

**Charter Review Commission**

November 6, 2019

**Meeting Minutes**

**In Attendance:**

Louise Miller (Co-Chair), Tim Ceis, Elizabeth Ford, David Heller, Michael Herschensohn, Sean Kelly, Sean Kelly, Linda Larson, Clayton Lewis, Marcos Martinez, Toby Nixon, Nikkita Oliver and Rob Saka.

**Excused:**

Joe Fain, Ian Goodhew, Nat Morales, Beth Sigall, Ron Sims, Alejandra Tres, Kinnon Williams and Sung Yang.

**Council and Executive Staff:**

Patrick Hamacher, Director of Legislative Analysis, Calli Knight, External Relations Specialist, and Mac Nicholson, Director of Government Relations.

**Also in Attendance:**

Mike Sinsky, Senior Deputy Prosecuting Attorney, King County Prosecuting Attorney’s Office, meeting facilitator Betsy Daniels, Co-President, Triangle Associates, Inc. and Mishu Pham-Whipple, Project Associate, Triangle Associates, Inc.

1. **Welcome and Call to Order**

Co-Chair Miller called the meeting to order at 5:36 p.m. and reviewed the evening’s agenda.

**2. Public Comment:**

Alex Tsimerman provided public comment.

A letter received from George Cheung will be included with public comment.

One of the appendices to the report will be public comments.

Action: Staff will close the Charter Review mailbox and the public comment section on the Charter Review Commission website prior to the last meeting on November 20th.

**3. Approval of Minutes**

Commissioner Nixon moved approval of the minutes of the September 25, 2019, October 15, 2019, October 16, 2019, October 17, 2019 and October 23, 2019 town halls and commission meetings. The motion was seconded. Co-Chair Miller had a correction to the October 23rd minutes. At that meeting, she said if the commission continues to move forward with the appointed sheriff ordinance, the commission should recommend to the County Council that it be the only charter amendment on that particular ballot. There was approval to add this language to the October 23rd minutes. The minutes of the September 25th, October 15th, 16th and 17th meetings were approved as written, and the minutes of the October 23rd meeting were approved as amended.

**Discussion Regarding Potential Additions and Recommendations**

Based on the volume of public testimony, there are three items under consideration today to be included in the report. Commissioners will have one more opportunity to provide comment on the report following today’s meeting, however, no new topics will be included.

Commissioners reviewed and discussed four draft proposed ordinances amending the Charter.

Changes to Preamble

Action: Staff will change “insure” to “ensure” on line 17 of the proposed ordinance relating to changing “citizen” to “public/resident”.

Motion: A vote was taken on whether to have line 21 read 1) read “superior quality of life and secure…” or 2) leave it as proposed. Option 1 passed by a consensus of the vote.

Action: Staff will draft a justification for the recommendation along with a minority report.

Sheriff as an appointed official

The proposed changes, mainly on page 2 beginning on line 22 of the draft proposed ordinance, revise the prior charter amendment to make the position of sheriff an executive staff position appointed by the Executive and confirmed by the Council. Language was also added to include additional protections similar to those of the public defender with the exception of a special committee and incorporates the language in the “elected removal” section. Language related to the sheriff bargaining the working conditions side of the collective bargaining setup was removed.

Action: The report will reflect those who voted no on this topic.

Motion: Chair Miller moved that a recommendation be included in the report that should the appointment of the sheriff go to the ballot, it would be an item unto itself. The motion failed.

Career Service Exempt Positions

Revised language would allow for the passage of an ordinance that would exempt additional leadership positions and their confidential support staff from the career services system.

Motion: Commissioner Nixon moved inclusion of the revised language related to career service positions. The motion passed unanimously.

Changing the term “Citizen” to “public” or “resident”

Motion: Commissioner Nixon moved to include the proposed changes in the report. The motion passed unanimously.

**Review and Discuss Edits Received to Date on Report Draft**

* A revised report will be circulated for Commissioner review prior to the last meeting.
* Discussion ensued regarding additional technical edits to the Charter.
  + Indicate (Section 3) that the Council has the prerogative to amend the recommended changes.
  + Include the names of the facilities where the last four town halls meetings were held (Section 3, 2018-2019 Charter Review Process).
  + Include a description of major changes in the County over the past ten years.

Motion: Commissioner Heller moved that the Commissioner’s place of residence be included in the table of Section 4. The motion failed for lack of a second.

Motion: A motion was made to have the table in section 4 include each Commissioner’s Council district of residence rather than affiliation. The motion passed.

Action: Commissioners should let Mishu know of any updates to the table in section 4. Staff will eliminate any reference to place in the Affiliation column of the table in section 4 except as necessary.

Regarding proposed changes to the Office of Law Enforcement Oversight (OLEO) it was noted that it lacked reference to collective bargaining.

Action: Commissioner Ford will draft revised language for the OLEO portion that includes reference to collective bargaining being the impediment to the granting of subpoena powers and look at rephrasing the last sentence of the proposed revisions.

Action: Commissioners Heller, Ceis, Oliver and Larson will work on redrafting the proposed language under the section for “County Sheriff as an Appointed Position”. This will incorporate a notation of the dissenting votes.

Action: Revise the terminology in section 6.i. from “non-partisan” to something along the lines of “diverse/inclusive representative working group”. Commissioner Heller will draft a proposed revision and submit for inclusion in the draft report.

It was noted that the next draft of the “Citizen” and “Preamble” amendments will contain justification for the first time. A reminder will be included in the cover to the packet.

**Process for Post-mortem Evaluation of CRC Review Process**

Triangle Associates will interview each of the Commissioners following conclusion of the November 20th meeting, and provide a summary evaluation focusing on best practices and recommendations to future Commissions. The draft evaluation will be distributed to Commissioners for comment.

Action: A final meeting will be arrange via telephone to take a vote on inclusion of the evaluation with the final report to the Council.

The meeting was adjourned at 7:21 p.m.