Snohomish County
Charter Review Commission
8th Floor Robert J. Drewel Building
Jackson Board Room
Wednesday, March 2, 2016
7:00 p.m.
MINUTES

PRESENT:
Chair Gregerson
Vice-Chair Terwilliger
Vice-Chair Miller
Commissioner Stanford
Commissioner Donner
Commissioner O'Donnell
Commissioner Matthews
Commissioner Roulstone
Commissioner Koster
Commissioner Barton
Commissioner Chase
Commissioner Fior
Marsha Isenberg, Interim Deputy Executive
Debbie Eco, Council Clerk
Chris Roberts, Commission Analyst

CALL TO ORDER

Chair Gregerson called the meeting to order at 7:01 p.m.

FLAG SALUTE

ROLL CALL

Commissioners Liias, Kelly and Valentine absent. Commissioners Chase and Donner at 7:05 pm.

GUESTS

1. Marsha Isenberg, Interim Deputy Executive

Deputy Executive Isenberg discussed the history of the office of the performance auditor. Before 2007, the performance auditor was housed in the office of the county office and in 2006 voters established an independent office in the legislative branch. Initially, the office was staffed by one full time position and one 3/4 time position. In mid-2008, both positions became vacant. The Council did not immediately fill the position. In 2012 the Council turned to contracting with a performance auditing firm, and naming a principal in the firm as the performance auditor. Currently, the Council contracts with Sjoberg Evashenk to perform performance audits and named George Skyles as the performance auditor.
Deputy Executive Isenberg believes the mandate for doing the work has proven to have flexibility to allow for changing circumstances. She did not recommend any amendments to the charter.

Commissioner Barton asked how does the Council decide the scope and priorities for the performance auditor firm. Deputy Executive Isenberg stated there is a performance auditor committee develops audit recommendations and presents those recommendations to the Council. She stated that the Council considers audits based on what the county can afford.

Commissioner Matthews asked about the impact of the performance auditor being reportable to the county auditor. Deputy Executive Isenberg stated the public would not likely see much difference. Vice Chair Terwilliger asked about section 2.90 of the Charter. Deputy Executive Isenberg stated the Council would retain administrative oversight for the performance audits to manage budgets and determine costs.

Commissioners asked about different models of staffing the office of performance auditor.

PUBLIC COMMENTS

There were no persons present wishing to provide public comment.

APPROVAL OF THE MINUTES

Commissioner Chase moved to approve the minutes of the Charter Review Commission meeting of March 2, 2016. The motion was seconded by Vice Chair Miller and passed unanimously.

REPORT FROM CHAIR

Chair Gregerson stated that she would speak with the League of Women Voters radio show on KSER 90.7 on Monday, March 14th and that she has been talking with Noah Haglund from the Everett Herald about the Commission’s work.

BUSINESS ITEMS

1. CHARTER AMENDMENT PROPOSAL PRELIMINARY DISCUSSIONS

Commissioner Roulstone stated he did not want to move forward with Charter Amendment Proposal 2016-26, Requiring Council to Repeal Ordinances with Adoption of New Ordinance, and Chair Gregerson stated she did not want to move forward with Charter Amendment Proposal 2016-24, Evaluate Governance Structure for Paine Field, until she developed a formal proposal.

Vice Chair Terwilliger stated that there are multiple court cases overturning age restrictions for holding office.

Vice Chair Terwilliger moved Charter Amendment Proposals 2016-12, Lower Age for Holding County Office from 21 to 18 and 2016-13, Reduce Residency Requirement for Holding County Office, forward for further analysis. The motion was seconded by Commissioner Barton.

Commissioner Matthews stated the memo was confusing.
The motion passed unanimously.

Commissioner Barton moved Charter Amendment Proposals 2016-19, Update Charter Language on Nondiscrimination, 2016-21, Review Charter for Glaring Errors, and 2016-23, Update Charter to use Gender-Neutral Terms, forward for further analysis. The motion was seconded by Commissioner Koster. The motion passed unanimously.

Commissioner Roulstone moved Charter Amendment Proposal 2016-27, Require Sunset Provisions in Ordinances, forward for further analysis. The motion was seconded by Commissioner Donner.

Commissioner Barton asked how much of an impact sunset provisions would have on the Council. Commissioner Koster wondered how long the sunset provision would be and would like feedback from the Council. Commissioner Koster said that sunset provisions are not common. Deputy Executive Isenberg stated that the Charter requires a sunset on some ordinances.

Commissioner Roulstone stated his belief the public would support a sunset clause.

The motion carried 7-5. Vice Chair Terwilliger and Commissioners Barton, Donner, Matthews, Koster, O'Donnell, and Roulstone in support. Chair Gregerson, Vice Chair Miller and Commissioners Chase, Fior, and Stanford in opposition.

Vice Chair Terwilliger stated that he wanted more information about the proposal.

Commissioner Koster moved Charter Amendment Proposals 2016-05, Evaluate Process for Addressing Whistleblower Complaints, and 2016-06, Evaluate Process for Addressing Ethics Complaints, forward for further analysis. The motion was seconded by Commissioner Matthews.

Commissioner Barton asked if these proposals should be considered with the discussion of the creation of the ombudsman in the charter? Commissioner Koster suggested that the items may or may not be part of that discussion.

The motion passed unanimously.

Commissioner Chase asked about Commissioner Valentine’s proposal about the schedule of County Council meetings.

Commissioner Koster spoke in favor of moving union negotiations to the County Council.

Vice Chair Terwilliger stated he met with Councilmember Ryan about the confirmation process of executive appointments. There is a question of the status of appointments who are not confirmed by the council. Vice Chair Terwilliger stated that failure of the Council to act leads candidates to be in a state of uncertainty.

Commissioner Koster moved Charter Amendment Proposals 2016-09, Move Union Negotiations to County Council, and 2016-10, Confirmation of Department Heads, forward for further analysis. The motion was seconded by Commissioner Roulstone.

Commissioner Barton stated that these are different issues and should not be combined.
The motion passed unanimously.

Vice Chair Terwilliger asked Commissioner Koster about the timing of budget submission to the Council. Deputy Executive Isenberg said that by tradition the budget is submitted the last Friday in September. Chair Gregerson expressed her desire to hear from the Executive and Council on the issue.

Vice Chair Terwilliger moved Charter Amendment Proposal 2016-18, Change Date of Submission of Executive’s Budget from October 1 to September 1, forward for further analysis. The motion was seconded by Commissioner Koster. The motion passed unanimously.

Commissioner Barton moved Charter Amendment Proposals 2016-07, Non-Partisan Elections for all County Offices, and 2016-28, Make all Elected County Officials Partisan, forward for further analysis. The motion was seconded by Vice Chair Terwilliger.

Commissioner O’Donnell moved to divide the question. Second by Vice Chair Miller.

Commissioner Barton stated the two items are linked. The discussion is whether the offices are partisan, non-partisan, or left alone. Vice Chair Terwilliger suggested that separation allows analysis on both issues.

The motion to divide the question passed 11-1. Chair Gregerson, Vice Chairs Miller and Terwilliger, and Commissioners Chase, Donner, Fior, Koster, Matthews, O’Donnell, Roulstone and Stanford in support. Commissioner Barton in opposition.

Commissioners discussed whether the Prosecuting Attorney could be a non-partisan office.

Commissioner Barton specified that the motion is for non-partisan elections for all county offices.

The motion to move forward with Charter Amendment Proposals 2016-07, Non-Partisan Elections for all County Offices, passed 6-6. Commissioners Barton, Donner, Koster, Matthews, O’Donnell, and Roulstone in support. Chair Gregerson, Vice Chairs Terwilliger and Miller, and Commissioners Chase, Fior, and Stanford in opposition.

Commissioner O’Donnell stated most voters want to see offices non-partisan. He stated that 42% of people identified as non-partisan and independents are unlikely to be elected.

Commissioner Barton stated that he would like to hear from the people if they want partisan elections. Commissioner Roulstone stated people do not register as Republicans or Democrats in the State. He said that running for partisan office does not imply a set of values.

Commissioner O’Donnell stated that King County went to non-partisan elections in 2008. Candidates show their partisanship through their endorsements. Non-partisan elections open the door to someone who does not identify with either party.

Vice Chair Terwilliger stated the issue was vetted ten years ago and the voters overwhelmingly made the offices non-partisan. The offices made non-partisan ten years ago are administrative in nature and do not make a lot of policy. He said the real debate is about the Council and the Executive.
Commissioner Chase stated there are more than two political parties in the State. Partisanship is useful information for voters.

Commissioner Barton stated that he was in favor of additional input from the public.

**The motion to move forward with 2016-28, Make all Elected County Officials Partisan, failed 4-8. Vice Chairs Miller and Terwilliger and Commissioners Barton and Donner in support. Chair Gregerson and Commissioners Chase, Fior, Koster, Matthews, O’Donnell, Roulstone and Stanford in opposition.**

Vice Chair Terwilliger stated that he did not want to move forward with Charter Amendment Proposal 2016-17, Allow County Council to Declare an Elected Official’s Position Vacant. Vice Chair Miller stated that with term limits lead to a loss of historical memory. He stated people earn name recognition.

**Vice Chair Miller moved Charter Amendment Proposal 2016-16, Eliminate Term Limits, forward for further analysis. Commissioner Koster seconded the motion.**

Commissioner Koster stated that the scope of duties of local officials is broad and it takes a while to understand the job. He said candidates make their case to the people every four year and that voters lose the ability to make that choice with term limits.

Commissioner Barton said there are merits to the proposal but does not believe the proposition would pass.

Commissioner Matthews stated that people’s names do matter. Commissioner O’Donnell stated that he believes that the position is public service, not a job. He does support moving the proposal forward.

Commissioner Koster stated that across the State during an eight year period, he saw a 66% turnover of county commissioners. Only two counties have term limits.

**The motion passed 8-4. Vice Chairs Miller and Terwilliger and Commissioners Barton, Donner, Chase, Koster, O’Donnell, and Stanford in support. Chair Gregerson, Fior, Matthews, and Roulstone in opposition.**

Vice Chair Terwilliger stated that there are duties and responsibilities established in State law.

**Vice Chair Terwilliger moved Charter Amendment Proposal 2016-11, Clarify Duties and Powers of County Officers forward for further analysis. Commissioner Koster seconded the motion. The motion passed unanimously.**

Commissioners discussed the concept of transitional provisions.

**Vice Chair Terwilliger moved Charter Amendment Proposal 2016-20, Update Charter Language on Transitional Provisions, forward for further analysis. Commissioner Barton seconded the motion. The motion passed unanimously.**

Commissioners discussed the status of the remaining proposals not discussed earlier in the meeting.
OLD BUSINESS

NEW BUSINESS

Chair Gregerson stated the next meeting would be March 16th in Marysville. Potential agenda items would be the districting timeline, the performance auditor, and ombudsman. She recommended that the Commission can discuss business at the in-district meeting.

Commissioner Koster asked about the process of receiving proposals from constituents.

Commissioners discussed placing the agenda items on the Commission's website.

ADJOURNMENT

With no further business, Chair Gregerson adjourned the meeting at 8:24 p.m.