

Snohomish County
Charter Review Commission
Edmonds Public Safety Complex
250 5th Avenue North, Edmonds WA 98020
Wednesday, March 30, 2016
7:00 p.m.
MINUTES

PRESENT:

Chair Gregerson
Vice-Chair Terwilliger
Commissioner Barton
Commissioner Chase
Commissioner Fior
Commissioner Koster
Commissioner Lias
Commissioner Matthews
Commissioner O'Donnell
Commissioner Stanford
Commissioner Roulstone
Commissioner Valentine
Chris Roberts, Commission Analyst

CALL TO ORDER

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

FLAG SALUTE

ROLL CALL

Vice Chair Miller, Commissioners Donner and Kelly absent.

GUESTS

Councilmember Stephanie Wright addressed the Commission. She spoke in support for moving the date of the submission of the council's budget to September 1. She wondered if the timing of enlarging the council was right and if it was a resource the council wanted to expend. She stated most counties have seven councilmembers and would like to have additional voices and outreach on the council.

She addressed the idea of nonpartisan elections. She said that voters like the information on a partisan ballot. She supported the proposal of cleaning up the charter of gender-neutral language. She opposed the proposal of eliminating the performance auditor.

She expressed her opinion that she wanted flexibility in the budget process and not impose the requirement the council use a biennial budget. She spoke in support of having evening meetings. She stated that the day meetings are scheduled around the schedules of county staff.

She answered questions from the Commissioners about proposals to have meetings outside the county seat and labor negotiations, and the human rights commission. She stated that the process of labor negotiations works fine now. If a change were made, the council would need

additional resources to handle labor negotiations.

Councilmember Wright described her workload as a council member. In response to a question about the human rights commission, she stated that new additions to the charter should be kept simple and clear in the intent.

PUBLIC COMMENTS

Kathy Christensen of Everett stated that she serves on the human rights commission and hopes it becomes part of the Charter. She also stated that the council should remain a partisan body. Partisanship gives the entire community additional information. She spoke in support of enlarging the council.

Tia Peycheff of Mill Creek spoke in opposition to a proposal to changing the qualifications of an elected official. She stated the Founders thought people should have experience before becoming an elected official. She said that if the Commission does move the proposal to the voters, it should not be bundled with changes in the residency requirement.

Mario Brown of Edmonds said he was the chair of the Edmonds Diversity Commission. He spoke in favor of placing the Human Rights Commission in the Charter. He said that expansion of the council should not come at the expense of cutting services. He spoke in support of keeping partisan elections.

REPORT FROM CHAIR

Chair Gregerson noted that there will be two meetings in April.

BUSINESS ITEMS

1. CHARTER AMENDMENT PROPOSAL PRELIMINARY DISCUSSIONS

Chair Gregerson summarized the proposal.

Commissioner Lias stated that he would like to see lower limits for campaign corporations. He expressed interest in prohibiting solicitations of county employees. He likes the idea of public financing for all offices, especially for the auditor.

Commissioner Barton spoke in support of lower contribution limits and the prohibition of soliciting county employees. He stated he was not supportive of public financing, but preferred the Arizona model of public financing to the model developed in Seattle.

Commissioner Koster stated that it costs more to campaign in rural districts. He would prefer the state to limit campaign contributions before the county does.

Commissioner O'Donnell spoke in opposition to public financing.

Commissioner Roulstone stated he likes contribution limits on who could contribute to campaigns. His proposal would limit campaign contributions from citizens in their jurisdiction.

Commissioner Lias stated his preference to the Arizona or Maine system of public financing.

Commissioner Valentine stated that campaign finance reform would come at the local level.

Commissioner Barton stated that he felt Commissioner Roulstone's proposal would not be constitutional. He stated that limiting contributions would achieve the same result.

Vice Chair Terwilliger spoke in favor of limiting contribution limits.

Commissioner Chase expressed support for further discussion but was not sure that the Commission was the best place to address the campaign finance reform.

Commissioner Chase moved Charter Amendment Proposal 2016-29, Public Financing for County Offices, forward for further analysis. Commissioner Roulstone seconded the motion.

The motion passed 11-1. Chair Gregerson, Vice Chair Terwilliger and Commissioners Barton, Chase, Fior, Koster, Liias, Matthews, Stanford, Roulstone, and Valentine in support. Commissioner O'Donnell in opposition.

Commissioner Liias stated the Human Rights Commission was set to expire and it should be in the Charter.

Commissioner Barton stated that there are no other commissions in the Charter. He stated that there is no reason to elevate this Commission into the Charter without a review of other county commissions.

Commissioners discussed the process of creating the Human Rights Commission and expressed support for simple statements establishing the Commission in the Charter.

Commissioner Koster expressed that the reason to place the ombudsman in the Charter was to depoliticize the office.

Commissioner Chase stated that the Human Rights Commission is vitally important. It works to eliminate discrimination and educate the community. She spoke in favor of placing the Commission in the Charter.

Commissioner Valentine expressed a concern that the county council may not reauthorize the Commission. She agreed that there is a need to send a strong message to the council. She wondered if there were other examples of commissions in other charters.

Commissioner Barton stated that he would be shocked if the county council did not reauthorize the Human Rights Commission. However, the Commission does not belong in the Charter.

Commissioner Liias stated the nature of the Human Rights Commission addresses the sensitive issues in the County. He mentioned that the salary commission and the districting commission exist in the Snohomish County Charter.

Commission Roulstone moved Charter Amendment Proposals 2016-30, Evaluate Status of the Human Rights Commission, forward for further analysis. Commissioner Liias seconded the motion.

The motion passed 10 - 2. Chair Gregerson, Vice Chair Terwilliger and Commissioners Chase, Fior, Koster, Liias, Matthews, O'Donnell, Stanford, Roulstone, and Valentine in support. Commissioner Barton and Koster in opposition.

Chair Gregerson summarized the appeal process of decisions of the hearing examiner and

stated that the City of Mukilteo changed the process of appeals, so appeals of the hearing examiner go to Superior Court.

Commissioner Liias stated this was an issue worth studying.

Commissioner Koster stated that the council does not like to play a quasi-judicial role. Appeals to Superior Court can save time. However, there are costs involved in requiring appeals of the hearing examiner going to Superior Court.

Commission Koster moved Charter Amendment Proposals 2016-31, Require Appeals of the Hearing Examiner go to Superior Court, forward for further analysis. Commissioner Liias seconded the motion. The motion passed unanimously.

Chair Gregerson discussed two ideas about the governance of Paine Field. She stated the county could transfer assets to another party. She proposed that the Charter contain a requirement that the county conduct a public advisory vote before any sale of transfer. She discussed the history and role of the Paine Field Community Council. She spoke in favor of expanding the oversight authority of the Community Council.

Commissioners discussed the possibility of transferring the airport to the port authority, the costs involved in conducting an advisory vote, and asked about legal issues involved with airport operations.

Commissioner Liias stated support for a requirement that county voters vote before any disposition of the airport. He also supported an additional oversight role of the Paine Field Community Council.

Vice Chair Terwilliger spoke in opposition of an advisory vote on leases. He spoke in favor in expanding the authority of the Community Council.

Commissioner Fior asked about the role the county plays in airport operations. Chair Gregerson stated that there lots of policy decisions made by the county.

Commissioner Barton wondered whether this proposal was a Charter issue.

Commissioner Matthews stated that this issue is a governance issue. He stated he was not convinced that the county council is the most capable to deal with all the issues involved with the airport. He wondered if the Commission could create a county port commission.

Commission Matthews moved Charter Amendment Proposals 2016-24, Evaluate Governance Structure for Paine Field, forward for further analysis. Commissioner Barton seconded the motion.

Commissioner Koster stated the need to have all parties at the table, since lots of federal grants come to the airport.

Commissioners discussed a desire for seek legal council on this issue, and whether there is time to address the issue involving the airport.

Vice Chair Terwilliger stated the issue about the airport has been ongoing since 1978 and wondered whether the issue is in the purview of the Charter. He proposed that the Commission send a letter of intent to the county council.

Commissioner Roulstone stated that Paine Field is the largest asset in the county and some-

thing should be placed in the Charter dealing with the airport.

The motion passed 9-3. Chair Gregerson and Commissioners Barton, Chase, Fior, Liias, Matthews, Stanford, Roulstone, and Valentine in support. Vice Chair Terwilliger and Commissioners Koster and O'Donnell in opposition.

2. ENLARGE COUNCIL FROM 5 TO 7 MEMBERS

Chair Gregerson summarized the proposal.

Commissioner Roulstone stated it would be unwise to expand the council until the county comes up with a funding source.

Commissioner Koster discussed the Sheriff's need for more deputies and expansion of the council is not a priority.

Commissioner Barton stated the most compelling argument against the proposal is that the money is not there. He expressed support for the proposal if it were deferred until 2021 after the next census and to give the county five years to find a funding source.

Commissioner Matthews stated that it was the wrong priority for the Commission and that the public would opposed the proposal.

Commissioner O'Donnell expressed that it was not the right time to expand the council. He asked what services would be cut to expand the council.

Commissioner Liias mentioned that Snohomish County is larger than several states and the budget is over a billion dollars. He spoke in support of Commissioner Barton's idea to put it off to 2021 where the districting committee can draw the maps and give the county time to find funding for expansion. He mentioned that Pierce and King counties have larger councils than Snohomish County. He stated democracy requires investment.

Commissioner Valentine stated that expansion of the council was a viable option ten years ago. She mentioned that the county grew significantly over the past ten years and expressed support for the giving the county time to find the money to pay for expansion.

Commissioner Koster stated that the state population grew, but the legislature did not change. He mentioned that there is not enough money to pay for existing services. He stated that the council will expand to seven members at some point.

Commissioner Liias moved to direct staff to prepare a draft proposition increasing the size of the county council from 5 to 7 members after the next redistricting. Commissioner Valentine seconded the motion.

Commissioner Valentine stated this motion gives notice to the county and increases representation in the county.

Vice Chair Terwilliger mentioned that the county will grow.

The motion passed 8-4. Chair Gregerson, Vice Chair Terwilliger, and Commissioners Barton, Chase, Fior, Liias, Stanford, and Valentine in support. Commissioners Koster, Matthews, O'Donnell and Roulstone in opposition.

3. NON PARTISAN ELECTIONS

Chair Gregerson summarized the staff report.

Commissioner Fior spoke in opposition to the proposal. She expressed her support for the current structure of elections and that moving to nonpartisan elections would deny voters information about candidates. She stated that nonpartisan elections are a masquerade.

Commissioner Liias stated that the administrative role of the auditor and other offices are nonpartisan. He spoke in support in changing the prosecuting attorney to nonpartisan. He stated that the system works well for the council and the executive.

Commissioner Koster stated that having a R or D behind their name does not define one's values. He mentioned that most votes on the county council are unanimous, and when they are not, they do not break on party lines. He stated that partisanship means less at the local level and that voters can easily find information about a candidate's positions.

Commissioner Barton spoke in favor of the proposal. He stated that people are sick of the political parties.

Commissioner Valentine stated that voters should be smart enough to know the background of the representatives. She mentioned that the county council did not listen to local representation on filling the recent vacancy on the council.

Chair Gregerson mentioned that there are partisan issues relating to mental health funding, budget priorities and land use.

Commissioner O'Donnell stated voters are smart and party politics are powerful in the county. He thinks voters would support the proposal.

Commissioner Roulstone mentioned the question before the Commission is whether the voters should decide.

Commissioner Chase talked about transparency and accountability are very important in running for election. She stated that lots of issues have partisan implications. She also mentioned that nonpartisan elections can suppress turnout.

Commissioner Liias stated that there might be consensus around making the prosecuting attorney nonpartisan.

Commissioner Liias moved to direct staff to prepare an amendment to make the prosecuting attorney nonpartisan. Commissioner Roulstone seconded the motion.

Vice Chair Terwilliger stated that the executive and council are policy-makers while the other offices are primarily administrative. He stated that the prosecuting attorney makes policy decisions daily.

Commissioner Liias stated that there is not much of a difference between Mark Roe, a Democrat, and Dan Battenberg a Republican. He stated that the prosecutor primarily implements the law.

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

Commissioner Koster moved to direct staff to prepare an amendment to make all offices nonpartisan. Commissioner Barton seconded the motion.

Commissioner Barton stated the public would support the proposal.

Commissioner Liias stated that not all offices should be nonpartisan.

Commissioner Fior discussed the impact on voter turnout and nonpartisan elections.

Commissioner O'Donnell expressed that voters should have a choice.

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

4. ELIMINATE TERM LIMITS

Commissioner Liias moved to table the discussion on eliminating term limits to April 6, 2016. Commissioner Fior seconded the motion. The motion passed 11-1. Chair Gregerson, Vice Chair Terwilliger, and Commissioners, Chase, Fior, Koster, Liias, Matthews, O'Donnell, Stanford, Roulstone and Valentine in support. Commissioner Barton in opposition.

OLD BUSINESS

Chair Gregerson stated she would not be in attendance on April 6 and expressed support for keeping term limits.

Commissioner Valentine stated that the subcommittee on rural and unincorporated representation would meet at 6 pm on April 6.

Commissioner Koster expressed his support for eliminating term limits.

Commissioner Roulstone moved to change the cutoff date for new proposals to April 20. Commissioner Liias seconded the motion, The motion passed unanimously.

NEW BUSINESS

Commissioner Roulstone described a proposal to create a committee to review the county code and regulations.

ADJOURNMENT

Chair Gregerson declared the meeting adjourned at 8:57 pm.