



King County
Ron Sims
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CHARTER REVIEW COMMISSION

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King County Charter Review Commission
Governmental Structure Subcommittee
Meeting Minutes – November 19, 2007
KC Chinook Bldg., 5:00pm-8:00pm

The meeting of the King County Charter Review Commission, Governmental Structure Subcommittee was called to order at 5:05 p.m.

Commission members in attendance :

Lois North
Mike Lowry
Sarah Rindlaub
Tara Jo Heinecke
John Jensen
Trisha Bennett
Kirstin Haugen
Greg Hiramawa
Gary Long

Absent:

Dan Gandara

Staff :

Mark Yango, Charter Review Coordinator
Corrie Watterson Bryant, Project Manager, Charter Review Commission

Council and PAO Staff:

Ross Baker, Chief of Staff, King County Council
Mike Sinsky, Prosecuting Attorney's Office

1. Opening Remarks and Introductions

There was an attendance of 9 commissioners. A quorum was available and the minutes from October 15 subcommittee meeting were approved. A quorum was not available at the November 13 meeting. Minutes were approved.

2. Guest Speakers

Introductions of guest speakers:

Suzie Sheary, King County Democrats

1. Organization is opposed to an elected auditor or elections director but the voters passed I-25. Although the outcome was not a surprise to the Democratic party, it was the premise of the initiative that was bothersome. The party still feels that a professional, administrative manager is far more effective than someone who is worried about getting elected every 4 years. But, even more so, the initiative provided for only one election process, where a candidate can win with 20% of the votes. It's felt that this process is conducive to "stacking the deck" for certain candidates. The party also believes that I-25 would establish diminished authority of the KC executive and take away the control of the Canvas Board from the Democrats.
2. Partisanship vs. nonpartisanship: the party feels that nonpartisanship only helps the minority party in swing districts and moderates. It strongly opposes nonpartisanship for KC governmental elected positions and opposes the placement of the nonpartisanship amendment on the ballot. The party also opposes being able to amend the charter by initiative.
3. Instant Runoff Voting: the party has not taken a formal position on this issue yet and are watching Pierce County's progress with their IRV.
4. The Party has also not taken a position on the issue of CRC recommendations going straight to ballot.

Questions:

Gov. Lowry asked to explain how the Canvas Board works and why? The Canvas Board is critical during elections especially if a recount has been called. It's made up of 3 people: the elections director, a representative from the majority party of the Council, and a representative from the Prosecuting Attorneys office.

Michael Young., King County Republicans

1. Their board has consistently always been in favor of placing officials at the exposure of the voters. They believe that democracy demands accountability. If the official is doing a good job, there's no reason to fear that accountability. If there is something wrong in the office, the voters will notice and have that option to make changes through the electoral process. Accountability through the electoral process is a vital part of the American democratic process. The board does not have a strong opinion on the issue of elected or appointed official positions but will support the choice of accountability wanted by the constituents. The party is satisfied with the elected position of the sheriff and assessor.

2. Partisanship vs. nonpartisanship: Mr. Young agrees with Ms. Sheary that elected positions should be partisan. Whether or not the political parties are liked, the parties do provide a great deal of stability to the political process. There is a discipline that comes with a party affiliation and a guarantee of replacement of people in vacancies that helps in transitions. And, like it or not, the political system as it is today is partisan and always has been in America.
3. Initiative Process: Mr. Young feels that a 10% threshold is adequate and that it is vital to the operations of government, not only in the county but the state.
4. Instant Runoff Voting: Personally feels that more study needs to be done.

Questions:

Lois North asked if Mr. Young had ever heard non partisan officials state that it is hard to work with partisan officials? Mr. Young stated that he has not.

John Jensen asked if Mr. Young might find partisanship divisive in nature because a person has to choose one party or the other in order to run for a position. Mr. Young feels that for the most part the parties seemed to be able to work cooperatively recognizing that issues need to be resolved for the good of the people.

Gary Long: do you feel that the parties are open with policy decisions made in private caucus' ? Mr. Young feels that there is merit in the private process of legislative decision-making but if a more open policy of dialogue is wanted from that process, then perhaps minutes of the conversations should become public record or the meetings should be made open to the public but that process may force discussions to be made in a different manner.

Mike Lowry asked, in light of the I-25 passage, what both felt about the possibility of proposing an amendment to the charter that includes a basic job description for the Elections Director? Mr. Young feels that if restrictions are put on a position in the charter it might run counter to the state constitution. He also feels that the issue has been studied by multiple sources for a period of time and now that the voters have spoken, it should be included as is. Need to trust the voters to elect a qualified person.

But, it would be a useful guidance to work on the question of having a primary and general election. Ms. Sheary agrees.

3. Council Briefing

Ross Baker reported that the council adopted the 2008 budget today and as part of that budget, the council adopted legislation creating a separate division of elections. A proviso was added to the budget that has different requirements on implementation and the implementation will occur during the 2008 calendar year. Non-related elections functions, as it is now in the division, will be restructured. Animal Control may become a separate division of DES and separate from the licensing functions. Whether or not the elections director position becomes an elected position or stays an appointed position, steps have already been taken to ensure that the division can concentrate solely on elections issues.

4. Initiative Process

As a follow-up to last week's meeting, the discussion continued on signature threshold and potential charter language. Mark did a comparison analysis on the initiative process from 3 other WA State home rule counties and found that all those counties do not have charter amendments through a citizen's initiative process but pass charter amendments through a charter commission whose members are elected. All agree that the signature threshold should be set at a high level and the 3 counties ranged from 15 – 20%. They feel that changes to the charter should not be an easy process. Presently, in KC, the threshold is 10% of the votes cast for the office of county executive in the last election for that office.

ACTION:

MOTION: Lois N. moved that the commission recommend that the KC Charter can be amended by citizen initiative with the requirements of 20% of the votes cast for the office of county executive in the last election for that office.

DISCUSSION: question of the difference of voter fall-off between the governor and county executive races. Although not certain, most felt that the difference may be substantial. Kirsten was able to look up the numbers on her laptop: the 2004 governor's race, in KC., was approx. 875,000 votes; the 2005 KC executive race was approx. 530,000. Calculating the difference at 20% for both races would be approximately 175,000 of 875,000 and 106,000 of 530,000 for the thresholds.

After some discussion, most seemed to be in agreement that a higher threshold should be a requirement to amend a constitution or charter and that a larger voter turn out was desirable.

AMENDED MOTION: The commission recommends that the KC Charter can be amended by citizen initiative with the requirements of 20% threshold set to the standard of the last governor's election.

1st Vote: Both the motion and the amended motion failed with a tie?

The group was reminded that although the turnout for the meeting barely made quorum, those present did vote on and agree to support the initiative process to amend the charter. More discussion on the charter amendment process with Mike Sinsky clarifying some points.

MOTION: The committee recommends to the full commission that draft amendment 800.20 as drafted by the Prosecuting Attorney's office, with a 20% threshold standard of votes cast for the county executive, be approved and sent on to the council. Motion was seconded.

DISCUSSION: Gary L. suggested that the committee express the concern that clear procedures are needed in the charter for charter amendments and that charter amendments should require a higher threshold. Agreed that it can certainly be included in the comments.

MOTION PASSED: Approve: 8 Opposed: 2

4. Elected/Appointed Qualifications:

Need to discuss recommendations to pass on – are the positions to become elected positions or should they stay the same. The elections director status will be voted on in the next election, but if the position should become an elected position, the issue may be inserting qualifications into the charter.

Discussion of the sheriff and assessors positions ensued.

MOTION: The committee recommends that the sheriff's position be left as is as an elected position. Motion was seconded.

AMENDED MOTION: The committee recommends maintaining the current elective status of all three positions (sheriff, assessor, & elections director), whether elected or appointed.

DISCUSSION: The committee's motion was to recommend to the full commission that it not recommend any charter amendment that would change the current elective status of any of the three positions.

MOTION PASSED: Approved: 9 Opposed: 1

Future discussion will now be based on qualifications. The committee will table the elections director at this time depending on the outcome of the elections.

MOTION: The committee recommends that there be authority in the charter for the council to set requirements for the Assessor, Sheriff and elections director if that position should become an elected position.

Change in wording:

The commission recommends that the council shall establish reasonable and relevant minimum qualifications for candidates for the positions of elections director, whether elected or appointed, the sheriff and the assessor.

DISCUSSION: The word "candidate" can apply to the positions whether it is an elected position or an appointed position. It will be a charter amendment to section 630 and the lawyers will have to wordsmith the language. Mike Sinsky pointed out that the word "candidate" may be confusing.

ACTION: Mike will do some wording to clarify the motion position and bring it back to the committee

MOTION PASSED:

5. Partisanship

It was generally agreed to table the issue of Partisanship to the next meeting so that the guest speakers on the agenda for the full commission meeting can be heard first.

Next meeting: Monday, December 10, 2007, 5:00 pm – 8:00 pm

Next full commission meeting: Tuesday, December 11, 2007, 5:30 pm – 7:30 pm

Sarah adjourned the meeting at: 7:46 pm

Respectfully submitted by Charlotte Ohashi