

Snohomish County
Charter Review Commission
Mukilteo City Hall
11930 Cyrus Way, Mukilteo, WA 98725
Wednesday, April 6, 2016
7:00 p.m.
MINUTES

PRESENT:

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

CALL TO ORDER

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

FLAG SALUTE

ROLL CALL

Chair Gregerson, Commissioner Koster absent.

GUESTS

Councilmember Brian Sullivan addressed the Commission. He spoke about his background and history in Mukilteo.

Commissioner Chase arrived at 7:06 pm

Councilmember Sullivan encouraged the Commission to strengthen the office of the executive. He observed the executive is weak and can be crippled by the council.

He stated that public safety, including the sheriff and courts, account for 75% of the county's budget. Twenty-five to thirty years ago, public safety accounted for about 50% of the county's budget. He suggested the creation of a public safety cabinet and better coordination and planning between public safety agencies.

Commissioner Kelly discussed staffing levels with Councilmember Sullivan. Councilmember Sullivan expressed support for prohibiting council staff from making contributions to incumbents running for reelection.

Commissioner Roulstone asked about enlargement of the council. Councilmember Sullivan

stated that he was ambivalent about recommending the proposal, but enlargement of the council should be considered as a question about representation, not a question of cost. If the council were enlarged, the council would be more dynamic.

Commissioner Liias asked about moving labor negotiations to the council and thoughts about governance of Paine Field. Councilmember Sullivan stated that labor negotiations by committee is not a good thing and not productive. He stated the council sets the parameters of labor negotiations and must ratify labor agreements. Councilmember Sullivan stated he was not opposed to giving more power to the Paine Field Community Council. He stated that the airport staff has been independent for quite some time and can be difficult to work with.

Commissioner Valentine asked about scheduling evening council meetings. Councilmember Sullivan responded that evening meetings are appropriate. He stated the county was diverse and decentralized and liked the idea of joint meetings with city councils and across the county.

Commissioner Matthews asked about a requirement to use a biennial budget. Councilmember Sullivan discussed the state of the current budget and responded that biennial budgets can be a great planning and financial tool.

PUBLIC COMMENTS

Barbara Bush of Mukilteo spoke on behalf of the League of Women Voters. She complemented the Commission for the civility of its discussions. She spoke in support for updating the nondiscrimination section of the Charter, the need to update transitional provisions, especially Section 11.30, gender-neutral language, and 2016-08, the schedule of county council meetings. She stated the League promotes open government.

Pat Thompson of Everett spoke on behalf of the Washington State Council of County and City Employees in opposition to moving labor negotiations to the council. He observed that the Charter was changed to address the real problem when the negotiations were handled by council.

Roberta Jonnet of Mill Creek stated her opposition to lowering the age to run for office. She stated the science does not support 18 year olds reaching maturity and that most people do not fully mature until the mid 20s. She also expressed her opposition to changing the residency requirement.

Terry Losh of Bothell proposed the Commission decertify labor unions in the Charter. He stated that unions give campaign contributions, which lead to financial corruption and corruptions of public service programs. He mentioned that the government has lots of liabilities over retirement plans and wondered what services the government would cut.

Jim Jonnet of Mill Creek spoke in opposition to changes to the residency requirement. He stated that term limits should be tightened rather than eliminated. He proposed that the Assessor's, Treasurer's and Auditor's offices be appointed rather than elected. Those positions are professional.

Mike Moore of Mukilteo spoke on behalf of Save Our Communities. He stated the governance structure of Paine Field needs to be changed in include citizen engagement. Commissions

asked if he supported Chair Gregerson's proposal and whether the issue should be resolved in the Charter. Mr. Moore answered in the affirmative.

Rosemarie Kelly of Mukilteo stated her opposition to an airport. She stated that property values will decrease.

Mike Shea of Mukilteo supported Chair Gregerson's proposal regarding the airport.

CHAIR'S REPORT

Vice Chair Terwillger did not have a report.

BUSINESS ITEMS

1. CHARTER AMENDMENT PROPOSAL PRELIMINARY DISCUSSIONS

Commissioner Kelly stated that permit fees go Fund 193, which is separate from the general fund. This fund pays for much of the staffing of the planning department. She stated there is a perception that an unfair advantage is given to the development community.

Commissioner Fior wondered where in the Charter would this proposal go. She stated the budget is under the purview of the council.

Commissioner Roulstone asked if there are other funds in the county which have a particular purpose. He stated that the Commission could propose that all funds go into the general fund.

Vice Chair Miller stated the permit process pays for itself. Commissioner Kelly responded that this process leads to the county being in the business of development rather than the public good.

Commissioner Barton stated the government should not use its regulatory powers as a source of income. He stated that user fees are not part of the county's enforcement powers.

Vice Chair Terwilliger stated that certain funds are enterprise funds with strict rules on how those funds are used.

Commissioner Liias mentioned that the underlying issue are conflicts of interests and the appearances of fairness. He suggested the Commission look at the county's ethics code. He mentioned that the state mandates segregated funds.

Commissioner O'Donnell stated that permit processing is a slow process, but this is not a Charter issue.

Commissioner Valentine stated she would like to know how other counties are doing.

Commissioner Valentine moved Charter Amendment Proposal 2016-32, Require Permit Fees to Stay in the General Fund, and direct staff to conduct a cursory review of surrounding counties of how permit fees are used, forward for further analysis. Commissioner Kelly seconded the motion.

The motion failed 4-7. Commissioners Barton, Kelly, Roulstone, and Valentine in support. Vice Chairs Terwilliger and Miller and Commissioners Chase, Fior, Liias, O'Donnell, and

Stanford in opposition.

Commissioner Kelly stated that county officials are paid very well. She stated that there is a conflict of their time if a county official is employed by another entity or active in a business they own. The council is a full-time, demanding job, and it looks bad when a county official is running a business on the side.

Commissioner Matthews opposes the proposal. He stated this should be an issue for voters to decide. Instead the Commission should focus on ethics in government.

Commissioner Liias expressed support for prohibiting outside employment, but not opposition to owning a business. He mentioned that elected officials are required to file regular F1 reports with the state that contains lots of information about their finances.

Commissioner Chase stated that there are lots of assumptions in the proposal.

Commissioner Kelly mentioned that she was a small business owner and small businesses required lots of time by the owner.

Vice Chair Terwilliger wondered if there are loopholes in the county's ethics code.

Commissioner Liias stated that a campaign finance proposal is moving forward and expressed support for a discussion on the county's ethics code.

Commissioners Chase, Fior, and Roulstone agreed to serve on a committee to review the ethics code.

Commissioners discussed whether to make a motion to move forward the proposal for further analysis. Commissioner Matthews asked whether the proposals would apply to service in the national guard.

Commission Kelly moved Charter Amendment Proposals 2016-33, County Elected Officials and Conflict of Interest, forward for further analysis. Commissioner Barton seconded the motion.

The motion failed 3-9. Commissions Barton, Kelly, and Valentine in support. Vice Chairs Terwilliger and Miller and Commissioners Chase, Fior, Liias, Matthews, O'Donnell, Roulstone and Stanford in opposition.

Commissioner Liias stated that state law would trump the Charter.

Commission Roulstone moved Charter Amendment Proposals 2016-34, Decertify Civil Service Labor Unions, forward for further analysis. Commissioner Valentine seconded the motion. The motion failed unanimously.

2. ELIMINATE TERM LIMITS

Commissioner Donner arrived at 8:30 pm.

Vice Chair Miller stated that it is the citizen's responsibility to determine who is doing a good job and that knowledge and experience are lost with term limits.

Commissioner O'Donnell observed that money usually flows to the incumbents. Vice Chair

Miller reminded the Commission that the incumbent county executive just lost.

Commissioner Valentine stated that in some of professional positions in the county where term limits probably do not apply. Incumbents usually get money regardless of party. She stated that term limits serve a purpose and are popular.

Commissioner Barton expressed that his is not concerned with losing experience. He stated that open seats created by term limits bring in new blood.

Commissioners discussed whether term limits were part of the original charter.

Commissioner Roulstone mentioned that term limits create opportunities for people to serve.

Commissioner Kelly expressed support for keeping things the way they are.

Commissioner Donner stated it is nice to cleanse the slate once in a while.

Commissioner Chase discussed her faith in the voters and the electoral system.

Vice Chair Miller moved to direct staff to prepare a draft proposition eliminating term limits. Commissioner Chase seconded the motion.

The motion failed 2-11. Vice Chair Miller and Commissioner Chase in support. Vice Chair Terwilliger, and Commissioners Barton, Donner, Fior, Kelly, Liias, Matthews, O'Donnell, Roulstone, Stanford, and Valentine in opposition.

3. REQUIRE BIENNIAL BUDGET

Vice Chair Terwilliger stated that the key term in the proposal is requiring biennial budgets. summarized the staff report.

Commission Liias reminded the Commission that Councilmember Wright said there are reasons for annual budgets. He expressed support for drafting a letter to the council supporting biennial budgets.

Commissioner Roulstone moved to direct staff to prepare a draft proposition requiring biennial budgets. Commissioner O'Donnell seconded the motion.

The motion failed 2-11. Commissioners Barton and Matthews in support. Vice Chairs Terwilliger and Miller and Commissioners Chase, Donner, Fior, Kelly, Liias, O'Donnell, Roulstone, Stanford, and Valentine in opposition.

Commissioner Valentine moves to include the proposal in the cover letter to the council. Commissioner Roulstone seconded the motion.

The motion passed unanimously.

4. CHANGE DATE OF SUBMISSION OF EXECUTIVE'S BUDGET FROM OCTOBER 1 TO SEPTEMBER 1

Vice Chair Terwilliger introduced the topic.

Commissioner Liias stated this may be a housekeeping amendment.

Commissioner Barton moved to direct staff to prepare a draft proposition changing the date of submission of the executive's budget from October 1 to September 1. Commissioner Liias seconded the motion. The motion passed unanimously.

5. SCHEDULE OF COUNCIL MEETINGS

Commissioner Valentine read the 2006 ballot proposal. She stated the council is not following the intent of the proposal.

Vice Chair Terwilliger asked if the language needed to be more specific.

Commissioner Roulstone stated the Charter needed to be more prescriptive.

Commissioner Liias states that the council should meet outside the county seat quarterly and in the evening at least monthly. He expressed support that there should be an evening meeting on the budget and comprehensive plan.

Commissioners discussed the need for the council to hold meeting in a variety of districts accessible to diverse populations in the county and how strongly the language needs to be in the Charter.

Commissioner Liias moved to direct staff to prepare a draft proposition on the schedule of council meetings to include quarterly regular meetings, geographically diverse, at least one evening meeting every month, and at least one evening public hearings on major items. Commissioner Roulstone seconded the motion.

Commissioner Roulstone would prefer the motion to include meetings in all five council districts.

Commissioner Liias would like to see the council go to all twenty-two cities.

Commissioner Matthews expressed support for the language in the Pierce County Charter.

Commissioner Liias wants to clarify state law on scheduling meetings outside the county seat.

Commissioner Matthews mentioned there will be a budget impact of the proposal.

Commissioner Roulstone called for the previous question. Commissioner Valentine seconded the motion. The motion passed unanimously.

The main motion passed unanimously.

OLD BUSINESS

NEW BUSINESS

Commissioner Liias introduced propositions to better coordinate public safety in the county and whether the treasurer and assessor should be appointed offices.

Commissioner Barton introduced a proposal to move election of county offices to even years.

Vice Chair Terwilliger stated that the next meeting would be April 20 in Monroe.

ADJOURNMENT

Commission Barton moved to adjourn. Commissioner Valentine seconded the motion. The motion passed unanimously.

Vice Chair Terwilliger declared the meeting adjourned at 9:02 pm.