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August 24, 1992  
chart6.jlb/clrk

Introduced by: \_\_\_\_\_

Proposed No.: 92-595

ORDINANCE NO. **10530**

AN ORDINANCE proposing an amendment to Articles 2, 3, 4, and 6 of the King County Charter concerning the legislative branch and elections; providing for thirteen county council members and for regional committees to recommend and review ordinances adopting county-wide policies; establishing special referendum and initiative requirements for ordinances affecting only unincorporated areas of the county; granting cities the power to initiate ordinances; and submitting the same to the voters of the county and establishing a date of election; amending provisions of Article 2, Sections 210, 220, 220.10, 230.10, 230.20, 230.30, 230.40, 230.50; adding new sections 230.50.10, and 270, amending provisions of Article 3, adding new section 350.20.30; amending provisions of Article 4, Section 460 and amending provisions of Article 6, Section 650.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There shall be submitted to the qualified voters of the county for their approval and ratification or rejection at the next general election to be held in the county the following amendment to the King County Charter:

Article 2. Section 210. Composition.

The legislative branch shall be composed of the metropolitan county council.

Section 220. The Metropolitan County Council.

220.10. Composition and Terms of Office.

The metropolitan county council shall consist of ((nine)) thirteen members. The county shall be divided into ((nine)) thirteen districts, and one council((man))member shall be nominated and elected by the voters of each district. The term of office of each council((man))member shall be four years and until his or her successor is elected and qualified.

Section 230. Ordinances.

230.10. Introduction and Adoption.

1 Proposed ordinances shall be limited to one subject and may  
2 be introduced by any council(~~man~~) member (~~or~~), by initiative  
3 petition or by institutional initiative. At least seven days  
4 after the introduction of a proposed ordinance, except an  
5 emergency ordinance, and prior to its adoption or enactment, the  
6 county council shall hold a public hearing after due notice to  
7 consider the proposed ordinance. Except as otherwise provided in  
8 this charter, a minimum of (~~five~~) seven affirmative votes shall  
9 be required to adopt an ordinance.

10 New Section. Section 230.10.010. Each metropolitan  
11 municipal function authorized to be performed by the county  
12 pursuant to RCW ch. 35.58 shall be operated as a distinct  
13 functional unit. Revenues or property received for such functions  
14 shall never be used for any purposes other than the operating  
15 expenses thereof, interest on and redemption of the outstanding  
16 debt thereof, capital improvements, and the reduction of rates and  
17 charges for such functions.

18 230.20. Executive Veto.

19 Except as otherwise provided in this charter, the county  
20 executive shall have the right to veto any ordinance or any object  
21 of expense of an appropriation ordinance. Every ordinance shall  
22 be presented to the county executive within five days after its  
23 adoption or enactment by the county council. Within ten days  
24 after its presentation, the county executive shall either sign the  
25 ordinance and return it to the county council, veto the ordinance  
26 and return it to the county council with a written and signed  
27 statement of the reasons for his or her veto or sign and partially  
28 veto an appropriation ordinance and return it to the county  
29 council with a written and signed statement of the reasons for his  
30 or her partial veto. If an ordinance is not returned by the  
31 county executive within ten days after its presentation it shall  
32 be deemed enacted without his or her signature. Within thirty  
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1 days after an ordinance has been vetoed and returned or partially  
2 vetoed and returned, the county council may override the veto or  
3 partial veto by enacting the ordinance by a minimum of (~~six~~) nine  
4 affirmative votes.

5       **230.30. Emergency Ordinances.**

6       Any proposed ordinance may be enacted as an emergency  
7 ordinance if the county council finds as a fact, and states in the  
8 ordinance, that an emergency exists and that the ordinance is  
9 necessary for the immediate preservation of public peace, health  
10 or safety or for the support of county government and its existing  
11 public institutions. A minimum of (~~seven~~) nine affirmative  
12 votes shall be required to enact an emergency ordinance; and  
13 unless it is an emergency appropriation ordinance, it shall not be  
14 subject to the veto power of the county executive.

15       **230.40. Referendum.**

16       Except as provided herein, an enacted ordinance may be  
17 subjected to a referendum by the voters of the county by filing  
18 with the county council prior to the effective date of the  
19 ordinance petitions bearing signatures of registered voters of the  
20 county equal in number to not less than eight percent of the votes  
21 cast in the county for the office of county executive at the last  
22 preceding election for county executive. In addition, except as  
23 provided herein, an enacted ordinance which pursuant to state law  
24 is effective only in unincorporated areas of the county may be  
25 subjected to a referendum by the voters of the unincorporated  
26 areas of the county by filing with the county council prior to the  
27 effective date of the ordinance petitions bearing signatures of  
28 registered voters residing in unincorporated areas of the county  
29 equal in number to not less than eight percent of the votes cast  
30 at the last preceding election for county executive, provided  
31 however that the number of required signatures shall be calculated  
32 based only upon votes cast within areas which on the date such  
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1 petitions are required to be filed are unincorporated areas of the  
2 county. Each petition shall contain the full text of the  
3 ordinance to be referred. The ordinance to be referred shall be  
4 placed on the ballot at the special or general election occurring  
5 more than forty-five days after the petitions are filed, provided  
6 that in the case of an ordinance effective only in unincorporated  
7 areas of the county, the proposed ordinance shall be voted upon  
8 only by the registered voters residing in unincorporated areas of  
9 the county.

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

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20 **230.50. Initiative.**

21 Ordinances except ordinances providing for the compensation  
22 or working conditions of county employees may be proposed by  
23 filing with the county council petitions bearing signatures of  
24 registered voters of the county equal in number to not less than  
25 ten percent of the votes cast in the county for the office of  
26 county executive at the last preceding election for county  
27 executive. In addition, an ordinance which pursuant to state law  
28 is effective only in unincorporated areas of the county, except an  
29 ordinance providing for the compensation or working conditions of  
30 county employees, may be proposed by filing with the county  
31 council petitions bearing signatures of registered voters residing  
32 in unincorporated areas of the county equal in number to not less  
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1 than ten percent of the votes cast at the last preceding election  
2 for county executive, provided, however that the number of  
3 required signatures shall be calculated based only upon votes cast  
4 within areas which on the date such petitions are required to be  
5 filed are unincorporated areas of the county. Each petition shall  
6 contain the full text of the proposed ordinance.

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

16 If the county council rejects the proposed ordinance and  
17 adopts a substitute ordinance concerning the same subject matter,  
18 the substitute ordinance shall be placed on the same ballot with  
19 the proposed ordinance; and the voters shall first be given the  
20 choice of accepting either or rejecting both and shall then be  
21 given the choice of accepting one and rejecting the other,  
22 provided that in the case of an ordinance effective only in  
23 unincorporated areas of the county, the proposed ordinance shall  
24 be voted upon only by the registered voters residing in  
25 unincorporated areas of the county. If a majority of the voters  
26 voting on the first issue is for either, then the ordinance  
27 receiving the majority of the votes cast on the second issue shall  
28 be deemed approved. If a majority of those voting on the first  
29 issue is for rejecting both, then neither ordinance shall be  
30 approved regardless of the vote on the second issue.

31 **New Section. Section 230.50.10. Institutional Initiative.**

32 Any city or town located within the county may, after  
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1 securing the consent, by motion or resolution, of at least one  
2 half of the cities within the county, propose an ordinance of  
3 county-wide significance directly to the metropolitan county  
4 council, except an ordinance which is not subject to a referendum  
5 under the provisions of Section 230.40 of this charter. Such  
6 proposed legislation shall be in ordinance form. The metropolitan  
7 county council shall take action on such proposed legislation  
8 within ninety (90) days of its filing with the county council.

9 **New Section. Section 270. Regional Committees**

10 **270.10. Regional Committees.**

11 Three regional committees shall be established by ordinance  
12 to develop, recommend and review regional policies and plans for  
13 consideration by the metropolitan county council: one for transit,  
14 one for water quality and one for other regional policies and  
15 plans.

16 **Section 270.20. Composition of regional committees.**

17 Each regional committee shall consist of twelve voting  
18 members. Six members shall be metropolitan county councilmembers  
19 appointed by the chair of the council, and shall include  
20 councilmembers from districts with unincorporated residents. The  
21 remaining six members of each committee except the water quality  
22 committee shall be local elected city officials appointed from and  
23 in proportion to the relative populations of: (i) the city with  
24 the largest population in the county and (ii) the other cities and  
25 towns in the county. Committee members from the city with the  
26 largest population in the county shall be appointed by the  
27 legislative authority of that city. Committee members from the  
28 other cities and towns in the county shall be appointed in a  
29 manner agreed to by and among those cities and towns representing  
30 a majority of the populations of such cities and towns, provided,  
31 however, that such cities and towns may appoint two

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1 representatives for each allocated committee membership, each with  
2 fractional (1/2) voting rights.

3 The special purpose districts providing sewer service in the  
4 county shall appoint two members to serve on the water quality  
5 committee in a manner agreed to by districts representing a  
6 majority of the population within the county served by such  
7 districts. The remaining four local government members of the  
8 water quality committee shall be appointed in the manner set forth  
9 above for other regional committees. Allocation of membership of  
10 each committee's members who are city and town representatives  
11 shall be adjusted January 1 of each even-numbered year beginning  
12 in 1996 based upon current census information or, if more recent,  
13 official state office of financial management population  
14 statistics.

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

21 270.30. Powers and Duties.

22 Each regional committee shall develop, review and recommend  
23 ordinances and motions adopting, repealing, or amending county-  
24 wide policies and plans relating to the subject matter area for  
25 which a regional committee has been established. The regional  
26 policies committee may, by majority vote, request that the county  
27 council assign to the committee proposed policies and plans  
28 concerning other regional issues including but not limited to  
29 public health, human services, regional services financial  
30 policies, criminal justice and jails, and regional facilities  
31 siting.

1       The metropolitan county council shall assign each such  
2 proposed ordinance or motion to a regional committee for review.  
3 When a proposed policy or plan is referred to a regional committee  
4 for review, a time limit for such review shall be 120 days or such  
5 other time as is jointly established by the metropolitan county  
6 council and the committee, which shall be confirmed in the form of  
7 a motion by the metropolitan county council. If the committee  
8 fails to act upon the proposed policy or plan within the  
9 established time limit, the metropolitan county council may adopt  
10 the proposed policy or plan upon eight affirmative votes. The  
11 committee may request, by motion to the county council, additional  
12 time for review.

13       A proposed policy or plan recommended by a regional committee  
14 may be adopted, without amendment, by the metropolitan county  
15 council by seven affirmative votes. If the metropolitan county  
16 council votes prior to final passage thereof to amend a proposed  
17 policy or plan that has been reviewed or recommended by a regional  
18 committee, the proposed policy or plan, as amended, shall be  
19 referred back to the appropriate committee for further review and  
20 recommendation. The committee may concur in, dissent from, or  
21 recommend additional amendments to the policy or plan. After the  
22 regional committee has had the opportunity to review all  
23 metropolitan county council amendments, final action to adopt any  
24 proposed policy or plan which differs from the committee  
25 recommendation shall require eight affirmative votes of the  
26 metropolitan county council.

27       The council shall not call a special election to authorize  
28 the performance of an additional metropolitan municipal function  
29 under state law unless such additional function is recommended by  
30 a regional policy committee, notwithstanding the provisions of  
31 Section 230.50.10 of this charter. Such recommendation shall  
32 require an affirmative vote of at least two-thirds of the  
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1 membership of each of: (1) metropolitan councilmembers of the  
2 committee; (2) members from the city with the largest population  
3 in the county; and (3) other city or town members of the  
4 committee. Nothing in this section prohibits the metropolitan  
5 county council from calling a special election on the  
6 authorization of the performance of one or more additional  
7 metropolitan functions after receiving a valid resolution adopted  
8 by city councils as permitted by RCW 35.58.100(1)(a) and RCW  
9 35.58.100(1)(b), or a duly certified petition as permitted by RCW  
10 35.58.100(2).

11 270.40. If any provision of section 270 of this charter is  
12 declared invalid, the metropolitan county council shall initiate a  
13 process with representatives of cities and towns within the county  
14 to develop a proposed charter amendment providing for effective  
15 city, town, and unincorporated area participation in regional  
16 decisions.

17 Article 3 New Section Section 350.20.30. Metropolitan Services  
18 Department Transitory Provisions.

19 The metropolitan services department shall be independent of  
20 all other executive departments and administrative offices of  
21 county government. The metropolitan services department shall  
22 operate the metropolitan services in order to perform the  
23 metropolitan functions of public transportation and water  
24 pollution abatement performed by the Municipality of Metropolitan  
25 Seattle (METRO) prior to county assumption of METRO's metropolitan  
26 functions, and shall perform all additional metropolitan functions  
27 hereafter authorized under authority of RCW 35.58. Upon county  
28 assumption of the rights, powers, functions and obligations of  
29 METRO, the metropolitan services department shall take  
30 jurisdiction of all the assets and property, real and personal, of  
31 METRO.