consider as part of the 1996-1997 Charter Review Commission's work plan.

Number of Votes Required for Voter Approval of Charter Amendments: Commission members unanimously supported voter approval by a simple majority, which is the current requirement. The Technical Issues Committee concluded that this issue did not warrant further discussion at this time.

Preamble Update: This issue was suggested for possible consideration early in the Commission process. The Technical Issues Committee concluded that this issue did not warrant further discussion at this time.

Redistricting: The frequent changes in the timing of redistricting raised the question as to whether there is a better way to handle it. Last fall, the voters changed it (for the third time) from five to 10 years in keeping with census data updates. The Structural Issues Committee did not find adequate reason to re-examine this issue.

Regional Finance and Governance: The Growth Management Planning Council's Regional Finance and Governance Study was not completed during the Commission's deliberations. Any recommendations from that study will require further work to reach consensus and implement. The Regional Issues Committee recommended to the full Charter Review Commission that this issue not be pursued at this time. If Charter amendments are needed for implementation, they can be proposed to the voters at that time. By request, an issue paper was prepared on this issue even though it was set aside.

Size of Council: The old commission style of county government consisted of three commissioners. When the Charter was established, that was expanded to nine councilmembers. Part of the Metro/King County merger changes expanded the Council again to 13 members, in part because of assumed expanded duties. Some critics feel that the responsibilities of the Councilmembers did not substantially increase, but the administrative cost of the expanded Council has significantly increased. After some discussion, the Structural Issues Committee determined that the likelihood of reducing the size of the council at this point was minimal and recommended that the issue not be pursued further.

Term Limits: The question was raised of establishing term limits for the Council. No specific proposal was brought forward.

APPENDICES

- A. Minority Reports
- B. Text of Proposed Charter Amendments and Ordinances
- C. Brief Biographical Statement of Charter Review Commission Members
- D. History of King County's Home Rule Charter
- E. Table: Summary of County Regional and City/County Local Services in King County, Washington

DATE: June 12, 1997

TO: Charter Review Commission Members
FR: Mylon Winn, Charter Review Commissioner
Robert Counsell, Charter Review Commissioner
Paul Barden, Charter Review Commissioner
Rob McCallum, Charter Review Commissioner
Dianne Campbell, Charter Review Commissioner
Margaret Nyberg, Charter Review Commissioner
Bill Anderson, Charter Review Commissioner
Lem Howell, Charter Review Commissioner

Re: Minority report on the recommendation for partisan/nonpartisan elections.

Question: Should the voters be allowed to decide if county elective offices should be partisan or nonpartisan?

This proposed Charter amendment would actually weaken the protection of the public's trust by scattering opposition into smaller, less efficient, fractured minorities. The two-party system works because it permits a duly elected majority party the reins to govern while faced with an organized and motivated minority party ready to check any unseemly attempts to centralize or usurp the public's authority. This "check" then is an important and uniquely American outgrowth of our experiment with Democratic government.

It's the American tradition which is at stake here. The two-party tradition of governing a Democracy still serves as one of America's greatest contributions to the development of self-governance throughout the world. The American Revolution did not end in 1783. It is ongoing. In the presidential elections of 1800 a new and important tradition occurred. The world experienced the FIRST peaceful transfer of power between rival political parties through an open and freely held election. Jefferson's Democratic-Republican party defeated Adam's Federalist party and assumed the public's trust. This was a landmark event in the development of the Democratic process, and we must be careful of how we handle this legacy left by our predecessors.

In 1879, a young Woodrow Wilson, disgusted with the state of the parties and their activities, exclaimed "No leaders, no principles; no principles, no parties." The Gilded Age represented some of the worst in American political party activities, but are they any different today? To believe that a nonpartisan election will somehow remove money, patronage, selfish self-interest, crassness or meanness from the system is naive. In fact, the public would be more at risk from single-issue and wealthy nonpartisan political candidates than ever before. They could use their great wealth to shield themselves from the public and media's scrutiny. In a nonpartisan election they would not be subject to a complete and vigorous vetting by the political party. Another check to safeguarding American freedom would be lost.

Comments received by the Commission from citizens indicated a strong feeling to maintain partisan elections. The respondents felt they are better able to identify a candidate's position on issues by whether she or he is Democrat or Republican. In addition, the political parties are the basis for developing information to be used for electoral discussion. It is important to keep this information available to voters. In nonpartisan elections, most candidates identify with one party or another, anyway. Nonpartisan elections create a false impression.

Moving to a nonpartisan election does not resolve any of the Commission's observations on the current electoral process. In fact, it will weaken county government by allowing single-issue or selfish self-interest a greater opportunity to secure the reigns of the public trust and inflict potentially harmful mischief.

We believe that there will be an unintentional effect that the advocates of this recommendation have not considered. An astute candidate running for a County Council position can accuse his or her opponent of opposing changing to a nonpartisan council. Such a claim will politicize a recommendation that is intended to minimize the impact of partisanship. The issue should also be presented squarely to the public, as a recommendation for nonpartisan elections. It clouds the issue to present it as a recommendation to allow the voters to decide. We recommend that this recommendation be rejected.

DATE: June 12, 1997

TO: Charter Review Commission Members
FR: Mylon Winn, Charter Review Commissioner
Robert Counsell, Charter Review Commissioner
Paul Barden, Charter Review Commissioner
Bill Anderson, Charter Review Commissioner

RE: Minority report on the recommendations for the unincorporated area.

Question: Should the charter be amended to provide for a separately elected body for the unincorporated area so that citizens there have local governmental representation?

We have not seen a preponderance of evidence that points to the need for creating an Unincorporated King County Council or separate governance for the unincorporated areas. Maybe we should give democracy a chance. The new Metropolitan King County Council is still going through adjustments and changes after the Metro/King County merger. The unincorporated areas have the right to freely, legally, and in good character convert themselves to a majority whenever they can. They can do this by building coalitions with any and all citizens of King County or by petitioning and/or electing public trustees who support their views. We urge the King County Council to reject this proposed ordinance recommendation on the basis of the following statements.

1. The unincorporated area government establishes minority privileges, not rights! Somehow we have resurrected John C. Calhoun's argument to protect a minority which feels it is being abused by the majority. A "concurrent majority" government will only increase the privileges of the unincorporated minority at the expense of the incorporated majority. Residents of incorporated areas will not have as much access to these new county officials as the advocates of this recommendation assume will be the case. Instead, an unincorporated area resident will have five extra elected county officials to lobby and work on their behalf in determining countywide public policy. An assumption has been made that somehow the incorporated areas will always be against the unincorporated areas when determining county public policy. That logic assumes that this split cannot be mended and therefore is permanent. This does not make sense to those who are optimistic that cities will have many reasons to support unincorporated areas on issues which affect them jointly and vice-versa.

2. No facts have been presented to show that the current governmental structure has constitutionally, morally, or ethically failed to represent or meet its responsibilities to all of the Citizens of King County. What has been presented are the musings of people who expect county government to walk on water, raise the dead, and perform tasks that serve their particular interests. The problem is that these claims obscure legitimate land use and service problems that are screaming for solutions.

3. A clear majority of the responses from the Unincorporated Area Council briefing hosted by the Council Committee for Unincorporated Affairs, dated May 29, 1997, were against the proposed Unincorporated King County Council. Out of the 22 respondents, 15 were against, 4

requested more time should be taken to review the issue. Only three were for this proposed ordinance change. These preferences are being ignored by the majority of the Commission, who are intent on getting this matter before the people. Hence, it is irrelevant that, on May 29th, a super majority of the people expressing an opinion opposed this recommendation.

4. The County has become more urbanized in recent years. As this has happened there has also been a need for the County Council to change its manner of doing business and to place more emphasis on providing services to rural unincorporated areas. It makes more sense to assert that the Council ought to pay attention and be more responsive to the unincorporated urban and rural areas. The claim made by some Councilmembers that only 10 to 30 percent of their district is unincorporated, but they spend 60 to 70 percent of their time working on their issues, creates a discrepancy between claims made by some citizens and the assertion made by some Councilmembers.

5. It does not make sense to add a layer of government as a new way of doing the job that's legally assigned to the Council. A new layer will not eliminate the dissatisfaction with the County Council's performance. Also, there is no evidence that citizens in unincorporated King County will be happy with a council that may or may not be representative of the population in unincorporated King County.

6. In order to support another body, funding will be necessary. The funding issue can be resolved by creating townships that have the authority to assess taxes. An alternative is to evaluate how services and funding are distributed to determine if municipalities are receiving more than their fair share. Our concern is that the recommendation will require a redistribution of funds to support a new body of government to do the job assigned to the County Council.

7. The primary issue in the rural area is land use. The County does not need another body if the Council would take an active role involving the unincorporated areas in land use planning. Instead of spending time to create this new body, we should spend time to assess how the Council can better respond to issues in the unincorporated area.

8. There is another concern that the new council may be just as easily taken over by an organized special interest as many claim the current County Council has been. If special interests or people from certain areas of the unincorporated areas are organized, they may be able to take over an Unincorporated King County Council, as well. If an organized special interest group is successful, the dissatisfaction being expressed will resurface. Hence, the recommendation is a band-aid solution to a problem that requires decisive council action. We do not support appointing a citizen's group that is composed of others who will propose a solution that is suited to solve a symptom of a problem.

PROPOSED CHARTER AMENDMENT LANGUAGE

230.10. Introduction and Adoption.

Proposed ordinances shall be limited to one subject and may be introduced by any councilmember, by a regional committee, by initiative petition 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 seven affirmative votes shall be required to adopt an ordinance.

230.40. Referendum.

Except as provided herein, an enacted ordinance may be subjected to a referendum by the voters of the county by filing with the county council prior to the effective date of the ordinance petitions bearing signatures of registered voters of the county equal in number to not less than eight percent of the votes cast in the county for the office of county executive at the last preceding election for county executive. In addition, except as provided herein, an enacted ordinance which pursuant to state law is effective only in unincorporated areas of the county may be subjected to a referendum by the voters of the unincorporated areas of the county by filing with the county council prior to the effective date of the ordinance petitions bearing signatures of not less than four percent of the registered voters residing in unincorporated areas of the county ~~equal in number to not less than eight percent of the votes cast at the last preceding election for county executive, provided however that the number of required signatures shall be calculated based only upon votes east within areas which~~ on the date such petitions are required to be filed ~~are unincorporated areas of the county~~. Each petition shall contain the full text of the ordinance to be referred. The ordinance to be referred shall be placed on the ballot at the special or general election occurring more than forty-five days after the petitions are filed, provided that in the case of an ordinance effective only in unincorporated areas of the county, the proposed ordinance shall be voted upon only by the registered voters residing in unincorporated areas of the county.

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

230.50. Initiative.

Ordinances except ordinances providing for the compensation or working conditions of county employees may be proposed by filing with the county council petitions bearing signatures of registered voters of the county equal in number to not less than 10 percent of the votes cast in the county for the office of county executive at the last preceding election for county executive. In addition, an ordinance which pursuant to state law is effective only in unincorporated areas of the county, except an ordinance providing for the compensation or working conditions of county

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

The county council shall consider the proposed ordinance. If the proposed ordinance is not enacted within ninety days after the petitions are presented, it shall be placed on the ballot at the next regular or special election occurring more than one hundred thirty-five days after the petitions are filed or at an earlier election designated by the county council. However, if the proposed ordinance is enacted at any time prior to the election, it shall not be placed on the ballot or be voted on unless it is subjected to referendum.

If the county council rejects the proposed ordinance and adopts a substitute ordinance concerning the same subject matter, the substitute ordinance shall be placed on the same ballot with the proposed ordinance; and the voters shall first be given the choice of accepting either or rejecting both and shall then be given the choice of accepting one and rejecting the other, provided that in the case of an ordinance effective only in unincorporated areas of the county, the proposed ordinance shall be voted upon only by the registered voters residing in unincorporated areas of the county. If a majority of the voters voting on the first issue is for either, then the ordinance receiving the majority of the votes cast on the second issue shall be deemed approved. If a majority of those voting on the first issue is for rejecting both, then neither ordinance shall be approved regardless of the vote on the second issue. An ordinance approved by the voters shall be effective ten days after its approval unless a later date is specified in the ordinance.

After two years from the effective date of an ordinance approved as a result of initiative, the county council may amend or repeal said ordinance; provided, that amendment or repeal during such two-year period may be effected by referendum by the council to the voters, as may be authorized in this charter, or by initiative.

270.20 Composition of regional committees.

Each regional committee shall consist of twelve voting members. Six members shall be metropolitan county councilmembers appointed by the chair of the council, and shall include councilmembers from districts with unincorporated residents. 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. Alternates may be designated by the appointing body and shall have the same voting rights as the member for whom the alternate is substituting.

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. 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.

270.30 Powers and Duties.

Each regional committee shall select one of its members as chairperson, be responsible for its own organization, adopt rules of procedures, and supervise employees, as assigned by the metropolitan county council, necessary to assist it in performing its duties.

Each regional committee shall develop, review and recommend ordinances and motions adopting, repealing, or amending ~~county-wide~~ policies and plans relating to the subject matter area for which a regional committee has been established. 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. Each regional committee may, by a minimum of six and one-half votes, introduce proposed ordinances and motions relating to regional issues, which shall be filed with the clerk of the council and shall be considered by the county council as provided in this charter.

The metropolitan county council shall assign each ~~such~~ proposed ordinance or motion relating to regional issues to a regional committee for review, except for proposed ordinances and motions introduced by a regional committee. When a proposed policy or plan or ordinance or motion is referred to a regional committee for review, a time limit for such review shall be 120 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 both the metropolitan county council and the committee. If the committee fails to act upon the proposed policy or plan or ordinance or motion within the established time limit, the metropolitan county council may adopt the proposed policy or plan or ordinance or motion upon eight affirmative votes. The committee may request, by motion to the county council, additional time for review.

The metropolitan county council shall adopt, reject, or return with amendments a proposed ordinance or motion from a regional committee within ninety days after such proposed ordinance or motion is filed with the clerk of the council 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 both the metropolitan county council and the committee. A proposed policy or plan or ordinance or motion recommended or introduced by a regional committee may be adopted, without amendment, by the metropolitan county council by seven affirmative votes. If the metropolitan county council votes prior to final passage thereof to amend a proposed policy or plan or ordinance or motion that has been reviewed or recommended or introduced by a regional committee, the proposed policy or plan or ordinance or motion, as amended, shall be referred back to the appropriate regional committee for further review and recommendation. The regional committee may concur in, dissent from, or recommend additional amendments to the proposed policy or plan or 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 or ordinance or motion which differs from that recommended or introduced by the regional committee recommendation shall require eight affirmative votes of the metropolitan county council.

Should the metropolitan county council fail to adopt, reject or return with amendments a proposed ordinance introduced by a regional committee within said ninety-day period, the action by the regional committee to introduce the proposed ordinance shall be deemed to have satisfied the requirement for submitting petitions bearing signatures of registered voters under section 230.50 of this charter. After said ninety-day period, the metropolitan county council shall take no action on the subject matter of the proposed ordinance, except to adopt a substitute ordinance as provided in this section, and shall place the proposed ordinance on the ballot according to the procedures set forth in section 230.50 of this charter. The metropolitan county council may submit a substitute ordinance concerning the same subject matter on the same ballot with the proposed ordinance from the regional committee. Whether the proposed ordinance or the substitute ordinance is approved shall be determined by which ballot proposition obtains the greatest number of affirmative votes.

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).

Section 310. Composition and Powers.

The executive branch shall be composed of the county executive, the county administrative officer, the county assessor, the officers and employees of administrative offices and executive departments established by this charter or created by the county council and the members of the boards and commissions except the board and office of ethics, board of appeals and the personnel board. The executive branch shall have all executive powers of the county under this charter.

NEW SECTION Section 405.

Notwithstanding any other provisions of this charter, the county council by ordinance may provide for biennial budgets as authorized by and in accordance with the requirements of state law.

Section 610: Election Procedures.

~~Except as provided in this Article, the nominating primaries and elections shall be conducted in accordance with general law governing the election of partisan county officers.~~ The offices of county council, county executive, county assessor and county sheriff shall be nonpartisan and the candidates therefor shall be nominated and elected as such according to the provisions of general law.

~~Section 620: Independent Candidates:~~

~~On or before the last day for filing a declaration of candidacy as a candidate in a major political party primary, anyone qualified to assume office, if elected, may file a declaration of candidacy as an "independent".~~

~~Any candidate who files a declaration of candidacy as and independent shall be placed on the primary ballots under the title "independent", and, if the total number of votes cast for independent candidates for an office is equal to at least twenty percent of the total number of votes cast for that office in the primary, then the candidate who receives a plurality of the votes cast for independent candidates for that office shall be the independent nominee for that office and shall be placed on the general election ballots under the title "independent".~~

~~Anyone who files a declaration of candidacy as an independent shall not be a candidate for any political party in that primary or in the succeeding general election and shall pay the filing fee required for a declaration of candidacy for a major political party primary.~~

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 and the office of assessor ~~may~~ shall be established by ordinance. (Ord. 12301, 5/28/96)

680.10 Election or Appointment to Fill Vacancy.

A vacancy in an elective county office shall be filled at the next primary and general elections which occur in the county; provided that an election to fill the vacancy shall not be held if the successor to the vacated office will be elected at the next general election as provided in Sections 620. and 630. The term of office of an officer who has been elected to fill a vacancy shall only be for the unexpired portion of the term of the officer whose office has become vacant and shall commence as soon as he is elected and qualified.

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

In the event the office of executive becomes vacant, the county administrative officer [deputy county executive] shall serve as interim executive; the office of assessor becomes vacant, the chief deputy assessor shall serve as interim assessor; or the office of sheriff becomes vacant, the chief of operations shall serve as interim sheriff; and in such a capacity shall exercise all the powers and duties of the office, until the vacancy is filled pursuant to this charter.

Section 800. Charter Review and Amendments.

At least every ten years after the adoption of this charter, the county executive shall appoint a citizen commission of not less than fifteen members whose mandate shall be to review the charter and present, or cause to be presented, to the county council a written report recommending those amendments, if any, which should be made to the charter. This citizen commission shall be composed of at least one representative from each of the county council districts.

Amendments to this charter may be proposed by initiative by filing with the metropolitan county council petitions bearing signatures of registered voters of the county equal in number to not less than twenty percent of the votes cast in the county for the office of county executive at the last preceding election for county executive. Each petition shall conform to the requirements established pursuant to section 230.60 in this charter and contain the full text of the proposed ordinance. Within sixty days after the petitions are presented, the metropolitan county council shall either concur with or reject the proposed amendment. Whether the metropolitan county council concurs with or rejects the proposed amendment, it shall adopt an ordinance to place the proposed amendment, without revision, on the ballot at the next general election occurring more than forty-five days after the enactment of the ordinance. If the metropolitan county council rejects the proposed amendment, it may adopt an ordinance for a substitute amendment and place the substitute amendment and the amendment proposed by the initiative petitions on the same ballot. An ordinance proposing an amendment or substitute amendment shall not be subject to the veto power of the county executive. Publication of a proposed amendment and notice of its submission to the voters of the county shall be made in accordance with the state constitution and general law. The voters shall first be given the choice of accepting either or rejecting both proposed amendments, 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 proposed amendment, then the proposed amendment 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 proposed amendments, then neither proposed amendment shall be approved regardless of the vote on the second issue. If a proposed amendment is approved by a majority of the voters voting on the issue, it shall become effective ten days after the results of the election are certified unless a later date is specified in the amendment.

In addition to charter amendments proposed by initiative petitions from the people, the county council may at any time it deems appropriate propose amendments to this charter by enacting an ordinance to submit a proposed amendment to the voters of the county at the next general election occurring more than forty-five days after the enactment of the ordinance. An ordinance proposing an amendment to the charter shall not be subject to the veto power of the county executive. Publication of a proposed amendment and notice of its submission to the voters of the county shall be made in accordance with the state constitution and general law. If the proposed amendment is approved by a majority of the voters voting on the issue, it shall become

effective ten days after the results of the election are certified unless a later date is specified in the amendment.

Section 815. Contracts and Competitive Bidding.

The construction of all public buildings and works shall be performed by independent contractors; except that construction of public buildings and works including county road projects having a value of less than twenty-five thousand dollars where one craft or trade is involved and seventy thousand dollars where two or more crafts or trades are involved may be performed by county employees. Whenever the county would have been required to do so by general law if it had not adopted this charter, it shall purchase all property and award all contracts by competitive bidding in accordance with the procedures established by ordinance. Provided that, when permitted by law, there shall be established a small works roster composed of all contractors who have requested to be placed on it and who are properly licensed to perform such work in this state. The county may award contracts using this roster for all contracts of one hundred thousand dollars or less, in accordance with procedures to be established by ordinance.

NEW SECTION. Section 822. Board of Ethics.

The board of ethics shall be composed of seven members selected as follows: (1) three members shall be appointed by the county executive; (2) three members shall be appointed by the county council; and (3) the seventh member shall be appointed by majority vote of the other six members. Appointments shall be subject to confirmation by the county council. Appointments shall be made within ninety days of a vacancy.

The county executive and county council shall appoint their respective members to the initial board of ethics to one, two or three-year terms such that the terms of one member appointed by the county executive and one member appointed by the county council shall expire each year. Each subsequent appointment shall be for a term of three years from the date of appointment; provided, that a member may continue to serve until a successor is appointed. The member appointed by the other members of the board of ethics shall serve a three-year term. Members shall be eligible for reappointment. Members of the board of ethics shall be subject to removal by ordinance.

The board of ethics shall select a chairperson from among its members, establish its rules of procedure, oversee the operation and performance of the office of ethics, issue advisory ethics opinions and, in accordance with the county's ordinance on ethics, hear appeals filed by county officials and employees from findings and recommendations made by the office of ethics. The board shall also have additional powers and duties related to the county's ordinances on whistleblower protection, campaign contributions and expenditures, and lobbyist reporting and disclosure. The county council shall appropriate sufficient funds to enable the board of ethics and office of ethics to perform the duties assigned to them. Within such funding, the board shall establish the compensation to be paid to the administrator and other employees in the office of ethics; provided that such compensation shall be consistent with salary ordinances adopted by the county council.

To ensure political neutrality in political campaigns, no member of the board of ethics during her/his term of office shall: hold or campaign for elective office; be an officer of any political party or political committee, other than a precinct committee person; permit her/his name to be used or make contributions, in support of or in opposition to, any candidate for

county office or any county ballot measure; participate in any county election campaign, participate in any committee that provides ratings of candidates for county office; or lobby or control, direct, or assist a lobbyist except that such member may appear before the county council and any committee thereof on matters pertaining to board's duties and powers and on matters personal to the member.

The board of ethics shall appoint an administrator to the board and for the office of ethics, which appointment shall be subject to confirmation by the county council. The administrator may be removed for cause by a two-thirds vote of the members of the board.

The board of ethics shall provide annual reports to the county executive and county council on issues considered by the board and may recommend at anytime changes in the county's ordinances on ethics to improve guidance for elected officials, officers and employees to avoid conflicts of interest and on whistleblower protection, campaign contributions and expenditures, and lobbyist reporting and disclosure.

NEW SECTION. Section 824. Office of Ethics.

The office of ethics shall receive, investigate, and make findings and recommendations on complaints and allegations arising out of and in accordance with the county's ordinances related to ethics, whistleblower protection, campaign contributions and expenditures, and lobbyist reporting and disclosure.

The administrator and all other employees in the office of ethics shall be exempted from career service membership and have the benefits applicable to such employees as may be established by ordinance. The administrator shall appoint, supervise, and remove such other employees in the office of ethics.

During their employment, the administrator and employees in the office of ethics shall refrain from any political activities that would be or would have the appearance of being incompatible with the proper discharge of official duties or would impair or would have the appearance of impairing independence of judgment or action in the performance of their official duties.

PROPOSED ORDINANCE LANGUAGE

Because of the variety of detail that would need to be addressed and the need to work with the Unincorporated Area Councils, proposed ordinance language was not developed for this recommendation.

AN ORDINANCE amending King County Code 1.16.030 and extending the time for filing initiative and referendum petitions.

1.16.030 Time for filing initiative and referendum petitions. A. Initiative petitions containing the required signatures of registered voters of the county as provided in Section 230.50 of the Charter, must be filed within ~~sixty~~ ninety days from the date of approval of such form by the clerk of the council. If petitioner fails to file such petition within the prescribed time limit, it shall have no validity and the petition will not be considered by the council as an initiative petition.

B. Referendum petitions containing the required signatures of registered voters of the county, as provided in Section 230.40 of the Charter, must be filed within ~~forty-five~~ sixty days after the enactment of the ordinance to be referred to the voters. If the petitioner fails to file such petition within the prescribed time limit, it shall have no validity and will not be referred to the voters. (Ord. 2602 § 1, 1975: Ord. 2280 § 1, 1975: Ord. 159 § 3, 1969).

AN ORDINANCE establishing an Unincorporated Area Governance and King County Elections Task Force to consider representation of unincorporated areas of King County and models of electing a regional Council and to submit recommendations to the Metropolitan County Council.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Establishment of an Unincorporated Area Governance and King County Elections Task Force. A. Created. There is hereby established an Unincorporated Area Governance and King County Elections Task Force, hereinafter called the Task Force.

B. Timeline. The Task Force shall be established by September 1, 1997. The Task Force recommendations for unincorporated area governance are due to the County Council by June 1, 1998 so that any charter amendments may be placed on the November 1998 ballot.

SECTION 2. Composition and Membership of the Unincorporated Area Governance and King County Elections Task Force. The Unincorporated Area Governance and King County Elections Task Force shall be composed of at least 15 members representing the unincorporated areas of King County, city of Seattle, Suburban Cities, special purpose districts, and King County. At least half of the Task Force shall be residents of the unincorporated areas of King County and shall include nominations from all the Unincorporated Area Councils. Nominees, preferably, should have broad county governmental knowledge. The members shall be appointed by the Executive and confirmed by the County Council.

SECTION 3. Purposes of the Unincorporated Area Governance and King County Elections Task Force. A. The Unincorporated Area Governance and King County Elections Task Force shall:

1. develop fair and equitable representation for the unincorporated areas of King County in the form of a separately elected legislative body, define the duties and jurisdiction of such legislative body, and recommend revenue sources and a budget allocation process for providing services to said unincorporated areas; and

2. examine alternative models of electing a regional County Council and recommend changes in the King County Charter and ordinances to the County Council.

B. In considering recommendations, the Task Force shall take into account the statements of Intent, Guidelines and Missions developed by the 1996-1997 King County Charter Review Commission and set forth in Attachment A to this ordinance.

SECTION 4. Administrative Support for the Unincorporated Area Governance and King County Elections Task Force. Administrative support for the Unincorporated Area Governance and King County Elections Task Force shall be provided by the county Executive. The county Executive shall, if necessary, submit a supplemental budget proposal to provide support in 1997 and include in the proposed budget for 1998 sufficient funds to provide support in 1998.

ATTACHMENT A

1996-1997 King County Charter Review Commission Statements of Intent, Guidelines and Missions for the Unincorporated Area Governance and King County Elections Task Force

Intent. The King County Charter Review Commission has determined a need to separate regional and local decision-making within the county. The Commission, as detailed in the report entitled *Report and Recommendations on Unincorporated Area Issues*, recommends the creation of a separately elected legislative body for unincorporated King County to be the legislative authority for matters that are specific to the unincorporated area.

The King County Charter Review Commission has also recognized that as a result of the King County/Metro merger the county is moving to a more regional role. This role will become stronger with the separation of unincorporated area, local decision-making from the Metropolitan King County Council. As this happens an examination should be made of the representation and method of electing the Metropolitan King County Council, so that they may be truly regional.

Guidelines. The recommendations for the separately elected legislative body shall be consistent with but not limited to the following principles.

A. There should be a clear separation of regional and local decision-making, services, and budget.

B. The legislative body for the unincorporated area must have final decision-making authority on matters specific to the unincorporated area.

C. The legislative body should have membership on regional committees, GMPC, and other regional entities (jurisdictional representation).

D. The Metropolitan King County Council would continue to have powers to levy taxes, appropriate revenue, adopt budgets, establish compensation schedules for all county officers and employees, etc.

E. The decision makers for unincorporated area issues need to be held accountable to the unincorporated area voters.

F. Unincorporated area governance needs to be less than a city, so that it does not discourage annexation or incorporation in the urban unincorporated areas.

G. The creation of the unincorporated area legislative body needs to be implemented without adding new taxes or taxing authority, except as provided by state law.

Missions of the Task Force

A. One mission of the Task Force shall be to define a separately elected unincorporated area legislative body and make recommendations on the following:

1. a structure for the separately elected legislative body including charter amendments and/or state legislation as necessary to implement.
2. definition of the powers of the separately elected legislative body subject to applicable provisions of the state constitution and law.
3. identification of local unincorporated area responsibilities.
4. identification of revenue sources and a budget allocation process for the separately elected unincorporated area legislative body, staff support, and administrative needs.

B. Another mission of the Task Force shall be to evaluate the election methods of regional legislative bodies and develop a model that will promote a regional focus for decision-making. This should include but not be limited to: representation issues, districting, size of Metropolitan King County Council and the unincorporated area legislative body.

1996-97 KING COUNTY CHARTER REVIEW COMMISSION

MEMBERS AND BRIEF BACKGROUND STATEMENTS

(As of 6/12/97)

Wes Uhlman, Chair, of Seattle is a former Mayor of Seattle (1969-78) and State Legislator. He is an attorney and president of the real estate development and management company Wes Uhlman & Associates, Inc. He is also co-chair of the Seahawks/Kingdome Renovation Task Force. Council District 4.

Bill Anderson of Seattle is a painter and advocate of working people. He currently works for the International Brotherhood of Painters and Allied Trades, District Counsel No. 5. Council District 2.

Allen Apodaca of Seattle is Coordinator for Migrant and Seasonal Farmworker Affairs for the Northwest Regional Primary Care Association, and former Regional Commissioner with the U.S. Office of Education. Council District 1. (Resigned 3/20/97)

Paul Barden of Normandy Park is a former King County Councilmember (1974-1994) and State Representative (1966-1974). He is now newspaper promotions manager for the Times Community News Group. Nominated by Councilmember Chris Vance, District 13.

Dianne Campbell of Redmond is an Executive Assistant for Northwest Power Enterprises, Inc., and chair of the Board of Trustees for Cascadia Community College. Nominated by Councilmember Louise Miller, District 3.

Gene Colin of Seattle is chair and CEO of Ferguson Construction, and a former Facilities/Construction Engineer at the Boeing Space Center. Council District 10.

Robert Counsell of Redmond is a regional representative at the Mill Products Division of Reynolds Metal Company. Council District 3.

Robert George of Issaquah is a Commissioner with the Sammamish Plateau Water and Sewer District. Nominated by Councilmember Brian Derdowski, District 12.

Agnes Govern of Seattle is an Assistant General Manager with the Snohomish County Public Utility District. She was formerly the Acting Finance Director and Technical Support Services Coordinator at Metro. Council District 4.

Ethel Hanis of Kent is a member of the Washington State Boundary Review Board serving a second term as the Special District representative. She has been active in her community serving two four-year terms on the City of Renton Library Board. Council District 9.

Lem Howell of Seattle owns the law office of Lembhard G. Howell, P.S. He is a founding member of Trial Lawyers for Public Justice, and served as an Assistant State Attorney General. Council District 10.

Ann Kawasaki of Seattle is the Director of Finance & Operations for the Washington State Major League Baseball Stadium Public Facilities District. She was formerly Acting Kingdome Director and Deputy Director of the King County Department of Public Works. Council District 2. (Resigned 5/6/97)

Fred Kiga of Seattle is a manager with the economic and financial consulting group of Arthur Andersen L.L.P. Mr. Kiga has been an active participant with the Seattle Housing Authority and the International District Preservation and Development Authority. Council District 4. (resigned 2/6/97)

Phil Kushlan of Bellevue is a former Bellevue City Manager (1985-1995). He now owns the management consulting firm of Kushlan and Associates. Council District 11.

Bruce Laing of Bellevue is a former King County Councilmember (1979-1995). He is now a planning and government relations consultant. Council District 6.

Phyllis Lamphere of Seattle is a former Seattle City Councilmember, former Regional Director with the federal Economic Development Administration, and past president of the government relations consulting firm of Lamphere Associates. Council District 10.

Desiree Leigh of Seattle has extensive experience in the private and public sectors. Her civic activities include serving on the Board of Trustees for the King County Municipal League and the Seattle YWCA Nominating Committee. Council District 10. (resigned 1/24/97)

Terry Lukens of Bellevue is a past Mayor of Bellevue and a former City Councilmember. He is currently an attorney with the firm of Karr Tuttle Campbell. Council District 6.

Steven Marshall of Mercer Island is a senior partner at the law firm of Perkins Coie, and Chief Counsel to Puget Power. Nominated by Councilmember Rob McKenna, District 6.

Robert McCallum of Bellevue is a tax lawyer with the firm of LeSourd & Patten, and a former trial attorney with the U.S. Department of Justice. Nominated by Councilmember Jane Hague, District 11.

Lois North of Seattle was an original Freeholder in the drafting of the first King County Home Rule Charter in 1967. She is a former King County Councilmember and State Legislator. Council District 4.

Eileen Norton of West Seattle is a former Assistant Seattle City Attorney and Legislative Assistant to Councilmember Tom Weeks, and is now a program evaluator in the City Auditor's Office. Nominated by Councilmember Greg Nickels, District 8.

Margaret Nyberg of Federal Way has been a teacher for 20 years, currently employed in the Highline School District. She is the Chair of Social Studies for her school and teaches U.S. History. Nominated by Councilmember Pete von Reichbauer, District 7.

Kathleen Oglesby of Seattle is a staff representative for the Washington State Council of County and City Employees, AFSCME, AFL-CIO. Council District 10. (resigned 1/21/97).

Rita Perstac of Issaquah is Director of Transmission & Distribution Planning and Analysis for Puget Power, and is a former Assistant City Administrator for the City of Issaquah. Council District 12.

Eileen V. Quigley of Seattle is a former president of the Municipal League of King County, and former editor of The New Pacific Magazine. Nominated by Councilmember Cynthia Sullivan, District 2.

Yvonne Sanchez of Seattle is Community Resource Manager for the Department of Social & Health Services Capitol Hill Community Service Office. She dealt with growth and infrastructure issues as a former management analyst in the King County Dept. of Public Works. Council District 4.

Lynna Song of Shoreline is an Assistant Account Manager with Pacific Market International, a business which deals with hard-good retail sales. Nominated by Councilmember Maggi Fimia, District 1.

Lucy Steers of South Seattle is a board director of the Washington State League of Women Voters and founder of a public involvement consulting firm. Council District 5.

Mylon Winn of Shoreline is Associate Professor at Seattle University's Institute of Public Service, with research interests in ethics, policy and public organizations. Council District 1.

Benson Wong of Mercer Island is a partner with the law firm of Keller Rohrback, a citizen advisor to the Baseball Stadium Public Facilities District, and a former officer of the King County Bar Association. Council District 6.

HISTORY OF KING COUNTY'S HOME RULE CHARTER

DEVELOPMENT OF THE CHARTER

In the 1960's, King County government experienced a series of scandals involving, in separate events, the assessor's office, the prosecutor's office and a project to remodel the Courthouse. In response to these scandals, the League of Women Voters and the Municipal League conducted a review of County government—its organizations and functions—and eventually went to the three County Commissioners to request that the election of freeholders to draft a home rule charter for the County be placed on the ballot. The Commissioners were not responsive to this request. The Municipal League then established a committee to reorganize County government. This committee, as provided by the State Constitution (Article XI, Section 4), obtained the signatures of ten percent of the voters in the County on a petition placing the election of Freeholders on the ballot. The Commissioners ruled the petition out of order on the ground that the ten percent figure was based on the wrong election. The Commissioners, however, noted the growing strength of the charter movement and eventually put the freeholders elections issue on the 1967 primary and general election ballots. There were 225 candidates in the primary election for the 15 freeholder positions.

The freeholders drafted a charter proposal, but not without difficulty. They initially had difficulty securing adequate funding from the Commissioners who were resisting reorganization. They also had to contend with a prosecuting attorney who opposed a change in the County's organization. The freeholders hired their own attorney and a consultant to assist them in drafting the charter. Among the more controversial issues the freeholders addressed was whether the assessor's position should be elected (they decided it should be), whether elected offices should be partisan or nonpartisan (they decided on partisan), and whether the clerk of the court functions should be under the administration of the Superior Court or the Executive (they placed these functions under the Executive).

The freeholders' charter proposal was placed on the November 1968 ballot and approved by the voters. It took effect on May 1, 1969.

HISTORY OF CHARTER REVIEW AND AMENDMENTS

Summary

Proposals to amend the Charter have been presented to voters ten times—in 1971, 1975, 1977, 1981, 1988, 1989, 1992 and 1996. In 1971, 1977, and 1988, a total of nine amendments came after a charter review process. Council-initiated proposals account for the other amendments. In 1975, 1977 and 1989, the charter was amended in response to specific issues regarding a change the redistricting process (1975), to provide guidance for political activities by County employees (1977) and to limit campaign contributions for King County elected offices (1989).

In 1979, a proposal which came out of the 1977 charter review process to abolish the Metro Council and assign Metro's responsibilities to King County was put on the ballot and failed. There were no charter amendments associated with this ballot measure. In 1986, a proposal to reduce the ratio between the executive and council salaries was placed on the ballot and failed.

Most of the above changes were relatively minor adjustments to the Charter. The early 1990's saw the first substantive changes to the Charter in response to structural changes in King County government. In 1991, a proposal to merge King County and the Metropolitan Municipality of Metropolitan Seattle (the regional transit and water pollution control/sewage treatment agency known as "Metro") to expand the Council from nine to thirteen members and to create multi-jurisdictional committees with city membership failed. (Technically, the charter amendment passed but, since it was contingent on the ballot measure to merge King County and Metro failed, the Charter amendment was not effective.) A repeated attempt in 1992 to merge King County and Metro passed. It included charter amendments to (1) expand the Council from nine to thirteen members, (2) create three multi-jurisdictional policy committees as part of the County Council for transportation (transit), water pollution control, and regional issues, (3) create an initiative process for cities for countywide matters, and (4) modify the citizen's initiative process.

First Charter Review and Amendments (1970-1971)

In 1970, Executive John Spellman in consultation with the County Council, appointed a thirteen-member charter review committee. This charter review committee met monthly beginning in August 1970, and issued a final report in August 1971. This first charter review committee broadly examined King County government under the new charter and generally concluded that it was successful. This committee recommended three charter amendments to (1) Section 230.50 on the initiative process, (2) Section 410 on the presentation and adoption of budgets, and (3) Section 895 on mandatory inquests. Of the three, the only recommendation placed on the ballot required the County Council to adopt an annual budget for the County at least thirty days, instead of forty-five days, before the end of the year. The measure was approved by voters in September 1971.

The 1971 charter review committee also recommended that King County assume responsibility for Metro's functions and sought to encourage public discussion ". . .over the role of a reorganized County in the performance of urban services."

1975 Charter Revisions

The charter, as it was originally drafted, required that the County Council re-examine and, if necessary, redraw the boundaries for the council districts to provide for districts of roughly equal populations. As a result of what many people thought to be a highly politicized redistricting process in 1975, the Council initiated a proposal that the redistricting process be put in the hands of an independent redistricting committee. This proposal, which revised the Charter, Section 650, was placed on the ballot and approved by the voters in September 1975.

Second Charter Review and Amendments (1976-1977)

The 1976-1977 charter review process had its roots in activity well before it was appointed. There was a flurry of activity around the time the 1971 charter review committee issued its report. The boundaries for Metro, a special purpose agency providing sewage treatment services, had just been extended to be coterminous with King County's boundaries for Metro's newly added transit function (approved by voters in 1972). A study released by the River Basin Coordinating Committee (RIBCO) suggested that Metro assume an increased number of functions including solid waste.

Shortly after the 1971 report was issued, the King County Executive, the Mayor of Seattle, and the Suburban Mayors Association (now the Suburban Cities Association) formed the Metropolitan Study Commission. The Metropolitan Study Commission was comprised of eleven elected officials and seventeen citizens appointed (in an unofficial manner) by Mayor Uhlman and Executive Spellman. The Commission's mission was to examine the problems of governmental organization in King County, particularly the benefits of the consolidation of government functions.

After four years of work, the Commission released the Metropolitan Study Commission Report in 1975. The report proposed a two-tier form of government in King County and recommended a functional merger of King County and Metro. Discussions of how to implement these proposals continued after the report was issued and eventually led to the suggestion that the proposal be taken up as part of the review of King County's charter. The outcome of these discussions, led by the King County Council, was to place a Metro/King County merger proposal on the November 1976 ballot. It was also proposed that a charter review committee, comprised of six members from Seattle, five from unincorporated King County, and four from the remaining cities be established. No more than half the group was to be elected officials or their staff.

In April 1976, the County Executive requested that the King Subregional Council of the Puget Sound Council of Governments review the issue of a King County/Metro consolidation. The King Subregional Council created a special subcommittee of its Organization Committee to study the issue and make a report of its conclusions for the upcoming charter review process. In October 1976, the subcommittee's report, which supported the consolidation in principle, was approved by the King Subregional Council.

The 1976-77 Charter Review Committee was appointed in late 1976 at the County Executive's initiative after consultation with the County Council and others. The membership did not follow the composition recommended by the Metropolitan Study Commission nor was the charge to the committee limited to Metro/King County consolidation.

The 1976-77 Charter Review Committee held its first meeting in December 1976 and met every two weeks through July 1977. The committee solicited comments on possible charter amendments from a variety of sources. The King County Council sent a motion to the committee proposing four charter amendments for the committee's consideration. These included: (1) lowering the minimum age for holding county office to 18; (2) returning to the

commissioner form "of government with five commissioners; (3) limiting elective officers to two consecutive terms; and (4) establishing nonpartisan County elective positions. The committee issued a draft report in late May 1977. During June, seven public hearings on the committee's draft report were held in locations throughout the County.

The committee issued two final reports. The first one, issued in August 1977, addressed general charter amendments proposed by the committee for the 1977 ballot and other non-charter recommendations for improving the operations of King County government. In response to this report, the County Council placed on the September 1977 ballot three charter amendments: (1) reducing the age requirement of King County elected officials from 21 years to 18 years; (2) deferring to State statute in the matter of political activities of county employees; and (3) requiring that appeals from land use decisions by the executive branch go to a hearing examiner process established by ordinance (instead of the Board of Appeals which now hears only property valuation appeals). All three amendments were among those proposed by the charter review committee. Of the three ballot issues, the age reduction for elected office failed.

The 1977 Charter Review Committee's second report, issued in October 1977, proposed the consolidation of King County and Metro. No further action on that proposal occurred until early 1978 when the County Council proposed the establishment of a citizens advisory committee to recommend whether or not the consolidation issue should be placed on the fall 1978 ballot. King County provided \$15,000 to support this effort, which was staffed and housed independently of King County government. The Citizens' Advisory Committee on United Countywide Government was directed by Council Motion 3423 to advise the Council by July 1, 1978, on whether or not a King County/Metro merger should be placed on the fall 1978 ballot. The committee's report recommended the consolidation of King County and Metro into a single governmental unit with either a nine-member council or a federated body of not more than 37 elected city and county officials to the maximum extent possible to attain representation consistent with federal constitutional requirements. The County Council put the proposal on the November 1979 ballot. It failed.

1981 Charter Revision: 1981, voters approved a Council-initiated amendment to Section 560 of the Charter. That amendment deleted all remaining restrictions on political activities of county employees except that provided by State law. This change was prompted by circumstances in which several county employees had wanted to seek elective office, but could not because of the original Charter language.

Third Charter Review and Amendments (1987-88): In April 1987, a 15-member commission (plus two alternates) was appointed by King County Executive Tim Hill after consultation with the King County Council. After considerable debate over commission funding, \$20,000 was appropriated by the King County Council, with the commitment for up to \$20,000 in additional funds if the commission needed it.

The 1987-88 Charter Commission was appointed amid a resurgence at both the state and local levels of concern over how regional and local services should be delivered in response to rapid growth in the unincorporated areas of central Puget Sound counties. At the state level, the State Legislature appointed the Local Governance Study Commission in 1985 to study local

government organization and make recommendations for improvements to the Legislature by the end of 1987. At the local level, the Seattle Chamber of Commerce initiated the formation of a private, 35-member citizen's group—the King County 2000 Committee—to address concerns about financing regional capital projects and to assess regional governance issues. The King County 2000 Committee issued its final report in November 1987. Two members of the King County 2000 Committee also served on the 1987 Charter Review Commission.

The 1987-88 Charter Review Commission began its work in April 1987 with a three part mission:

To review all existing provisions of the Charter and develop recommendations for any technical amendments to improve the operation of County government;

To review all existing provisions of the Charter and develop recommendations for any necessary structural changes to improve the organization of County government; and

To assess King County's role as a regional government and to recommend improvements in the County's ability to deliver regional services.

The Commission spent its first four months hearing from elected officials and others regarding their concerns about King County government. By the end of this period, the Commission had compiled a list of more than thirty issues for its consideration. In August, the Commission members divided into three working committees—Regional, Structural, and Technical—and assigned each issue to a committee. The committees worked on their assigned issues until February 1988 when the full Commission began to review and take initial action on the committees' preliminary recommendations. In late April and early May, the Commission requested public comment on its preliminary recommendations. It issued a newsletter summarizing the key issues and including a comment/request for information form. It also held a series of six public meetings held throughout the county to take public comment. There was very low public response to these opportunities. Following the public comment period, the Commission reviewed all issues again and took final action on them.

The Commission adopted a rule requiring that in order for a recommendation to be approved, it had to receive approval of a two-thirds majority of the total members at two separate meetings. In fact, the Commission operated by consensus. Of the 39 specific recommendations voted on by the Commission, 14 involved charter amendments, eight involved administrative or other actions by the Executive and Council, and four involved management of regional issues. Thirteen other recommendations were considered by the Commission, but no further action was taken on them. An additional 16 formally identified issues were initially considered by the Commission, but were not carried forward for a variety of reason.

The County Council put five of the recommended charter amendments, some with modification, on the ballot:

1. Requiring the appointment of a citizens commission to conduct the charter review at least every ten years.

2. Clarifying the role of the County Auditor and strengthening the independence of the office.
3. Changing the responsibility for appointing the Judicial Administration Department Director from the Executive to the Council.
4. Clarifying status of exempt Career Service and less than half-time positions.
5. Changing the value of roads projects that can be performed by county employees from \$15,000 to \$25,000.

All five proposed amendments were approved by voters in 1988.

1989 Amendment

In 1989, in response to state and local concerns about campaign spending, the County Council proposed a Charter amendment to establish a system for limiting campaign contributions and expenditures. The amendment was approved by voters.

1992 King County/Metro Merger Amendments

The 1992 King County/Metro merger amendments occurred amid the convergence of two issues which had surfaced during many regional issue debates of the past.

One critical background issue, going back to the early 1970s if not earlier, was the debate over who should pay for what regional services and what those regional services should be. The focus of these debates was primarily on specific high volume, high cost services provided by King County for most of the cities on a contractual basis including public health, adult detention, and district court. These were services that cities were required to provide, but generally had no practical way to do so except to contract with King County. As the population in King County grew and the unincorporated areas adjacent to cities became more urbanized, the issue expanded into a debate over who should provide local services such as water and sewer as well as police and land use. While the King County/Metro merger has addressed some concerns, this continued to be an undercurrent in many regional issue discussions.

As noted earlier, the issue of consolidating King County and Metro had been a background issue almost beginning with Metro's creation, occasionally surfacing as a regional discussion and then subsiding. In 1990, the issue of merging King County and Metro was forced on the regional agenda when the American Civil Liberties Union (ACLU) on behalf of several King County citizens, initiated a court challenge to the constitutionality of Metro's governance. Metro was governed by a federated council consisting of the King County Executive and Councilmembers, the City of Seattle Mayor and Councilmembers, suburban elected officials appointed by the larger suburban cities or caucus of the smaller suburban cities, sewer district commissioners appointed by a caucus of sewer districts, and citizens appointed by the County Council who had a majority of their district in unincorporated King County. This body, at the time of the challenge, had grown to 41 members from the original 16 (in 1958). Each member of the federated Council had the same voting power (except that the sewer district representatives did not vote on transit matters.)

The ACLU's action stimulated the County Council to initiate what was called a "summit" process for a renewed discussion on the regional/local services issues and the King County/Metro merger. Participation in the summit meetings included seven members each from King County, the City of Seattle and the Suburban Cities Association. On September 6, 1990, U.S. Western District Court Judge William Dwyer found that Metro's governance needed to meet the one-person/one-vote rule and that Metro's federated council did not meet that requirement. He set an April 1992 deadline for implementing a new form of Metro governance that would meet the one-person/one-vote rule. Judge Dwyer's decision was handed down the day after the first summit meeting and had the effect of immediately focusing the discussion on the merger issue. The Summit I process, as it later came to be called, resulted in a package of agreements for charter changes which included expanding the County Council from nine to 13 members, creating intergovernmental council committees to replace the Metro Council, and a change to nonpartisan county offices (except for the Prosecutor which is required to be partisan by the State Constitution).

When the package of charter amendments and merger ballot measures came before the County Council, one of the five members of the nine-member Council who had supported the change to nonpartisan offices, withdrew support and the change was deleted from the package of measures that went to the voters in November 1991. As a result, many cities officials (whose positions are nonpartisan) opposed the merger. State statute required that a proposal to merge King County and Metro be approved by a dual majority of voters—those within the City of Seattle and those in the balance of King County. The merger passed in Seattle, but failed in the balance of the County and did not achieve the required "dual majority" to be enacted.

The 1992 Legislative Session considered proposals to restructure the Metro Council to meet the one-person/one-vote requirement, but no proposal was approved. Judge Dwyer set a new deadline of April 30, 1993 for the governance issue to be resolved or, failing that, for the court to impose a solution.

The summit process participants reconvened in what became known as Summit II. Under considerable pressure to meet a short deadline, the participants came up with a package that included expanding the Council from nine to 13 members; creating three new regional committees covering water quality, transit and regional policies with membership from the County Council, the City of Seattle and the Suburban Cities Association; establishing an institutional initiative which would allow the cities to initiate ordinances of a regional nature for Council consideration; and an unincorporated area only initiative which would allow ballot measures for the unincorporated area only (up until that time, ballot measures could only be countywide). The issue of nonpartisan County elected officials was not included. On November 2, 1992, King County voters approved these Charter amendments as well as providing the dual majority for the merger of King County and Metro. The implementation of the merger was phased in. The Charter amendments took effect in January 1993.

Merger Implementation

Metro continued to operate as a separate governmental jurisdiction through 1993. The ballot measure merging King County and Metro required that Metro be brought into King County government as a separate operating department virtually without change beginning January 1, 1994 and prohibited substantive changes to Metro's organization until January 1, 1996. The purpose of this delay, which is a common approach when governmental jurisdictions are consolidated, was to minimize disruption of services to the public and allow time for an orderly and effective examination and consolidation of similar administrative functions and reorganization of services.

The merger implementation was closely monitored. The Municipal League of King County and the King County Leagues of Women Voters were particularly interested in the three regional policy committees—Transit, Water Quality, and Regional Policy. In August 1994, the Municipal League issued a report that was highly critical of the first year's performance of the new regional committees, particularly the Regional Policy Committee.

In May 1993, a citizens committee, the Consolidation Advisory Committee, was created to advise the County Executive and Council on the implementation of the merger. The Consolidation Advisory Committee issued a number of letters and reports covering a wide range of merger issues including overhead allocation, boards and commissions, an overview of the unincorporated area, and the Regional Policy Committee's second year performance. When the Consolidation Advisory Committee sunsetted at the end of 1995, it passed the oversight baton back to the Municipal League and League of Women Voters. It was also expected that the next Charter Review Commission would address on at least some of the Consolidation Advisory Committee's issues.

1996 Amendments

In 1996, the County Council placed two charter amendments on the ballot. Both were approved by voters. The first charter amendment changed the frequency of redistricting from every five years to every 10 years. Between the normal 5-year cycle and the fact that King County had to be redistricted when the consolidation of Metro and King County expanded the Council from nine to 13 positions, King County had undergone frequent redistricting. The 10-year cycle was viewed as being sufficient to address population changes and less disruptive than the 5-year cycle.

The second charter amendment changed the position of county sheriff from an appointed director of the department of public safety under the executive branch to a directly elected sheriff (as it was before the charter was adopted). The change was initiated by the County Council in response to Council concerns that, as an appointed director, the sheriff was not able to establish an independent budget in response to community public safety needs. While there was considerable opposition to the measure by good government groups and newspaper editorials, there was no organized campaign against the proposed amendment which was quietly supported by law enforcement officers and agencies. It was approved by voters.

1996-97 Charter Review Process

The 1996-97 Charter Review Commission was established as King County was entering a new era that in many ways was as significant as the change from a commissioner form of government to a home rule form of county government nearly 30 years earlier. With the merger of King County and Metro in 1994, King County greatly expanded its regional scope, adding to its already considerable regional responsibilities as a "arm-of-the-state" service provider as well as provider of services on a regional basis through interlocal agreements with cities.⁸ The 1996-97 charter review process began during the first year of a major reorganization that consolidated or realigned many former King County and Metro functions and services into a single agency. This also included an major effort to downsize King County government as promised to voters during the merger ballot debates.

The issue of whether King County's elected offices should be partisan or nonpartisan had resurfaced. It was a significant issue in the negotiations leading to the King County/Metro merger proposal. The final merger ballot proposal did not change the County's partisan offices. Frustrated by this, the Leagues of Women Voters of King County, the Municipal League of King County, and an informal group of interested individual discussed, but did not actively pursue a change in county elected offices from partisan to nonpartisan partly because of the difficulty of getting such a measure past the partisan County Council as well as recognition that a charter review commission would be appointed within the next year or so.

In spite of the anticipated appointment of a charter review commission, the County Council initiated a ballot measure to change the appointed department of public safety director to an elected (nonpartisan) sheriff as had been the case prior to the adoption of the charter. In the larger context, County Executive Gary Locke was running for governor as was King County Prosecutor Norm Maleng and Seattle Mayor Norm Rice. The more urbanized unincorporated areas continued to incorporate or annex. In the midst of this atmosphere of change and with a substantial legacy of reports and issues on King County government, the 29-member 1996-97 Charter Review Commission began meeting in November 1996.

Similar to the 1987-88 Charter Review Commission, the mission of the 1996-97 King County Charter Review Commission was to fulfill the requirement of Section 800 of the King County Charter that the Charter be reviewed at least every 10 years by an appointed advisory committee of knowledgeable citizens representing the diversity of the public that King County serves. The scope of the Commission's mission was to:

Review all existing provisions of the Charter and develop recommendations for any technical amendments to improve the operation of King County government.

Review all existing provisions of the Charter and develop recommendations for any necessary structural changes to improve the organization of King County government; and

⁸ See Services Provided by King County in the Appendix.

Assess King County's role as a regional government and to recommend any necessary amendments to improve King County's ability to deliver regional services.

Although Executive Locke initiated the appointment process in May 1996, circumstances resulted in the Commission not having its first official meeting until November 1996. As a reflection of the Commission's commitment to public involvement in the Charter process, at the Commission's first unofficial meeting in November 1996, the Commission established a Public Involvement Committee. After reviewing the work and processes of the past charter review commissions and a list of nearly thirty issues compiled from a variety of sources including cities, the Leagues of Women Voters, County agencies, and others, the Commission's first major decision was to develop a public issue scoping process to ensure that the list of issues was complete.

The second major decision was to decide whether the 1997 or 1998 ballot would be the target date for completion of their work. Their mission, as assigned by the Executive was to make recommendations for charter amendments for the 1997 ballot. This required that the Commission complete its work no later than the end of June, effectively giving them only four months to do substantive issue review and development. After considerable discussion, the Commission members decided to target the 1997 ballot primarily because of the opportunity to highlight the charter amendments as part of the public agenda when seven of the thirteen councilmembers ran for office. Commission members committed to an intensive work program to achieve this objective with a progress review in April 1997 to determine whether there were any issues that all Commission members wanted to work on past June 1997.

In January 1997, the Commission organized itself into three committees around its three-part mission—Regional, Structural/Organizational, and Technical/Operational—and began review of the issues already before it. In February 1997, the Commission began an issue scoping process. This included a widely mailed flyer asking for input on issues and four public meetings through King County. Additionally, between February and June 1997, Commission members met with nearly 30 community and special interest groups. It is estimated that as a result of the outreach process, nearly 1000 copies of the Charter were distributed to the public. The Commission was among the first King County program to actively use King County's Internet site and e-mail for information sharing and communication. In addition to general information about the Charter and the Commission, Commission agendas and minutes as well as summaries of the issues and public comment were posted on the Internet.

Three issues—unincorporated area representation in County decision-making, the effectiveness of the three Regional Committees, and the independence of the Ethics Board—emerged as the major work efforts of the Commission.

- The public issue that captured the Commission's greatest attention was how King County's decisions for unincorporated areas were being made by a legislative body with an increasingly regional perspective.

- In the two years prior to the creation of the Commission and during the time leading up to appointment of members by Executive Locke, the County Council's three Regional Committees, which were created as part of the King County/Metro merger process, came under close review and considerable criticism. A separate outreach effort was made to cities to get input regarding the three Regional Committees. The Regional Issues Committee members met with each of the Regional Committees several times, sent out letters to current and past members of the Regional Committees, met with the Suburban Cities Association, and participated in general briefings of the Bellevue, Renton and Seattle City Councils.
- As part of an outreach effort within the County's operations, the effectiveness of the Ethics Board emerged as a significant issue involving County Executive Sims, County Councilmember Rob McKenna, the Ethics Board, and the Office of Citizen Complaints.

In April 1997, the Commission reviewed its progress and determined that: (1) it would be able to complete its work in time for the November 1997 ballot and (2) there were no issues that all members wanted to work on past June 1997. Also in April 1997, in recognition of the impact of the election campaigns on the County Councilmembers, the Commission agreed to cut short their work program by two weeks in order to get the recommendations to the Council two weeks earlier. By May 15, 1997, the issue committees had completed their work. Their preliminary recommendations were distributed for public comment. Two public meetings were held as well. Because of the tight timeline, the Commission began reviewing and acting on preliminary recommendations with the commitment to review all recommendations after the public review process was completed.

Beginning in April 1997, each issue with a recommendation for transmittal to the Council went through a first and second reading. A two-thirds majority vote was required for approval to pass a charter amendment recommendation to the Council. In May 1997, the Commission moved from a monthly to an almost weekly schedule of three-hour meetings. On June 12, 1997, the Commission members concluded their work with recommendations for 10 charter amendments and three ordinances. The overall priority was the recommendation to create a process for charter amendment by initiative, but beyond that, the Commission unanimously concluded that all the charter amendments recommendations were worthy of being placed on the November 1997 ballot and the ordinances enacted in 1997. The Commission grouped the recommendations into categories for ease of understanding, but did not assign priority order outside of the Charter amendment initiative recommendation. The recommendations were:

Priority Charter Amendment

Of the total recommendations, the Commission gave overall priority to giving citizens the right to amend the charter by initiative. However, it is important to note that the Commission members were unanimous in their opinion that all of the charter amendments and ordinance recommendations should be acted on in 1997.

- Establish an initiative process to amend the Charter.

Overarching Charter Amendments

These overarching amendments address King County government's external relationships with the general public and the cities, and its role as a regional government.

- Modify Regional Committee procedures.
- Create an independent Ethics Board.
- Establish whether the Executive, Council and Assessor positions should be partisan or nonpartisan.

Technical Charter Amendments

These amendments primarily address internal processes affecting the effectiveness and efficiency of King County government services.

- Establish procedures for interim Assessor, Sheriff, and Executive until statutory process can be carried out for replacements.
- Increase the monetary value of public works projects carried out by county work forces.
- Establish Assessor qualifications.
- Allow biennial budgeting.
- Clarify the method for determining the number of signatures for unincorporated area initiative and referendum petitions.
- Authorize revisions to laws enacted by initiative or referendum after two years.

Ordinance Changes

These changes are no less important than the recommended Charter amendments, but can be implemented through ordinance.

- Create a task force to develop a Charter amendment proposal for an unincorporated area legislative body and to revise the method of electing the County Council for placement on the 1998 ballot.
- Create subarea planning commissions for unincorporated King County.
- Extend the amount of time for initiative and referendum signature gathering.

KING COUNTY FREEHOLDER AND CHARTER REVIEW COMMITTEE

MEMBERSHIP LISTS

Freeholders

Richard Albrecht, Chair
 Simon Wampold,
 Vice Chair
 Norman Ackley
 Robert Black
 Howard Bothell
 James Curran
 Robert Eberle
 Paul Friedlander
 Jack Geoffroy
 Virginia Gunby
 Donald McDonald
 Terrence McKenna
 Lois North
 James O'Connor
 Lyle Schneider

1971 Committee

Don McDonald, Chair
 Richard Albrecht
 Vick Gould
 Virginia Gunby
 Madeline Lemere
 Charles Morgan
 Payton Smith
 Fred Tausend
 Simon Wampold

1977 Committee

James O'Connor, Chair
 Virginia Gunby, Vice
 Chair
 Ben Cashman
 Rella Foley
 Reuben Flores
 Bob Gardner
 James Johnson
 Susanne Klein
 Larry Kleinberg
 John Krausser
 Madeline Lemere
 Sally Mackey
 Meredith Mathews
 Don McDonald
 Joseph McGavick
 Barbara Sarason
 Lyle Schneider
 Dolores Sibonga
 John Strasburger
 Lissa Wells

1987 Commission

David Boerner, Chair
 Henry Aronson
 Fred Burnstead
 Shirley Edwards
 Timothy Edwards
 Steve Forman (Alternate)
 Mary E. Gates
 Miriam Helgeland
 Vera Ing
 Susan Johnson
 Sue Kernan
 Jose Leos
 Lonnie McLean
 Dale Ramerman
 (Alternate)
 Constance Rice

John Richmond
 Winifred Sargent
 Kay Stenshoel

1996-97 Commission

Wes Uhlman, Chair
 Terry Lukens, Vice Chair
 Bill Anderson
 Allen Apodaca*
 Paul Barden
 Dianne Campbell
 Gene Colin
 Bob Counsell
 Robert George
 Agnes Govern
 Ethel Hanis
 Lem Howell
 Ann Kawasaki*
 Fred Kiga*
 Phil Kushlan
 Bruce Laing
 Phyllis Lamphere
 Desiree Leigh*
 Steve Marshall
 Robert McCallum
 Lois North
 Eileen Norton
 Margaret Nyberg
 Kathleen Oglesby
 Rita Perstac
 Eileen V. Quigley
 Yvonne Sanchez
 Lynna Song
 Lucy Steers
 Mylon Winn
 Benson Wong

* *Resigned mid-term*

TABLE I: SUMMARY OF COUNTY REGIONAL AND CITY/COUNTY LOCAL SERVICES IN KING COUNTY, WASHINGTON (3/97)

* — Services which are locally implemented by the County on behalf of the State (the County's arm-of-the-State role) + — Services provided by the County or cities at their discretion.
 B — Services which have an advisory citizen or technical board or commission. V — Services which exist specifically because of voter approval.
 IG — Services which have a strong intergovernmental aspect such as contractual or interlocal agreements for funding, services and/or decision-making.

	REGIONAL COUNTY SERVICES	LOCAL SERVICE RESPONSIBILITIES			
		PROVIDED BY THE COUNTY FOR ALL OR MOST CITIES BY INTERGOVERNMENTAL AGREEMENT	PROVIDED BY THE COUNTY WITHIN INCORPORATED AREA PROVIDED BY CITIES WITHIN INCORPORATED AREAS		
	<p>Services provided by King County on a countywide basis without regard to jurisdictions. Most of these services are provided by the County as an "arm of the state" or other state mandates or County voter mandate. Other are discretionary services.</p>	<p>Services that are the statutory responsibility of the individual county or city (municipal services), but that are provided by the County on a countywide basis (or the balance of the county outside Seattle) through contracts or interlocal agreements with cities, the Puget Sound Regional Council and other entities.</p>	<p>Services that are provided by a city within incorporated areas only or by the County within the unincorporated areas only. In some cases, cities contract with the County to provide local services. Counties can provide (but may not choose to do so) almost all of the municipal services a city can provide. In King County's case for the unincorporated area, fire suppression, sewage collections and water supply are provided by special districts or as an extension of city services.</p> <hr/> <p>UNINCORPORATED AREAS INCORPORATED AREAS</p>		
HEALTH AND WELFARE	<ul style="list-style-type: none"> *Alcoholism & Substance Abuse (IG)(B) *Burial of Indigent *Cooperative Extension *Developmental Disabilities (B) +Emergency Medical Services (IG) (V) +Harborview Hospital (facility)(B) *Involuntary Treatment *Mental Health (B) *Veteran's Assistance (B) +Women's Programs (B) Public Health (IG) <ul style="list-style-type: none"> —Personal —Environmental 	<p>Library Services (B)— Rural Library District (for balance of County and most cities) (KC appoints board only)</p>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Senior Centers Youth Service Bureaus</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Senior Centers Youth Service Bureaus</p> </td> </tr> </table>	<p>Senior Centers Youth Service Bureaus</p>	<p>Senior Centers Youth Service Bureaus</p>
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LAW, SAFETY AND JUSTICE	<ul style="list-style-type: none"> *Adult Detention (felons) *Juvenile Detention Law Enforcement <ul style="list-style-type: none"> *Civil Warrants *Criminal Warrants +Automated Fingerprint Identification System (AFIS) (IG) (V) +Search and Rescue *Emergency Service Coordination *Superior Court *Prosecutor (State offenses, county offenses, county legal advisor) *Public Defense 	<ul style="list-style-type: none"> Adult Detention (pretrial) (IG) E-911 Emergency Communication (V, IG) Radio Communications Systems (V, IG) Law Enforcement (IG) <ul style="list-style-type: none"> -Marine Patrol District Court (municipal cases) (IG) Public Defense Animal Control (IG) 	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Law Enforcement—patrols, investigations, K-9, SWAT</p> <p>Public Defense Prosecutor (County Cases)</p> </td> <td style="width: 50%; vertical-align: top;"> <p>(some cities have small adult detention facilities)</p> <p>Law Enforcement—patrols, investigation, (K-9, SWAT for some cities)</p> <p>Municipal Court (if not part of District Court System)</p> <p>Public Defense</p> <p>Animal Control (some cities)</p> </td> </tr> </table>	<p>Law Enforcement—patrols, investigations, K-9, SWAT</p> <p>Public Defense Prosecutor (County Cases)</p>	<p>(some cities have small adult detention facilities)</p> <p>Law Enforcement—patrols, investigation, (K-9, SWAT for some cities)</p> <p>Municipal Court (if not part of District Court System)</p> <p>Public Defense</p> <p>Animal Control (some cities)</p>
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	<p>Services provided by King County on a countywide basis without regard to jurisdictions. Most of these services are provided by the County as an "arm of the state" or other state mandates or County voter mandate. Other are discretionary services.</p>	<p>Services that are the statutory responsibility of the individual county or city (municipal services), but that are provided by the County on a countywide basis (or the balance of the county outside Seattle) through contracts or interlocal agreements with cities, the Puget Sound Regional Council and other entities.</p>	<p>Services that are provided by a <u>city within incorporated areas only</u> or by the <u>County within the unincorporated areas only</u>. In some cases, cities contract with the County to provide local services. Counties can provide (but may not choose to do so) almost all of the municipal services a city can provide. In King County's case for the unincorporated area, fire suppression, sewage collections and water supply are provided by special districts or as an extension of city services.</p> <hr/> <p>UNINCORPORATED AREAS INCORPORATED AREAS</p>
PHYSICAL AND ECONOMIC ENVIRONMENT	<p>+Airport —King Co. International Airport</p> <p>Transit (V)</p> <p>*Flood Control</p> <p>Sewage Treatment (V)</p> <p>+Arts Programs (B)</p> <p>+Regional Parks and Pools (V) (such as Marymoor Park, Federal Way Aquatic Center, Cougar Mountain) Stadium County Fair (and fairgrounds) (B)</p>	<p>Land Use Planning (IG) Puget Sound Regional Council (IG) (B) Growth Management Planning Council (IG)</p> <p>Transportation Planning (IG) *Commute Trip Reduction (IG) (B) Solid Waste Disposal (IG) Surface Water/Basin Planning (IG)</p> <p>Water supply (plans) (IG) Groundwater protection (IG)</p> <p>Trails and Open Space Plan</p> <p>Housing and Community Development Block Grant (IG) (B) +Job Training (IG) (B)</p>	<p>Land Use Planning Land Use Controls Development Fees</p> <p>Roads</p> <p>Surface Water Control/Quality</p> <p>Sewer Districts</p> <p>Fire Code +Historic Preserv.(B) +Arts (CB) +Farmlands Preserv. (V) Trails and open space +Neighborhood Parks and recreation *Noxious weed control (B)</p> <p>Land Use Planning Land Use Controls Development Fees</p> <p>Streets</p> <p>Solid Waste Collection Surface Water Control/Quality</p> <p>Sewage Collection Sewage Treatment (outside Metro service area) Water</p> <p>Fire Protection</p> <p>+Historic Preserv. (B) +Arts Trails and open space +Parks and recreation</p>
ADMINISTRATIVE	*Assessments		

TABLE I: SUMMARY OF COUNTY REGIONAL AND CITY/COUNTY LOCAL SERVICES IN KING COUNTY, WASHINGTON (3/97)

* — Services which are locally implemented by the County on behalf of the State (the County's arm-of-the-State role) + — Services provided by the County or cities at their discretion.
 B — Services which have an advisory citizen or technical board or commission. V — Services which exist specifically because of voter approval.
 IG — Services which have a strong intergovernmental aspect such as contractual or interlocal agreements for funding, services and/or decision-making.

	REGIONAL COUNTY SERVICES	LOCAL SERVICE RESPONSIBILITIES							
		PROVIDED BY THE COUNTY FOR ALL OR MOST CITIES BY INTERGOVERNMENTAL AGREEMENT	PROVIDED BY THE COUNTY WITHIN INCORPORATED AREA PROVIDED BY CITIES WITHIN INCORPORATED AREAS						
	Services provided by King County on a countywide basis without regard to jurisdictions. Most of these services are provided by the County as an "arm of the state" or other state mandates or County voter mandate. Other are discretionary services.	Services that are the statutory responsibility of the individual county or city (municipal services), but that are provided by the County on a countywide basis (or the balance of the county outside Seattle) through contracts or interlocal agreements with cities, the Puget Sound Regional Council and other entities.	Services that are provided by a <u>city within incorporated areas only</u> or by the <u>County within the unincorporated areas only</u> . In some cases, cities contract with the County to provide local services. Counties can provide (but may not choose to do so) almost all of the municipal services a city can provide. In King County's case for the unincorporated area, fire suppression, sewage collections and water supply are provided by special districts or as an extension of city services.						
SERVICES	*Boundary Review Board (B) *Elections *Licensing (animal, auto, marriage) *Medical Examiner *Records *Treasurer *Vital Statistics		<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">UNINCORPORATED AREAS</td> <td style="width: 5%; text-align: center;"> </td> <td style="width: 45%; text-align: center;">INCORPORATED AREAS</td> </tr> <tr> <td style="text-align: center;">Licensing (special business)</td> <td></td> <td style="text-align: center;">Licensing (general and special business licenses)</td> </tr> </table>	UNINCORPORATED AREAS		INCORPORATED AREAS	Licensing (special business)		Licensing (general and special business licenses)
UNINCORPORATED AREAS		INCORPORATED AREAS							
Licensing (special business)		Licensing (general and special business licenses)							

Regional County Services

Air quality — Puget Sound Air

- Pollution Control Board (KC is a member of)(IG)
- Regional Transit Authority (KC is a member of)

+Regional Parks and Pools (V)

(includes city regional parks and facilities such as Seattle Center, Aquarium)

- Meydenbauer Conference Center, Washington State Trade and Convention Center)

Local Services Provided Regionally by Interlocal agreement

+SKC Area Agency on Aging (Seattle provides by ILA with King County)

Local Services - Unincorporated Area

- Water Districts and Community Water Systems
- Fire Protection - Fire Districts