

**Snohomish County  
Charter Review Commission**

8<sup>th</sup> Floor Robert J. Drewel Building

Jackson Board Room

Wednesday, May 18, 2016

7:00 p.m.

**MINUTES**

**PRESENT:**

Chair Gregerson  
Vice-Chair Terwilliger  
Vice-Chair Miller  
Commissioner Chase  
Commissioner Donner  
Commissioner Kelly  
Commissioner Koster  
Commissioner Fior  
Commissioner Liias  
Commissioner Matthews  
Commissioner O'Donnell  
Commissioner Roulstone  
Commissioner Stanford  
Commissioner Valentine  
Chris Roberts, Commission Analyst

**CALL TO ORDER**

Chair Gregerson called the meeting to order at 7:02 p.m.

**FLAG SALUTE**

**ROLL CALL**

Commissioner Barton absent. Commissioner Donner arrived at 7:06 pm. Commissioner Chase arrived at 7:10 pm, Commission Fior arrived at 7:17 pm. Commissioner Liias arrived at 7:31 pm.

**GUEST**

Clerk Kraski addressed the Commission to explain the position of the county clerk. She described the position as the clerk of the Superior Court. Se stated that her office maintains records, serves as the financial officer for the Court. The office issues warrants for arrest jury summonses, establishes judgments of real property, and provides assistance with protection orders.

Commission Donner arrived at 7:06 pm.

Clerk Kraski stated that the clerk is a member of the executive branch of the government, not the judicial branch.

Commissioner Koster asked about the proposal to coordinate public safety services and if there was a better way to provide coordinated services. Clerk Kraski stated there are some challenges with coordination of services due to separation of powers, but those branches in-

sure the integrity of the process. She stated there are many departments in the law and justice arena who do work closely together, including the court system.

Commissioner Chase arrived at 7:10.

Commissioner Kelly confirmed that the Clerk received \$374 in campaign contributions in 2015.

Commissioner Valentine asked how the criminal justice system manages mental health issues. Clerk Kraski stated that using the jail and courts to deal with mental health issues is a reality. She mentioned that the court has drug courts, treatment alternatives, but funding is an issue.

Commissioner Fior arrived at 7:17.

Commissioner Valentine wondered if there could be more collaborative budgeting? Clerk Kraski stated that collaboration is possible with respect to budgeting. She said the Clerk's office is a small portion of the public safety budget.

Vice Chair Terwilliger stated the county adopted a sales tax for mental health that generates about \$15 million a year with its own advisory board. He stated some of that money went to the sheriff's department to deal with the issue.

Commissioners discussed the degree to which the sales tax for mental health went to new programs or existing programs.

Commissioner Valentine asked whether the Clerk was open to consider a more collaborative budget process. Clerk Kraski stated that she is willing to be collaborative. She mentioned that in 2008 there were 88 FTE in the clerk's office and dropped to 70 FTE within a couple of years. Currently the office has 79 FTE. She also mentioned that state and local funding is an issue.

Clerk Kraski mentioned that the clerk's office handles \$27 million in court fees and restitution per year and number of mental health court beds are increasing

## PUBLIC COMMENTS

Barbara Bush of Mulikteo spoke on behalf of the League of Women Voters in support of campaign finance reform and alternatives to incarceration. She mentioned the League supports voluntary or mandatory public financing of campaigns, transparency, and enhanced endorsement. She stated the League supports a public health approach to drug abuse.

Commissioner Liias at 7:31 pm.

## CHAIR'S REPORT

Chair Gregerson stated that Lacey Harper from the executive's office is in attendance.

## BUSINESS ITEMS

### 1. CAMPAIGN FINANCE REFORM

Chair Gregerson summarized the options presented by the staff for the Commission to consider.

Vice Chair Miller mentioned he was strong favor of campaign finance reform but would prefer

statewide campaign finance reform.

Chair Gregerson stated that the local level is a good place to set an example for other governments.

Commissioner Roulstone spoke in support of an amendment to the United States Constitution requiring you cannot give money to anyone unless you can vote for them.

Vice Chair Terwilliger wondered what the proposal would do with independent expenditures.

Commissioner Liias stated that independent expenditures are not as effective as individual campaign spending. He noticed that in Edmonds the costs of campaigning went down after Edmonds instituted its cap on campaign donations. He spoke in favor of placing a prohibition on solicitation of campaign contributions by county employees in the Charter and adding public financing of elections in the transmittal letter to the council.

Commissioner O'Donnell stated that the Charter is not the place to settle the issues involving campaign finance. He stated that PACs are the dangerous part of campaign financing.

Commissioner Fior spoke in support for including the issue in the transmittal letter to the council.

Commissioner Matthews stated the public would respond favorably to prohibiting solicitation of county employees in the Charter.

Commissioner Valentine clarified that drafting ballot language is not the final step in the process.

Vice Chair Miller stated that solicitations of public employees might be a good idea.

Commissioner Stanford clarified that the solicitation of county employees is already prohibited by state law. She stated that contribution limits under state law are appropriate for the county.

**Commissioner Liias moved to direct staff to prepare a Charter amendment to prohibit solicitation of county employees. Commissioner Matthews seconded the proposal.**

Commissioner Liias stated that if state law changes there is protection in the county.

Commissioner Koster stated that the proposal is already in state law and there are higher priorities than this proposal.

Commissioner Fior stated she is not afraid the law would change at the state level.

Commissioner Kelly stated that she would like to see spending limits.

Commissioner O'Donnell stated that this proposal is a legislative issue, while other issues are Charter issues.

**The motion failed 4 - 10. Chair Gregerson, Vice Chair Miller, and Commissioners Liias and Matthews in support. Vice Chair Terwilliger and Commissioners Chase, Donner, Fior, Koster, Kelly, O'Donnell, Roulstone, Stanford, and Valentine in opposition.**

Chair Gregerson stated that the concept would be placed in the transmittal letter.

Chair Gregerson stated that the topic of changing the date of county elections would wait until Commissioner Barton arrives.

## 2. ELIMINATE CERTAIN INDEPENDENT EXECUTIVES

Chair Gregerson summarized the proposal.

Vice Chair Miller stated he was opposed to the proposal. He stated he was unsure about how the assessor and the treasurer would function if combined.

Commissioner Liias stated that he did not have a clear opinion on the subject. He mentioned that the assessor and treasurer roles are clearly defined by state law.

Vice Chair Miller mentioned that appointment gives more power to the appointing authority.

Vice Chair Terwilliger commented that the first review of the Charter was whether the auditor treasurer, county clerk and sheriff should be appointed and the voters rejected the proposal. He also stated that King County expanded the number of independent executives. He stated there is not a problem with the current structure of independent executives.

Commissioner Koster stated this was a solution in search of a problem.

Commissioner Liias mentioned that streamlining government is a virtue and there could be cost savings with combining the assessor and treasurer.

Commissioner Chase stated she would like to see the finances penciled out before supporting the proposal.

**Commissioner O'Donnell moved to direct staff to create a ballot proposition on the proposal. Vice Chair Miller seconded the motion.**

**Commissioner Liias moved to amend the proposal to direct staff to merge the assessor and treasurer and assess the fiscal impact. Commissioner Kelly seconded the amendment.**

Commissioner Valentine expressed a desire to look at the proposal at the same time as the Commission's examination of expansion of the council.

Commissioner Kelly stated she would like to understand the finances of the proposal and to hear from the assessor and treasurer about the proposal.

Commissioner Roulstone mentioned that there was no guarantee if this would pass.

Commissioner Valentine stated an interest in seeing how the voters would react to combining positions, rather than changing from elected to appointed positions.

Commissioner O'Donnell suggested that any cost savings might disappear within several years.

Commissioner Matthews stated that the workload would not change as staffing might increase.

Commissioner Kelly stated that the county clerk's office has not returned to its pre-recession levels. She expressed an interest in Pierce County's budget.

Vice Chair Miller stated that the proposal is the elimination of one position, not changes to the workload of the county.

Commissioner Matthews wondered about the cost in Pierce County before and after the combination of the assessor and treasurer.

Vice Chair Terwilliger stated that the combination of assessor and treasurer was a part of their original charter.

**The vote on the amendment failed 4 - 10. Chair Gregerson and Commissioners Kelly, Liias and Valentine in support. Vice Chairs Miller and Terwilliger and Commissioners Chase, Donner, Fior, Koster, Matthews, O'Donnell, Roulstone, and Stanford in opposition.**

**The vote on the motion failed 4 - 10. Chair Gregerson and Commissioners Kelly, Liias and Valentine in support. Vice Chairs Miller and Terwilliger and Commissioners Chase, Donner, Fior, Koster, Matthews, O'Donnell, Roulstone, and Stanford in opposition.**

### 3. COORDINATION OF PUBLIC SAFETY SERVICES

Chair Gregerson summarized the proposal.

Commissioner Valentine mentioned that she would like to see a conversation with other key players, including the department of health and the sheriff, on the proposal.

Vice Chair Terwilliger stated that the Commission would need more information about the proposal.

Commissioner Koster stated that the Commission should define what is trying to accomplish. The proposal could oblige the county to additional costs.

Commissioner Fior expressed support for the concept, but needs more input.

Commissioner Koster stated that the information would be useful, especially in light of the county moving forward on a new sales tax proposal for criminal justice.

Commissioner O'Donnell asked how the proposal differed from the law and justice council. Chair Gregerson stated that the proposal would be more directive. Commissioner Koster stated that the mental health courts came out of the law and justice council. He stated that the proposal would require coordination of the budget, which is really hard.

**Commissioner Roulstone moved to table the motion to a future meeting and appoint Commissioner Koster to lead a subcommittee to hone the language. Vice Chair Miller seconded the motion.**

Commissioner Liias stated the proposal should be debated as a committee of the whole.

Vice Chair Terwilliger stated that there are many departments involved in the issue and all of those individuals should weigh in.

**Commissioner Roulstone amended his motion to just table the proposal and with consent of the body, the motion was amended.**

**The motion as amended passed unanimously.**

## OLD BUSINESS

### 1. REQUIRE APPEALS OF HEARING EXAMINER GO TO SUPERIOR COURT

Chair Gregerson summarized the proposal and addressed questions of communication with councilmembers.

Commissioners discussed why the council could not solve the problem on its own.

Commissioner O'Donnell asked who brings appeals to the council.

Commissioner Kelly stated that these appeals should not be a political process, but based on county code. She stated that the appeal process is complex and was not sure if the council can act as judges.

Commissioner Koster stated that these appeals are a matter of law. His preference was for the hearing examiner to make the final decision.

Commissioner Liias stated it is counterintuitive for the council to act as judges. He mentioned the Mukilteo City Council got rid of quasi-judicial appeals and expressed his support for the proposal.

Vice Chair Miller asked if this was a priority, especially if the council has not addressed the issue previously.

Commissioner Kelly stated the public would think this issue is significant.

Commissioner Fior expressed support for the proposal. She mentioned the issue is complex and may be hard for the public to understand.

Commissioner Liias stated that the way to describe the proposal is to simplify the appeal process.

**Commissioner Liias moved to direct staff to prepare ballot language. Commissioner Matthews seconded the motion.**

Commissioner Valentine stated this was an issue addressed ten years ago and it is time to move forward.

Vice Chair Terwilliger stated voters will understand the proposal.

Commissioner O'Donnell wondered if the proposal would expand the load of superior court.

Commissioner Koster mentioned the council has the ability to impose conditions on a development proposal.

Vice Chair Miller stated that land use and development issues affects lots of people in the county. He mentioned that the Commission should be cognitive of how many issues are placed on the ballot.

**The motion passed unanimously.**

## NEW BUSINESS

### 1. CHANGE DATE OF COUNTY ELECTIONS

Chair Gregerson summarized the proposal and discussed options for transitional language and the effective date of the proposal. She mentioned that the proposal would increase costs for cities.

Vice Chair Terwilliger wondered if the turnout in 2015 was a one-off election regarding turnout. He mentioned that in even-year elections county elections get lost on the ballot.

Commissioner Liias stated that it is clear that substantially more people vote in even-numbered years. Moving elections to even-numbered years would increase participation in county government.

Commissioner Fior expressed a concern that turnout would suffer for cities. She wondered if the county could adopt automatic voter registration.

Commissioner Koster stated that the proposal would hurt cities.

Commissioner Roulstone wondered about undervotes in even-year elections.

Commissioner O'Donnell not sure if elections in the county are broken. He stated high voter turnout is overrated and prefers informed voters.

Chair Gregerson mentioned that school levies occur usually in February and in April.

Commissioner Valentine stated that the Commission represents the county, not the cities. She stated that voter awareness is much higher in presidential years.

Commissioner Liias stated that data is clear about the demographics of elections and odd year elections are older and less diverse.

Vice Chair Terwilliger stated that voter drop-off is significant even in even-numbered years and most charter counties moved their elections to odd-numbered years.

Commissioner Fior stated that she wants to encourage voter participation.

Commissioner Kelly stated that voter drop-off exists. Participation depends on how well candidates get their message out.

**Commissioner Liias moved to direct staff to prepare ballot language changing county elections to even-numbered years. Commissioner Valentine seconded the motion.**

Commissioner Liias discussed the undervote that exists in even-numbered years.

Commissioner Koster stated the move to odd-numbered year elections was to increase awareness of county issues. He wondered how county elections could compete with presidential or congressional campaigns. He mentioned the difficulties of getting time and other resources to get the attention of voters.

Commissioner Valentine mentioned that in a presidential election year, the attention of the voters is captured. People can make a difference at the county and city level.

Commissioner O'Donnell stated that he is not sure there is a problem.  
Commissioner Donner stated that big drop-off occurs in unopposed races.

**The motion passed 9-5. Chair Gregerson, Vice Chairs Miller and Terwilliger, and Commissioners Chase, Fior, Kelly, Liias, Stanford and Valentine in support. Commissioners Donner, Koster, Matthews, O'Donnell and Roulstone in opposition.**

Vice Chair Terwilliger stated that there should be language in the redistricting proposal that allows the council to make corrections as required by state law by majority vote.

Commissioner Chase invited members of the Commission to attend the Snohomish County Human Rights Commission's event at the Edmonds Senior Center on May 19 for World Diversity Day.

#### ADJOURNMENT

**Vice Chair Miller moved to adjourn. Commissioner Koster seconded the motion. The motion passed unanimously.**

Chair Gregerson adjourned the meeting at 9:02 pm.