

1. 02/03/2016 - Snohomish County Charter Review Commission

Snohomish County
Charter Review Commission
8th Floor Robert J. Drewel Building
Jackson Board Room
Wednesday, February 3 2016
7:00 p.m. – 9:00 p.m.
AGENDA

7:00 p.m. Call to Order

Flag Salute

Roll Call

Agenda Order

Special Presentation:

Open Public Meeting Compliance by Deputy Prosecuting Attorney Sara Di Vittorio (2016-01)

Guests: (7:30 p.m.)

1. Sheriff Ty Trenary
2. Auditor Carolyn Weikel

Public Comments (8:00 p.m.)

Approval of the Minutes: January 20, 2016

Report from Chair

Business Items

1. 8:20 p.m. Procedures for Amendment Proposal Committee Report (2016-05)
2. 8:50 p.m. Staff Hiring Committee Report (2016-02)

Old Business

New Business

9:00 p.m. Adjournment

Future Agenda Topics

- Round Table Discussion of Amendment Ideas

FYI Attachments

- Finalized Commission Rules and Procedures
- Extended Agenda

[NOTE: Times shown on Agenda are approximate]

Documents: [2016_0203AGENDA.PDF](#)

2. 02/03/2016 - OPMA Compliance

SNOHOMISH COUNTY CHARTER REVIEW COMMISSION AGENDA ITEM 2016-01	
SUBJECT TITLE: Open Public Meetings, Records and Training Requirements	Meeting Date: February 3, 2016
Estimated Presentation Time:	Exhibits:

RECOMMENDATION: For information only.

SUMMARY:

Deputy Prosecuting Attorney Sara Di Vittorio will present a training on the open public meetings and public records regulations.

According to Washington State Statute, the Charter Review Commission is required to comply with the State Open Public Meetings Act, the State Open Public Records Act, and the State Open Government Training Act. The Open Government Training Act requires elected officials, including Charter Review Commissioners, to participate in training to improve trust in government and reduce liability through education and compliance about the principles of open government.

Bring a copy of the enclosed certificate to sign and certify that your training has been completed. The County will keep the signed certificates on file.

ALTERNATIVES: NA

Documents: [2016-01OPMACOMPLIANCE.PDF](#)

2.I. 02/03/2016 - Staff Hiring

SNOHOMISH COUNTY CHARTER REVIEW COMMISSION AGENDA ITEM 2016-02	
SUBJECT TITLE: Staff Hiring Report	Meeting Date: February 3, 2016
Estimated Presentation Time: 10 minutes	Exhibits: 1. Final Charter Review Commission Clerk Job Description

RECOMMENDATION: None, this is for information and discussion only.

SUMMARY:

A staff hiring committee of Chair Gregerson, Vice-Chairs Terwilliger and Miller, and Commissioners Fior and Chase discussed and approved a job description. Clerk Debbie Eco posted the description. Chair Gregerson issued a press release, which resulted in Herald coverage and some local newspaper coverage. The posting closes on January 31st. To date, we have received 4 applications, with phone calls requesting information from an additional applicant.

The staff hiring committee plans to schedule interviews at least by February 12, preferably they will have been scheduled for the week of February 1.

ALTERNATIVES: Suggest an alternative process

Documents: [2016-02STAFFHIRING.PDF](#)

2.I.i. 02/03/2016 - Proposed Changes To County Charter

Proposed Revisions to County Charter
Sections 4.50 through 4.70 related to Council Districting

Background

Every 10 years the federal government prepares a census. State law and county code requires that the boundaries of county council districts be redrawn (districted) so that each district is equal in total population based on the census information. Sections 4.50 through 4.70 of the county charter outlines the process by which the redrawing of council districts will occur.

The county charter calls for the establishment of a districting committee through the nomination of members by the two major political parties and the appointment of four members by the county council. The charter then establishes the steps the districting committee goes through to identify and appoint a chair, to identify and select a districting master and to review and adopt a plan. It also outlines the process by which county council adopts the plan filed by the districting committee.

Suggestions

The Snohomish County Auditor's Office provided staff and support to the county council and districting committee following the 2010 federal census. As a result of this experience, the Auditor's Office has some suggestions regarding sections 4.50 through 4.70 of the charter that the Charter Review Commission may wish to consider.

Districting Timeline

The most significant area of concern is the districting timeline established in the county charter. The charter requires a series of steps be taken and then allows for a certain period of time to complete each step. The process is bound on the front end by the date when the county receives the census data from the state districting committee and on the backend by the firm date of June 1st in the year the census data is received for the county council to adopt by ordinance a districting plan.

When these dates and timelines were established, Washington's primary was held in the middle of September, candidate filing was held in July and the last day the county could make changes to its precinct boundaries was in June. Washington's primary is now held in early August, candidate filing occurs in mid-May and the last day to make changes to precinct boundaries under state law is two weeks prior to candidate filing (late April or early May depending on the calendar year).

It also appears that the original assumption was that census data would be received by the county in early January. The county does not control when the census data is received. This in fact caused significant issues following the 2010 census. The data was not received from the state until April 6, 2011, making it impossible to follow the timeline established in the county charter.

The Auditor's Office suggests that the timeline issues be addressed by:

- eliminating the June 1 deadline; and
- establishing a new deadline for the effective date "no less than 30 days prior to the last day for precinct changes established by law."

This change would ensure that there is adequate time to implement changes prior to candidate filing as required by law. It also reduces the impact of future state law changes.

The Auditor's Office also suggests allowing the appointment of the districting committee members and the districting master to occur prior to receiving the census data from the state, so that the committee and the master could begin their work as soon as the data is received.

Using Consistent Units of Time

The Auditor's Office suggests updating the charter to use "days" as a consistent unit of time in the districting sections. The charter currently uses days, weeks and months in these sections. Using "days" would eliminate confusion.

Clarifying vote requirements for actions

During the 2011 districting process, several questions were raised about the voting requirements for various actions. For example, does the districting committee unanimously appoint its chair or the districting master or is simple majority support sufficient? The charter review commission may wish to address this issue in

the charter or continue to leave these operating decisions to the districting committee.

Clarifying ability of the committee and/or the county council to change the districting plan

In 2011 the districting plan prepared by the districting master and passed by the districting commission was considered, but ultimately the county council chose to adopt an alternate districting plan. The charter review commission may wish to clarify whether or not the council can amend the filed plan or adopt an alternate districting plan.

Additional suggestions for readability

The Auditor’s Office suggests additional changes to the charter section on districting to improve readability.

A version with all suggested changes tracked is included below.

Section 4.50 District Boundaries

The boundaries of each council district shall be established as nearly as practical in accordance with the criteria promulgated by state law.

Section 4.60 Districting Committee

~~Within thirty days after each~~In anticipation of receiving the federal decennial census data ~~is received~~ from the state redistricting commission or its successor, ~~a five-member districting committee shall be appointed.~~ ~~The~~ county council shall appoint four persons to ~~the~~a five-member districting committee, two from each major political party from a list of five submitted by the party’s central committee ~~;~~ ~~the~~The four council-appointed members shall meet within fourteen days to appoint by simple majority vote the fifth 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~~the appointment of its chair, meet and appoint by a simple majority vote 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, the county council shall appoint a districting master.

Section 4.70 Districting Plan

Within ~~one month~~thirty days after appointment or after receiving the census data from the state redistricting commission or its successor, whichever occurs later, the districting master shall draw a districting plan for the county which shall be submitted to the districting committee for adoption. ~~The districting committee may amend the plan by four affirmative votes.~~ ~~Following~~The districting committee shall hold a public hearing at least ~~one week~~seven days in advance of adopting the districting plan., ~~t~~The districting committee shall adopt the districting plan within thirty days as submitted or as amended by 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 following the receipt of the census data from the state,~~ Within thirty days of receipt from the districting committee, the county council shall adopt by ordinance, without change, the districting plan. The plan shall be effective no less than thirty days prior to the last day for precinct changes as established by state law.

Documents: [PROPOSED_CHANGES_TO_COUNTY_CHARTER.PDF](#)

2.II. 02/03/2016 - Proposed Re-Districting Timelines

Snohomish County Elections Proposed Revisions to the County Charter Council Districting Timeline

Date	Relative Date Deadline	Activity	Comment
A		County Council appoints first four members to	

		the Districting Committee	
B	A + 14	Districting Committee appoints fifth member to serve as chair	
C	B + 30	Districting Committee appoints a Districting Master	
D		Census data received from State Redistricting Committee	Date D may occur any time before date E and not necessarily after dates A, B and C
E	C+ 30 days or D + 30, whichever occurs later	Districting Master draws and submits plan to Districting Committee	
F	G – 7 days	Districting Committee holds public hearing on proposed plan	
G	E + 30 days	Districting Committee adopts plan	
H	G + 30	County Council adopts districting plan by ordinance	
I	L – 30 days	Last possible effective date of districting plan ordinance	
J		Precinct lines redrawn based on districting plan	
K		Submit precinct changes to County Council for adoption	
L	M – 2 weeks	Last day to set precinct boundaries before primary and general election	End of April/Beginning of May depending on the calendar year
M	2 weeks before Memorial Day	First day of candidate filing	

Lines A through I are activities outlined in proposed changes to Snohomish County Charter sec. 4.50 – 4.70 related to county council districting.

Documents: [PROPOSED_RE -DISTRICTING_TIMELINES.PDF](#)

