

1. 06/29/2016 - Snohomish County Charter Review Commission - Agenda

Documents:

[2016\\_0629 AGENDA.PDF](#)

2. 06/29/2016 - Snohomish County Charter Review Commission - Contracts

Documents:

[2016-50 CONTRACTS.PDF](#)

3. 06/29/2016 - Snohomish County Charter Review Commission - Final Drafts

Documents:

[FINAL DRAFTS.PDF](#)

4. 06/29/2016 - Snohomish County Charter Review Commission - Report

Documents:

[2016-49 REPORT.PDF](#)

5. 06/29/2016 - Snohomish County Charter Review Commission - Prop 1 Commission On Human Rights

Documents:

[PROPOSITION 1 - COMMISSION ON HUMAN RIGHTS.PDF](#)

6. 06/29/2016 - Snohomish County Charter Review Commission - Prop 2 Public Advocate

Documents:

[PROPOSITION 2 - PUBLIC ADVOCATE.PDF](#)

7. 06/29/2016 - Snohomish County Charter Review Commission - Prop 3 Nondiscrimination

Documents:

[PROPOSITION 3 - NONDISCRIMINATION.PDF](#)

8. 06/29/2016 - Snohomish County Charter Review Commission - Prop 4 Hearing Examiner Appeals

Documents:

[PROPOSITION 4 - HEARING EXAMINER APPEALS.PDF](#)

9. 06/29/2016 - Snohomish County Charter Review Commission - Prop 5 Council Meetings

Documents:

[PROPOSITION 5 - COUNCIL MEETINGS.PDF](#)

10. 06/29/2016 - Snohomish County Charter Review Commission - Prop 6 Appointment And Confirmation

Documents:

[PROPOSITION 6 - APPOINTMENT AND CONFIRMATION.PDF](#)

11. 06/29/2016 - Snohomish County Charter Review Commission - Prop 7 Redistricting

Documents:

[PROPOSITION 7 - REDISTRICTING.PDF](#)

12. 06292016- Charter Review Commission Extended Agenda

**\* June 29**

- Action Items
  - Finalize Ballot Language
  - Adopt Transmittal Letter

**Snohomish County**  
**Charter Review Commission**  
8<sup>th</sup> Floor Robert J. Drewel Building  
Jackson Board Room  
Wednesday, June 29, 2016  
6:00 p.m. – 9:00 p.m.  
AGENDA

6:00 p.m. Call to Order

**Flag Salute/Roll Call**

**Agenda Order**

**Approval of the Minutes:**

**Public Comment (6:10 pm)**

**Business Items**

1. Revising County Redistricting Process
2. Amending Deadline for Executive Presentation of Proposed Budgets
3. Revising Procedures for Appointment and Confirmation of Chief Executive Officers
4. Office of Public Advocate
5. Requiring Additional County Council Meetings and Hearings
6. Hearing Examiner System and Appeals to County Council
7. Convert Prosecuting Attorney to Non-partisan Office
8. Increasing Number of County Council Members
9. Providing for Elections in Even-Numbered Years
10. Paine Field Airport Commission
11. County Policy on Nondiscrimination
12. Commission on Human Rights

**New Business**

1. Approval of Certification Letter
2. Approval of Contract Extensions for Rick Robertson

**Old Business**

**Adjournment 9:00 p.m.**

*[NOTE: Times shown on Agenda are approximate]*

<b>SNOHOMISH COUNTY CHARTER REVIEW COMMISSION AGENDA ITEM 2016-50</b>	
<b>SUBJECT TITLE:</b> Extension of Staff Contracts for Rick Robertson	<b>Meeting Date:</b> June 29, 2016
<b>Estimated Presentation Time:</b> 15 minutes	<b>Exhibits:</b>

**RECOMMENDATION:** The Commission should direct the Chair to modify the contract of the Commission Attorney until December 31, 2016 and increase the compensation language to \$35,000.

**SUMMARY:**  
The Commission Attorney has a contract that expires on July 31, 2016. At the June 8 meeting of the Commission, the Commission voted to meet at some time August 6, 2016, and after the November election.

At the June 15 meeting, the Commission extended the term of the contract of the Commission Attorney until December 31, 2016.

The Commission should move to direct the Chair to extend the contract of Commission Attorney Rick Robertson until December 31, 2016, and increase the compensation language to \$35,000.

**BACKGROUND:**  
In January 2016, the Charter Review Commission created a subcommittee to hire Commission staff and find legal council. The Commission negotiated a contract with Rick Robertson from March 1, 2016, through July 31, 2016, for an amount not to exceed \$30,000. The contract was approved by the county council on April 18, 2016.

At the June 15 meeting, the Commission extended the term of the contract of the Commission Attorney until December 31, 2016. At the time, the Attorney expressed that there were sufficient funds in the contract. After reviewing time sheets for June, the Attorney communicated with Commission staff that reviewing and preparing drafts ballot language for the public hearing took more time than previously estimated. Staff now recommends that the Commission increase the compensation language in Mr. Robertson’s contract to \$35,000.

Compensation for Mr. Robertson is hourly.

Mr. Robertson will be in attendance at the June 15 meeting to answer additional questions about their contracts.

**ALTERNATIVES:**  
The Commission may delay a vote to a subsequent meeting.

PROPOSITION NO. \_\_\_\_

Revising County Redistricting Process

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning the process used for redrawing County Council districts. This proposition would revise and update the process by setting workable deadlines for appointing the Districting Committee and districting master and for action by the Districting Committee and County Council; restrict the County Council’s ability to revise districting plans adopted by the Districting Committee, by requiring approval by a supermajority vote and limiting revisions to one percent of the population of any Council district; and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required:

**AMENDED SECTIONS:**

**Section 4.60 Districting Committee**

~~((Within thirty days after each federal decennial census data is received from the state redistricting commission or its successor))~~ During the month of January 2021, and by January 31 of each tenth year thereafter, a five-member districting committee shall be appointed. The county council shall appoint four persons to the committee, two members from each of the two largest major political ~~((party))~~ parties as defined in state law from a list of five submitted by the party’s central committee, the four members to appoint the fifth voting member who shall be chair. Members of the districting committee shall serve without salary but shall be compensated for reasonable-out-of-pocket expenses. The districting committee shall ~~((within thirty days of its appointment, meet and))~~ appoint a districting master who shall be qualified by education, training and experience to draw a redistricting plan. If the districting committee is unable to agree upon the appointment of a districting master ~~((within thirty days))~~ by April 1, the county council shall appoint a districting master.

**Section 4.70 Districting Plan**

~~((Within one month after appointment, the districting master shall draw a districting plan for the county which shall be submitted to the committee for adoption.))~~ The

districting master shall draw a districting plan for the county which shall be submitted to the districting committee by November 1. Following public hearing at least ((one week)) seven days in advance, the districting committee shall adopt the districting plan within thirty days as submitted or as amended by at least four affirmative votes of the committee members. Upon adoption, the plan shall be filed with the county council by the districting committee. No later than ((the first day of June)) eight months following the county's receipt of ((the)) federal decennial census data from the state, or within such other period as may be established by state law, the county council shall adopt by ordinance a districting plan, provided that a minimum of four affirmative votes shall be required to amend the plan adopted by the districting committee and the area amended may not include more than one percent of the population of any council district.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Revising Deadline for Executive Presentation of Proposed Budgets

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning the timing of County Executive presentation of proposed budgets. This proposition would change the deadline for the County Executive to present proposed annual or biennial budgets and related materials to the County Council from seventy days prior to the end of the fiscal year to September 1 of each year that is subject to an annual budget or the second year of each fiscal biennium, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required:

**AMENDED SECTION:**

**Section 6.20 Presentation of Proposed Budget**

~~((At least seventy-five days prior to the end))~~ By September 1 of each fiscal year ~~((preceding the preparation of))~~ subject to an annual budget, or ~~((one hundred days prior to the end of each fiscal))~~ the second year ~~((preceding the preparation of a biennial budget))~~ of each fiscal biennium, the county executive shall present to the county council a complete proposed budget and budget message, including a budget ordinance which identifies proposed operating and capital appropriations and estimated revenues and reserves necessary to balance the budget for the next fiscal year or biennium, as determined by the council. The county executive shall present to the county council proposed tax and revenue ordinances which may be necessary to generate additional resources not being collected in the current year. The county executive also shall present to the county council a proposed capital improvement program for the next six fiscal years. Copies of the proposed budget, budget message, ordinances and capital improvement program shall be delivered to each council member. Copies of the proposed budget, budget message and ordinances shall be furnished by the county executive to any interested person for a reasonable fee as established by ordinance and shall be available for public inspection at the office of the county executive.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Revising Procedures for Appointment and Confirmation of  
Chief Executive Officers

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning the procedures for appointment and confirmation of chief executive officers. This proposition would establish a sixty-day deadline for County Council action to confirm or reject appointments by the County Executive, prohibit reappointment of rejected appointees for a period of one year, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendment Required:

**AMENDED SECTION:**

**Section 3.40 Appointments by County Executive and Confirmation**

The county executive shall nominate, and by and with the advice and consent of a majority of the county council, shall appoint the chief officer of each executive department and office, except the separately elected offices. The executive shall notify the council in writing upon making an appointment. The council shall confirm or reject the appointment by motion within sixty days of the appointment. Failure to confirm or reject an appointment within sixty days shall constitute council consent to the appointment. An appointee whose appointment is rejected by the council shall not be reappointed to the same position for a period of one year from the date of council action. The county executive may appoint a confidential secretary and a deputy county executive without council confirmation.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Establishing Office of Public Advocate

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning establishing an office of public advocate. This proposition would direct the County Council to establish an office of public advocate to investigate complaints and respond to inquiries from the public concerning the operation of county government and to monitor and report to the County Council on certain whistleblower, ethics, and human rights proceedings; and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required:

**NEW SECTION:**

**Section 2.160 Office of Public Advocate**

The county council shall establish by ordinance within the legislative branch an office of public advocate for the purpose of receiving, investigating, and making recommendations to the council and appropriate county agencies on complaints concerning the operation of county government and to respond to inquiries from the public concerning the operation of county government. The office shall have appropriate legal authority and adequate funding, as determined by the council, and shall use generally accepted standards for similar offices. In addition to other duties prescribed by ordinance, the office shall monitor and report to the council on the nature and disposition of whistleblower, ethics, and human rights complaints filed pursuant to other county ordinances or procedures.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Requiring Additional County Council Meetings and Hearings

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning County Council meetings and hearings. This proposition would require the Council to hold an evening meeting in each County Council district at least once each calendar year; require evening public hearings on proposed budgets presented by the County Executive and on any proposed ordinance to adopt, amend, or repeal a county comprehensive plan; and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**AMENDED SECTION:**

**Section 2.60 Rules of Procedure**

The county council shall enact by ordinance rules of procedure governing the time, place and conduct of its meetings and hearings, which shall include at least one evening meeting in each council district each calendar year, and the introduction, publication, consideration and adoption of ordinances. The rules of procedure shall provide for public access to agendas, minutes and voting records of individual council members. The rules of procedure shall also provide for an opportunity for public comment during any meeting of the council. All meetings shall be open to the public except to the extent executive sessions are authorized by state law. Unless the council finds that an emergency exists, a public hearing must be held in the evening on the proposed budget presented by the county executive pursuant to Section 6.50 and on any proposed ordinance to adopt, amend, or repeal a county comprehensive plan.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Hearing Examiner System and Appeals to County Council

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning County Council authority over appeals of certain administrative decisions. This proposition would restate the County Council’s existing charter authority to adopt a hearing examiner system but eliminate the Council’s jurisdiction over appeals from hearing examiner decisions in certain quasi-judicial proceedings involving land use or environmental permits or licenses, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**AMENDED SECTIONS:**

**Section 2.20 Powers**

All powers of the county, not reserved by the people or vested in specific offices by this charter, shall be vested in the county council. The county council shall exercise its legislative power by adoption and enactment of ordinances, resolutions and motions. It shall have the power:

1. To levy taxes, appropriate revenue and adopt budgets for the county;
2. To establish the compensation to be paid to all county officials and employees and to provide for the reimbursement of expenses, except as provided in Section 6.120;
3. Except as otherwise provided for herein, to establish by ordinance executive departments and to establish their powers and responsibilities;
4. To adopt by ordinance zoning regulations and other land use and development regulations, including improvement plans for the present and future development of the county;
5. To employ legal counsel as allowed by the laws of the state of Washington;

6. To confirm or reject without cause nominations of members of all county boards and commissions, provided, the county council shall have concurrent authority with the county executive to nominate members of the Snohomish county planning commission;
7. To approve contracts or establish by ordinance methods by which any type of contract shall be approved;
8. To set collective bargaining guidelines to be followed by the county executive and to approve any and all collective bargaining agreements negotiated by the county executive;
9. To adopt by ordinance a hearing examiner system to hear and issue decisions in quasi-judicial matters, provided that the county council shall not have jurisdiction to hear appeals of hearing examiner decisions in quasi-judicial land use or environmental permit or license proceedings unless required by state law.

The enumeration of particular powers shall not be construed as limiting the powers of the county council.

### **Section 2.140 Motions**

The county council may pass motions to confirm or reject nominations or appointments, to adopt comprehensive plans, to approve interfund loans, to organize and administer the legislative branch, to perform other administrative acts, to issue rulings in quasi-judicial proceedings (~~except rezone actions~~) within its jurisdiction, and to request information from any other agency of county government. Motions shall not be subject to veto or the requirements for the introduction, consideration and passage of ordinances.

### **REPEALED SECTIONS:**

#### **~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

#### **~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Converting Prosecuting Attorney to Non-partisan Office

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning the office of County Prosecuting Attorney. This proposition would convert the office of County Prosecuting Attorney from a partisan office to a non-partisan office, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required:

**AMENDED SECTION :**

**Section 4.15 Non-Partisan Offices**

The offices of county treasurer, county auditor, county assessor, county sheriff, county prosecuting attorney, and county clerk shall be non-partisan offices.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Increasing Number of County Councilmembers

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning the number of County Councilmembers. This proposition would increase the number of County Councilmembers from five Councilmembers to seven Councilmembers beginning in 2023, or in 2022 if Proposition No. \_\_\_\_ providing for elections in even-numbered years is approved; make related procedural or other changes to charter provisions governing adoption of ordinances and districting plans, composition of the Charter Review Commission, and Council approval of proposed charter amendments; provide for transition; and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**AMENDED SECTIONS:**

**Section 2.30 Composition**

The county council shall consist of ((five)) seven members nominated and elected from districts. Councilmembers shall be residents and registered voters of the district they represent at the time of filing for election to said office and at all times during their terms. Any change in the boundaries of a councilmember’s district which shall cause him to be no longer a resident shall not disqualify him from holding office during the remainder of the term for which he was elected or appointed.

**Section 2.110 Ordinances - Enactment**

Proposed ordinances may be introduced by any councilmember, mini-initiative or initiative. Every proposed ordinance shall be introduced in its entirety in writing. At least thirteen days shall pass between the introduction and the final passage of every ordinance, except emergency ordinances. Brief summaries of proposed ordinances providing reasonable notice as to the nature of the action contemplated shall be published before consideration. The council shall hold at

least one public hearing after due notice to consider the proposed ordinance. Any proposed ordinance may be amended by motion at hearing without publication, provided, that such amendments shall not change the scope and object of the proposed ordinance. No proposed ordinance shall become a law unless on its final passage the vote be taken by roll call by yeas and nays. Ordinances, or summaries of them, shall be published after enactment. Except for emergency ordinances, a minimum of (~~three~~) four affirmative votes shall be required to adopt an ordinance.

Every ordinance shall be presented to the county executive within five working days after adoption by the county council. Within ten working days after presentation, the county executive shall either sign the ordinance and return it or veto the ordinance and return it to the county council with his written objections. If an ordinance is not returned to the county council within ten working days after its presentation, it shall be deemed enacted without the county executive's signature. If the county executive vetoes an ordinance, the county council shall have thirty days to reconsider the ordinance. If the ordinance receives at least (~~four~~) five affirmative votes it shall become law. Except as otherwise provided by this charter, all ordinances shall take effect ten days after they are signed by the county executive or otherwise enacted, or at a later date if stated in the ordinance.

### **Section 2.120 Emergency Ordinances**

Any proposed ordinance may be enacted as an emergency ordinance if the county council finds as a fact, and states in the ordinance, that the ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions. A minimum of (~~four~~) five affirmative votes shall be required to enact an emergency ordinance. Emergency ordinances shall not be subject to the veto power of the county executive. All emergency ordinances shall be effective immediately upon passage by the county council.

### **Section 4.70 Districting Plan**

The districting master shall draw a districting plan for the county which shall be submitted to the districting committee by November 1. Following public hearing at least seven days in advance, the districting committee shall adopt the districting plan within thirty days as submitted or as amended by at least four affirmative votes of the committee members. Upon adoption, the plan shall be filed with the county council by the districting committee. No later than eight months following the county's receipt of federal decennial census data from the state, or within such other period as may be established by state law, the county council shall adopt by ordinance a districting plan, provided that a minimum of (~~four~~) five affirmative votes shall be required to amend the plan adopted by the districting

committee and the area amended may not include more than one percent of the population of any council district.

### **Section 6.50 Consideration and Adoption of the Budget**

At least thirty days prior to the end of the fiscal year, the county council shall adopt budget, tax and revenue ordinances for the next fiscal year. Prior to the adoption of any budget ordinance for the next fiscal year, the county council shall hold a public hearing to consider the proposed budget presented by the county executive and shall hold any other public hearings on the budget or any part thereof that it deems advisable. The county council in considering the budget ordinance proposed by the county executive, may delete or add items, may reduce or increase the proposed appropriations and may add provisions restricting the expenditure of certain appropriations, provided that the county council shall adopt a six (6) year capital improvement program as an adjunct to the budget, including a balance of proposed expenses and potential revenue sources.

The appropriations included in the budget ordinance adopted by the county council shall not exceed the estimated revenues of the county for the next fiscal year for each fund including surpluses and reserves. However the county council may increase the amount of the estimated revenues contained in the budget proposed by the county executive by reestimating the amount by motion passed by a minimum of ~~((four))~~ five affirmative votes, by utilizing reserves in a manner not proposed by the county executive or by creating additional sources of revenue which were not included in the proposed tax and revenue ordinances presented by the county executive.

### **Section 8.20 Election and Period of Office**

Five years after the adoption of this charter and every ten years thereafter, the county council shall cause an election of a charter review commission, hereinafter referred to as the commission. The commission shall consist of ~~((fifteen))~~ two persons ~~((, an equal number))~~ from each council district. There shall be no filing fee nor shall there be a primary. The election shall be held at the November general election and candidates shall run on a nonpartisan basis. The member of the commission who receives the greatest number of votes shall convene the commission. The term of office shall be one year. The commission may meet at such times and in such places as it deems appropriate.

### **Section 8.80 Amendments by the County Council**

The county council may propose amendments to the charter by enacting an ordinance to submit a proposed amendment to the voters at the next November general election occurring at least ninety days after enactment. A minimum of

~~((four))~~ five affirmative votes shall be required to enact such an ordinance. An ordinance proposing an amendment to the charter shall not be subject to the veto power of the county executive.

## **NEW SECTIONS:**

### **Section 11.90 Districting Plan**

The districting committee appointed in 2021 shall draw a districting plan having seven council districts numbered one through seven.

### **Section 11.110 Elections and Terms of Office – County Councilmembers**

Notwithstanding any other provision of this charter, the elections and terms of office of county councilmembers shall be as set out in this section, according to the following contingencies:

1. If Proposition No. \_\_\_\_ providing for elections in even-numbered years is approved by a majority of voters in the 2016 general election and Proposition No. \_\_\_\_ providing for an increase in the number of county councilmembers is not approved by a majority of voters in that election, then: (a) councilmembers elected in 2017 to represent districts one, four, and five shall serve three-year terms; and (b) councilmembers elected in 2019 to represent districts two and three shall serve three-year terms. All subsequent elections shall be held in even-numbered years according to the provisions of this charter.
2. If Proposition No. \_\_\_\_ providing for elections in even-numbered years is not approved by a majority of voters in the 2016 general election and Proposition No. \_\_\_\_ providing for an increase in the number of county councilmembers is approved by a majority of voters in that election, then: (a) councilmembers elected in 2021 to represent districts one, four, and five shall serve two-year terms; (b) elections for all council districts as redistricted under Section 11.90 of this charter shall be held in 2023; (c) councilmembers elected in 2023 to represent districts two, three, six, and seven shall serve two-year terms; and (d) councilmembers elected in 2023 to represent districts one, four, and five shall serve four-year terms. All subsequent elections shall be held according to the provisions of this charter. Districts six and seven shall not be deemed vacant prior to 2024.
3. If Proposition No. \_\_\_\_ providing for elections in even-numbered years and Proposition No. \_\_\_\_ providing for an increase in the number of county councilmembers are both approved by a majority of voters in that election, then: (a) councilmembers elected in 2017 to represent districts one, four, and five shall serve three-year terms; (b) councilmembers elected in 2019 to represent districts two and three shall serve three year terms; (c) councilmembers elected in 2020 to represent districts one, four, and five shall

serve two-year terms; (d) elections for all council districts as redistricted under Section 11.90 of this charter shall be held in 2022; (e) the three councilmembers elected in 2022 who receive the greatest number of votes shall serve four-year terms; and (f) the remaining four councilmembers elected in 2022 shall serve two-year terms. All subsequent elections shall be held in even-numbered years according to the provisions of this charter. Districts six and seven shall not be deemed vacant prior to 2023.

### **Section 11.130 Effective Dates**

1. The amendments to Section 2.30, 2.110, 2.120, 6.50, 8.20, and 8.80 shall take effect January 1, 2023, except that if Proposition No. \_\_\_\_ providing for elections in even numbered years is approved by a majority of voters then the amendments to Section 2.30, 2.110, 2.120, 6.50, 8.20, and 8.80 shall take effect January 1, 2022.
2. The amendment to Section 4.70 shall take effect as provided in subsection 1 of this section if Proposition No. \_\_\_\_ providing for amendments to county redistricting procedures is approved by a majority of voters in the 2016 general election, and not otherwise. If the amendment to Section 4.70 takes effect it shall amend Section 4.70 as amended by Proposition No. \_\_\_\_.
3. All other changes proposed by the 2016 Charter Review Commission and approved by a majority of voters in the 2016 general election shall take effect as provided in Section 8.50 or this article.

### **Section 11.140 Expiration**

Sections 11.90, 11.110, 11.130, and 11.140 shall expire on January 1, 2024, and shall not appear in the publication of this charter after that date.

### **REPEALED SECTIONS:**

#### **~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

#### **~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Providing for Elections in Even-Numbered Years

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning the schedule for holding certain county elections. This proposition would change the schedule for electing the County Executive, County Assessor, County Auditor, County Clerk, County Sheriff, County Treasurer, and members of the County Council from odd-numbered years to even-numbered years beginning in 2020, provide for transition to the new schedule, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**AMENDED SECTION:**

**Section 4.90 Commencement of Terms of Office**

~~((With the exception of the prosecuting attorney, the))~~ The election of county officers provided for in this charter shall be held in ~~((odd-numbered))~~ even-numbered years as provided by general law and the provisions of this charter. The terms of office of elected county officers shall commence on the first day of January immediately following the November general election.

**NEW SECTIONS:**

**Section 11.100 Elections and Terms of Office – Elected Executive Officers**

Notwithstanding any other provision of this charter, the elections and terms of the elected executive officers provided for in Section 3.10 shall be as set out in this section.

The executive officers elected in 2019 shall serve three-year terms. All subsequent elections shall be held in even-numbered years according to the provisions of this charter.

**Section 11.110 Elections and Terms of Office – County Councilmembers**

Notwithstanding any other provision of this charter, the elections and terms of office of county councilmembers shall be as set out in this section, according to the following contingencies:

1. If Proposition No. \_\_\_\_ providing for elections in even-numbered years is approved by a majority of voters in the 2016 general election and Proposition No. \_\_\_\_ providing for an increase in the number of county councilmembers is not approved by a majority of voters in that election, then: (a) councilmembers elected in 2017 to represent districts one, four, and five shall serve three-year terms; and (b) councilmembers elected in 2019 to represent districts two and three shall serve three-year terms. All subsequent elections shall be held in even-numbered years according to the provisions of this charter.
  
2. If Proposition No. \_\_\_\_ providing for elections in even-numbered years is not approved by a majority of voters in the 2016 general election and Proposition No. \_\_\_\_ providing for an increase in the number of county councilmembers is approved by a majority of voters in that election, then: (a) councilmembers elected in 2021 to represent districts one, four, and five shall serve two-year terms; (b) elections for all council districts as redistricted under Section 11.90 of this charter shall be held in 2023, (c) councilmembers elected in 2023 to represent districts two, three, six, and seven shall serve two-year terms; and (d) councilmembers elected in 2023 to represent districts one, four, and five shall serve four-year terms. All subsequent elections shall be held according to the provisions of this charter. Districts six and seven shall not be deemed vacant prior to 2024.
  
3. If Proposition No. \_\_\_\_ providing for elections in even-numbered years and Proposition No. \_\_\_\_ providing for an increase in the number of county councilmembers are both approved by a majority of voters in that election, then: (a) councilmembers elected in 2017 to represent districts one, four, and five shall serve three-year terms; (b) councilmembers elected in 2019 to represent districts two and three shall serve three year terms; (c) councilmembers elected in 2020 to represent districts one, four, and five shall serve two-year terms; (d) elections for all council districts as redistricted under Section 11.90 of this charter shall be held in 2022; (e) the three councilmembers elected in 2022 who receive the greatest number of votes shall serve four-year terms; and (f) the remaining four councilmembers elected in 2022 shall serve two-year terms. All subsequent elections shall be held in even-numbered years according to the provisions of this charter. Districts six and seven shall not be deemed vacant prior to 2023.

**Section 11.120 Expiration.**

Sections 11.100, 11.110, and 11.120 shall expire on January 1, 2024, and shall not appear in the publication of this charter after that date.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

Paine Field Airport Commission

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning an advisory commission for the county airport at Paine Field. This proposition would direct the County Council to establish a commission to advise the County Council and Executive on proposed rules and regulations for the management and control of airport property and on such other matters as may be specified by ordinance, with the commission to be appointed and include at least one member from each Council district and other members as determined by the Council, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**NEW SECTION:**

**Section 3.140 Airport Advisory Commission**

The county council shall establish by ordinance a commission to advise and make recommendations to the county executive and council concerning the county airport at Paine Field. The commission shall have authority to advise the executive and council on proposed rules and regulations for the management and control of airport property and on such other matters as may be specified by ordinance. The commission shall consist of at least one resident of each council district and may include other members as determined by the council. Members shall be appointed by the county executive and confirmed by the council. All commission meetings shall be open to the public and include an opportunity for public comment, except to the extent executive sessions are authorized by state law.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_

County Policy on Nondiscrimination

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning county policy on nondiscrimination. This proposition would revise existing county policy on nondiscrimination to incorporate protections provided by state and federal anti-discrimination laws and eliminate outdated or incomplete references to protected classes, substitute gender neutral language for masculine pronouns, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required:

**AMENDED SECTIONS:**

**Section 2.30 Composition**

The county council shall consist of five members nominated and elected from districts. Councilmembers shall be residents and registered voters of the district they represent at the time of filing for election to said office and at all times during their terms. Any change in the boundaries of a councilmember’s district which shall cause ~~((him))~~ the councilmember to be no longer a resident shall not disqualify ~~((him))~~ the councilmember from holding office during the remainder of the term for which ~~((he))~~ the councilmember was elected or appointed.

**Section 2.110 Ordinances — Enactment**

Proposed ordinances may be introduced by any councilmember, mini-initiative or initiative. Every proposed ordinance shall be introduced in its entirety in writing. At least thirteen days shall pass between the introduction and the final passage of every ordinance, except emergency ordinances. Brief summaries of proposed ordinances providing reasonable notice as to the nature of the action contemplated shall be published before consideration. The council shall hold at least one public hearing after due notice to consider the proposed ordinance. Any proposed ordinance may be amended by motion at hearing without publication, provided, that such amendments shall not change the scope and object of the proposed ordinance. No proposed ordinance shall become a law unless on its

final passage the vote be taken by roll call by yeas and nays. Ordinances, or summaries of them, shall be published after enactment. Except for emergency ordinances, a minimum of three affirmative votes shall be required to adopt an ordinance.

Every ordinance shall be presented to the county executive within five working days after adoption by the county council. Within ten working days after presentation, the county executive shall either sign the ordinance and return it or veto the ordinance and return it to the county council with ~~((his))~~ the executive's written objections. If an ordinance is not returned to the county council within ten working days after its presentation, it shall be deemed enacted without the county executive's signature. If the county executive vetoes an ordinance, the county council shall have thirty days to reconsider the ordinance. If the ordinance receives at least four affirmative votes it shall become law. Except as otherwise provided by this charter, all ordinances shall take effect ten days after they are signed by the county executive or otherwise enacted, or at a later date if stated in the ordinance.

#### **Section 4.40 Conflict of Interest**

No county elected officer shall hold any other office or employment within county government during ~~((his))~~ the officer's term of office.

#### **Section 4.80 Vacancies**

An elective office shall become vacant on the death, resignation or recall of the official or if ~~((he))~~ the official ceases being a resident of Snohomish county or is absent from the county for thirty consecutive days without being excused by the council. The council shall fill a vacancy from a list of three people submitted by the county central committee of the party which the official in office immediately prior to the vacancy represented. In the event that the official in office immediately prior to the vacancy was a non-partisan candidate, the vacancy shall be filled by the council.

Vacancies in elective office shall be filled at the next November general election, unless the vacancy occurs after the last day for filing declarations of candidacy, in which case the vacancy shall be filled at the next succeeding November general election. The person elected shall take office upon certification of the results of the election and shall serve the unexpired term of the vacated office. Until a successor has been elected and certified, a majority of the council shall fill the vacancy by appointment. All persons appointed to fill vacancies shall meet the qualifications for office set forth in this charter.

#### **Section 6.110 Illegal Contracts**

Except as otherwise provided by ordinance, any contract in excess of an appropriation shall be null and void; and any officer, agent or employee of the county knowingly responsible shall be personally liable to anyone damaged by ~~((his))~~ that person's action. The county council when requested to do so by the county executive may adopt an ordinance permitting the county to enter into contracts requiring the payment of funds from appropriations of subsequent fiscal years, but real property shall not be leased to the county for more than one year, unless it is included in a capital budget appropriation ordinance.

### **Section 9.05 Nondiscrimination**

In the exercise of its powers and in the performance of its duties, the county shall ensure that no person is discriminated against ~~((because of race, creed, color, sex, age, handicap))~~ in violation of state or federal anti-discrimination law, or on any other basis not reasonably related to the accomplishment of a legitimate governmental purpose, and shall take whatever action necessary to accomplish this purpose as defined in the state and federal constitutions and applicable court interpretations.

### **REPEALED SECTIONS:**

#### **~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

#### **~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. \_\_\_\_  
Commission on Human Rights

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning a county commission on human rights. This proposition would add a new section to the charter that requires the County Council to keep or create a county commission to advise the County Council, County Executive, and other county officers and agencies on matters concerning human rights, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**NEW SECTION:**

**Section 3.130 Commission on Human Rights**

The county council shall establish by ordinance a county commission on human rights to serve in an advisory capacity to the county executive, county council, and other county officers and agencies, as determined by the council, on matters concerning human rights. The commission shall have authority to advise the county executive and council on all matters involving human rights, including but not limited to unlawful discrimination, and shall recommend executive or legislative action when needed to effectuate the policy of Section 9.05. At least one commissioner shall reside in each county council district. The commission shall meet at least quarterly.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term~~

~~"effective date of this amended charter" shall mean January 1, 2007.))~~

<b>SNOHOMISH COUNTY CHARTER REVIEW COMMISSION AGENDA ITEM 2016-49</b>	
<b>SUBJECT TITLE:</b> Review of Charter Amendment Language	<b>Meeting Date:</b> June 20, 2016
<b>Estimated Presentation Time:</b> 140 minutes	<b>Exhibits:</b> 1. Draft Language of All Active Proposals 2. Draft Transmittal Letter

**RECOMMENDATION:** The Commission should review proposed amendments to the Charter for twelve active proposals.

**SUMMARY:**

The Commission should review the draft ballot language for the active proposals before the Charter Review Commission.

On June 22, the Commission held a public hearing on twelve proposals to amend the Charter. Since the hearing, the Commission’s Attorney made minor edits to the proposals. The Commission previously voted to conduct an additional meeting or meetings after August 6 and after the November 2016 election.

At this meeting, Commissioners may take action on each of the twelve proposals. Options include (a) adopting proposed amendments (as presented or amended) for filing with County Council, (b) deferring action on proposed amendments, and (c) withdrawing proposed amendments from active consideration. The staff recommended form of the motion to submit a proposal to the voters is below:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled “\_\_\_\_\_” identified as proposal number 2016- \_\_\_ for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

**BACKGROUND:**

Each proposal under consideration received at least eight votes from Commissioners to draft ballot language. On June 15, the Commission voted to send ballot language to a public hearing on June 22, 2016.

**Staff Amendments since June 15**

The Commission’s Attorney reviewed each proposal between June 15 and the June 29, 2016, meetings. Included in the versions of the ballot language in this packet are a number of non-substantive changes in the final versions of some proposals. The changes are outlined below:

2016-02: On page 2, added strike-through over period at end of first sentence of Sec. 4.70, and in line 8 underlined "federal decennial" to indicate new language.

2016-04: On page 1, added "ESTABLISHING" to heading to parallel other proposals.

2016-08: On page 1, line 1 of Sec. 2.60, deleted underlining from "county" since existing language.

2016-14: On page 1, line 7 of ballot title, added "and districting plans" to pick up the addition of Sec. 4.70 from the districting proposal and on pages 2-3 added the Commission's revisions to Sec. 4.70 in the districting proposal. On pages 4-5, changed references to Sec. "11.090" to "11.90" to use existing charter format.

2016-18: On page 1, substituted "REVISING" for "AMENDING" in heading.

2016-31: On page 1, corrected section number from 2.10 to 2.20 and added "county" before "council" in subsection 9 to parallel subsection 6.

2016-38: On page 1, Sec. 11.100, changed "3.20" (a typo) to "3.10" but it could be changed to "this charter" to parallel Sec. 4.90. In Sec. 11.110 corrected subsection numbering and references to Sec. 11.90 per proposal 2016-14.

2016-42: On page 1, changed "CONVERT" to "CONVERTING" to parallel other proposals.

Commissioners may vote to further amend the language or ballot title of each proposal.

### **Transition Language**

Each proposal contains language to repeal sections 11.40 and 11.70 of the Charter. Both provisions are part of the transition section of the Charter. The proposals that do add new transitional provisions, Increasing Number of County Councilmembers (Proposal 2016-14) and Providing for Elections in Even-Numbered Years (Proposal 2016-38), contain transitional provisions that automatically expire.

Each proposal is written assuming that all twelve proposals are on the November 2016 ballot. If the Commission does not submit a voter for consideration on the November 2016, in certain instances the Commission Attorney is prepared to suggest amendments reflecting the Commission's actions.

### **Numbering**

If the Commission does submit proposals to the voters, the Commission should move to number the proposals to submit to the County Council and County Auditor. This numbering would affect the order in which the proposed amendments would appear on the November 2016 ballot.

### **Cover Letter**

Attached to this document is a draft version of a cover letter to the County Council and County Auditor reflecting the actions the Commission may take to submit proposals to the voters at the November 2016 election. If the Commission does submit proposals to the voters, the Commission should move to direct the Chair to submit the letter with the appropriate numbers included.

The Chair previously mentioned to the Commission that a more complete transmittal letter would be drafted over the summer for potential adoption by the Commission at a subsequent meeting.

## **PROPOSALS**

### **Revising County Redistricting Process (2016-04)**

This proposal was discussed by the Commission on February 17, March 16, and May 4.<sup>1</sup>

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Revising County Redistricting Process’ identified as proposal number 2016-04 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

### **Amending Deadline for Executive Presentation of Proposed Budgets (2016-18)**

This proposal was discussed by the Commission on March 2, April 6, and May 11.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Amending Deadline for Executive Presentation of Proposed Budgets’ identified as proposal number 2016-18 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

### **Revising Procedures for Appointment and Confirmation of Chief Executive Officers (2016-10)**

This proposal was discussed by the Commission on March 2, April 20, and May 11.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Revising Procedures for Appointment and Confirmation of Chief Executive Officers’ identified as proposal number 2016-10 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

---

<sup>1</sup> Commissioners can review the staff report on each date for additional information on each item.

#### **Office of Public Advocate (2016-04)**

This proposal was discussed by the Commission on February 17, March 16, and May 4.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Office of Public Advocate’ identified as proposal number 2016-04 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

#### **Requiring Additional County Council Meetings and Hearings (2016-08)**

This proposal was discussed by the Commission on March 16, April 6, and May 25. Additional amendments to the proposal were made on June 15.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Requiring Additional County Council Meetings and Hearings’ identified as proposal number 2016-08 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

#### **Hearing Examiner System and Appeals to County Council (2016-31)**

This proposal was discussed by the Commission on March 30, May 4, and May 25.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Hearing Examiner System and Appeals to County Council’ identified as proposal number 2016-31 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

#### **Converting Prosecuting Attorney to Non-Partisan Office (2016-42)**

This proposal was discussed by the Commission on March 2, March 30, and May 11.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Converting Prosecuting Attorney to Non-Partisan Office’ identified as proposal number 2016-42 for submission to the voters at the November

2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

#### **Increasing Number of County Councilmembers (2016-14)**

This proposal was discussed by the Commission on February 17, March 30, and June 8. Additional amendments to the proposal were made on June 15.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Increasing Number of County Councilmembers’ identified as proposal number 2016-14 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

#### **Providing for Elections in Even-Numbered Years (2016-38)**

This proposal was discussed by the Commission on April 20, May 18, and June 8. Additional amendments to the proposal were made on June 15.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Providing for Elections in Even-Numbered Years’ identified as proposal number 2016-38 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

#### **Paine Field Airport Commission (2016-24)**

This proposal was discussed by the Commission on April 20, May 18, June 8, and June 15.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Paine Field Airport Commission’ identified as proposal number 2016-24 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

#### **County Policy on Nondiscrimination (2016-19)**

This proposal was combined with Charter Amendment Proposal 2016-23, Update Charter to use Gender-Neutral Terms, on June 15. The Commission discussed the proposal on March 2, March 16, April 20, and May 11.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘County Policy on Nondiscrimination’ identified as proposal number 2016-19 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

### **Commission on Human Rights (2016-30)**

This proposal was discussed by the Commission on March 30, May 4, and May 25.

If a Commissioner wishes to move the proposition to the voters for the November 2016 ballot, the staff recommended motion is:

“I move that the Charter Review Commission approve the proposed amendments set out in the proposition titled ‘Commission on Human Rights’ identified as proposal number 2016-30 for submission to the voters at the November 2016 general election, with a final proposition number to be assigned by the Commission, and that the Chair be authorized to file the proposed amendments with the County Council pursuant to Charter Section 8.60.”

### **Next Steps**

If directed, Commission staff will transmit the cover letter and proposals submitted to the voters at the November 2016 ballot to the County Council and County Auditor. Commission staff will work with Commissioners to shepherd the proposals through the County Council’s process for transmitting ballot measures from the Commission to the Auditor.

Commission staff will transmit messages from the County Council to Commissioners about the process for soliciting candidates to serve on pro and con committees for the voter’s guide. Appointments to pro and con committees are the prerogative of the County Council. County staff cannot assist members of pro and con committees.

Commission staff will submit a press release describing the Commission’s actions on submitting propositions to the voters at the November 2016 ballot.

The next meeting of the Commission is currently unscheduled. The Commission previously voted to hold a meeting after August 6, 2016, and after the November 8, 2016, election. A possible meeting date could be November 16, 2016.

### **ALTERNATIVES:**

The Commission may delay a vote to a subsequent meeting or elect to consider combining a proposal with another proposal.

PROPOSITION NO. 1  
Commission on Human Rights

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning a county commission on human rights. This proposition would add a new section to the charter that requires the County Council to keep or create a county commission to advise the County Council, County Executive, and other county officers and agencies on matters concerning human rights, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**NEW SECTION:**

**Section 3.130 Commission on Human Rights**

The county council shall establish by ordinance a county commission on human rights to serve in an advisory capacity to the county executive, county council, and other county officers and agencies, as determined by the council, on matters concerning human rights. The commission shall have authority to advise the county executive and council on all matters involving human rights, including but not limited to unlawful discrimination, and shall recommend executive or legislative action when needed to effectuate the policy of Section 9.05. At least one commissioner shall reside in each county council district. The commission shall meet at least quarterly.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term~~

~~"effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. 2

Establishing Office of Public Advocate

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning establishing an office of public advocate. This proposition would direct the County Council to establish an office of public advocate to investigate complaints and respond to inquiries from the public concerning the operation of county government and to monitor and report to the County Council on certain whistleblower, ethics, and human rights proceedings; and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required:

**NEW SECTION:**

**Section 2.160 Office of Public Advocate**

The county council shall establish by ordinance an office of public advocate for the purpose of receiving, investigating, and making recommendations to the council and appropriate county agencies on complaints concerning the operation of county government and to respond to inquiries from the public concerning the operation of county government. The office shall have appropriate legal authority and adequate funding, as determined by the council, and shall use generally accepted standards for similar offices. In addition to other duties prescribed by ordinance, the office shall monitor and report to the council on the nature and disposition of whistleblower, ethics, and human rights complaints filed pursuant to other county ordinances or procedures.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. 3

County Policy on Nondiscrimination

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning county policy on nondiscrimination. This proposition would revise existing county policy on nondiscrimination to incorporate protections provided by state and federal anti-discrimination laws and eliminate outdated or incomplete references to protected classes, substitute gender neutral language for masculine pronouns, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required:

**AMENDED SECTIONS:**

**Section 2.30 Composition**

The county council shall consist of five members nominated and elected from districts. Councilmembers shall be residents and registered voters of the district they represent at the time of filing for election to said office and at all times during their terms. Any change in the boundaries of a councilmember’s district which shall cause ~~((him))~~ the councilmember to be no longer a resident shall not disqualify ~~((him))~~ the councilmember from holding office during the remainder of the term for which ~~((he))~~ the councilmember was elected or appointed.

**Section 2.110 Ordinances — Enactment**

Proposed ordinances may be introduced by any councilmember, mini-initiative or initiative. Every proposed ordinance shall be introduced in its entirety in writing. At least thirteen days shall pass between the introduction and the final passage of every ordinance, except emergency ordinances. Brief summaries of proposed ordinances providing reasonable notice as to the nature of the action contemplated shall be published before consideration. The council shall hold at least one public hearing after due notice to consider the proposed ordinance. Any proposed ordinance may be amended by motion at hearing without publication, provided, that such amendments shall not change the scope and object of the proposed ordinance. No proposed ordinance shall become a law unless on its

final passage the vote be taken by roll call by yeas and nays. Ordinances, or summaries of them, shall be published after enactment. Except for emergency ordinances, a minimum of three affirmative votes shall be required to adopt an ordinance.

Every ordinance shall be presented to the county executive within five working days after adoption by the county council. Within ten working days after presentation, the county executive shall either sign the ordinance and return it or veto the ordinance and return it to the county council with ~~((his))~~ the executive's written objections. If an ordinance is not returned to the county council within ten working days after its presentation, it shall be deemed enacted without the county executive's signature. If the county executive vetoes an ordinance, the county council shall have thirty days to reconsider the ordinance. If the ordinance receives at least four affirmative votes it shall become law. Except as otherwise provided by this charter, all ordinances shall take effect ten days after they are signed by the county executive or otherwise enacted, or at a later date if stated in the ordinance.

#### **Section 4.40 Conflict of Interest**

No county elected officer shall hold any other office or employment within county government during ~~((his))~~ the officer's term of office.

#### **Section 4.80 Vacancies**

An elective office shall become vacant on the death, resignation or recall of the official or if ~~((he))~~ the official ceases being a resident of Snohomish county or is absent from the county for thirty consecutive days without being excused by the council. The council shall fill a vacancy from a list of three people submitted by the county central committee of the party which the official in office immediately prior to the vacancy represented. In the event that the official in office immediately prior to the vacancy was a non-partisan candidate, the vacancy shall be filled by the council.

Vacancies in elective office shall be filled at the next November general election, unless the vacancy occurs after the last day for filing declarations of candidacy, in which case the vacancy shall be filled at the next succeeding November general election. The person elected shall take office upon certification of the results of the election and shall serve the unexpired term of the vacated office. Until a successor has been elected and certified, a majority of the council shall fill the vacancy by appointment. All persons appointed to fill vacancies shall meet the qualifications for office set forth in this charter.

#### **Section 6.110 Illegal Contracts**

Except as otherwise provided by ordinance, any contract in excess of an appropriation shall be null and void; and any officer, agent or employee of the county knowingly responsible shall be personally liable to anyone damaged by ~~((his))~~ that person's action. The county council when requested to do so by the county executive may adopt an ordinance permitting the county to enter into contracts requiring the payment of funds from appropriations of subsequent fiscal years, but real property shall not be leased to the county for more than one year, unless it is included in a capital budget appropriation ordinance.

### **Section 9.05 Nondiscrimination**

In the exercise of its powers and in the performance of its duties, the county shall ensure that no person is discriminated against ~~((because of race, creed, color, sex, age, handicap))~~ in violation of state or federal anti-discrimination law, or on any other basis not reasonably related to the accomplishment of a legitimate governmental purpose, and shall take whatever action necessary to accomplish this purpose as defined in the state and federal constitutions and applicable court interpretations.

### **REPEALED SECTIONS:**

#### **~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

#### **~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. 4

Revising Hearing Examiner System and Appeals

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning County Council authority over appeals of certain administrative decisions. This proposition would restate the County Council’s existing charter authority to adopt a hearing examiner system but eliminate the Council’s review in certain quasi-judicial land use or environmental proceedings, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**AMENDED SECTIONS:**

**Section 2.20 Powers**

All powers of the county, not reserved by the people or vested in specific offices by this charter, shall be vested in the county council. The county council shall exercise its legislative power by adoption and enactment of ordinances, resolutions and motions. It shall have the power:

1. To levy taxes, appropriate revenue and adopt budgets for the county;
2. To establish the compensation to be paid to all county officials and employees and to provide for the reimbursement of expenses, except as provided in Section 6.120;
3. Except as otherwise provided for herein, to establish by ordinance executive departments and to establish their powers and responsibilities;
4. To adopt by ordinance zoning regulations and other land use and development regulations, including improvement plans for the present and future development of the county;
5. To employ legal counsel as allowed by the laws of the state of Washington;

6. To confirm or reject without cause nominations of members of all county boards and commissions, provided, the county council shall have concurrent authority with the county executive to nominate members of the Snohomish county planning commission;
7. To approve contracts or establish by ordinance methods by which any type of contract shall be approved;
8. To set collective bargaining guidelines to be followed by the county executive and to approve any and all collective bargaining agreements negotiated by the county executive;
9. To adopt by ordinance a hearing examiner system to hear and issue decisions in quasi-judicial matters, provided that the county council shall not have jurisdiction to hear appeals of hearing examiner decisions in quasi-judicial land use or environmental proceedings unless required by state law.

The enumeration of particular powers shall not be construed as limiting the powers of the county council.

#### **Section 2.140 Motions**

The county council may pass motions to confirm or reject nominations or appointments, to adopt comprehensive plans, to approve interfund loans, to organize and administer the legislative branch, to perform other administrative acts, to issue rulings in quasi-judicial proceedings (~~except rezone actions~~) within its jurisdiction, and to request information from any other agency of county government. Motions shall not be subject to veto or the requirements for the introduction, consideration and passage of ordinances.

#### **REPEALED SECTIONS:**

##### **~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

##### **~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. 5

Requiring Additional County Council Meetings and Hearings

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning County Council meetings and hearings. This proposition would require the Council to hold an evening meeting in each County Council district at least once each calendar year; require evening public hearings on proposed budgets presented by the County Executive and on any proposed ordinance to adopt, amend, or repeal a county comprehensive plan; and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required

**AMENDED SECTION:**

**Section 2.60 Rules of Procedure**

The county council shall enact by ordinance rules of procedure governing the time, place and conduct of its meetings and hearings, which shall include at least one evening meeting in each council district each calendar year, and the introduction, publication, consideration and adoption of ordinances. The rules of procedure shall provide for public access to agendas, minutes and voting records of individual council members. The rules of procedure shall also provide for an opportunity for public comment during any meeting of the council. All meetings shall be open to the public except to the extent executive sessions are authorized by state law. Unless the council finds that an emergency exists, a public hearing must be held in the evening on the proposed budget presented by the county executive pursuant to Section 6.50 and on any proposed ordinance to adopt, amend, or repeal a county comprehensive plan.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. 6

Revising Procedures for Appointment and Confirmation of  
Chief Executive Officers

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning the procedures for appointment and confirmation of chief executive officers. This proposition would establish a sixty-day deadline for County Council action to confirm or reject appointments by the County Executive, prohibit reappointment of rejected appointees for a period of one year, and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendment Required:

**AMENDED SECTION:**

**Section 3.40 Appointments by County Executive and Confirmation**

The county executive shall nominate, and by and with the advice and consent of a majority of the county council, shall appoint the chief officer of each executive department and office, except the separately elected offices. The executive shall notify the council in writing upon making an appointment. The council shall confirm or reject the appointment by motion within sixty days of the appointment. Failure to confirm or reject an appointment within sixty days shall constitute council consent to the appointment. An appointee whose appointment is rejected by the council shall not be reappointed to the same position for a period of one year from the date of council action. The county executive may appoint a confidential secretary and a deputy county executive without council confirmation.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~

PROPOSITION NO. 7

Revising County Redistricting Process

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning the process used for redrawing County Council districts. This proposition would revise and update the process by setting workable deadlines for appointing the Districting Committee and districting master and for action by the Districting Committee and County Council; restrict the County Council’s ability to revise districting plans adopted by the Districting Committee, by requiring approval by a supermajority vote and limiting revisions to one percent of the population of any Council district; and repeal inconsistent transition provisions. Should this proposition be:

Approved . . . . .

Rejected . . . . .

B. Charter Amendments Required:

**AMENDED SECTIONS:**

**Section 4.60 Districting Committee**

~~((Within thirty days after each federal decennial census data is received from the state redistricting commission or its successor))~~ During the month of January 2021, and by January 31 of each tenth year thereafter, a five-member districting committee shall be appointed. The county council shall appoint four persons to the committee, two members from each of the two largest major political ~~((party))~~ parties as defined in state law from a list of five submitted by the party’s central committee, the four members to appoint the fifth voting member who shall be chair. Members of the districting committee shall serve without salary but shall be compensated for reasonable-out-of-pocket expenses. The districting committee shall ~~((within thirty days of its appointment, meet and))~~ appoint a districting master who shall be qualified by education, training and experience to draw a redistricting plan. If the districting committee is unable to agree upon the appointment of a districting master ~~((within thirty days))~~ by April 1, the county council shall appoint a districting master.

**Section 4.70 Districting Plan**

~~((Within one month after appointment, the districting master shall draw a districting plan for the county which shall be submitted to the committee for adoption.))~~ The

districting master shall draw a districting plan for the county which shall be submitted to the districting committee by November 1. Following public hearing at least ((one week)) seven days in advance, the districting committee shall adopt the districting plan within thirty days as submitted or as amended by at least four affirmative votes of the committee members. Upon adoption, the plan shall be filed with the county council by the districting committee. No later than ((the first day of June)) eight months following the county's receipt of ((the)) federal decennial census data from the state, or within such other period as may be established by state law, the county council shall adopt by ordinance a districting plan, provided that a minimum of four affirmative votes shall be required to amend the plan adopted by the districting committee and the area amended may not include more than one percent of the population of any council district.

**REPEALED SECTIONS:**

**~~((Section 11.40 Budget~~**

~~The budget for 2007 which is in effect when this amended charter takes effect, shall remain effective until revised.))~~

**~~((Section 11.70 Effective Date~~**

~~This amended charter shall take effect January 1, 2007. The term "effective date of this amended charter" shall mean January 1, 2007.))~~