

**Snohomish County
Charter Review Commission**

Special Meeting

Mukilteo City Hall
11930 Cyrus Way, Mukilteo, WA 98275
Friday December 16, 2016
12:00 p.m. – 12:30 p.m.

AGENDA

12:00 p.m. Call to Order

Roll Call

Agenda Order

Public Comments (12:05 p.m.)

Business Items

1. Authorizing Commission Chair to send letter to the County Council
2. Authorize Commission Chair to Approve Minutes from December 16, 2016

Adjournment 12:30 p.m.

[NOTE: Times shown on Agenda are approximate]

Active List of Charter Amendment Proposals

2016-02	Revisions to Districting Timeline	Reviewed Language
2016-04	Adding Office of Ombudsman to Charter	Reviewed Language
2016-08	Schedule of County Council Meetings	Reviewed Language
2016-10	Confirmation of Department Heads	Reviewed Language
2016-12/13	Qualifications of Elected Officials	Reviewed Language
2016-14	Enlarge Council from 5 to 7 Members	Language to be Reviewed
2016-15	Eliminate Office of Performance Auditor	Reviewed Language
2016-18	Change Date of Submission of Executive's Budget	Reviewed Language
2016-19	Update Charter Language on Nondiscrimination	Reviewed Language
2016-23	Update Charter to use Gender Neutral Language	Reviewed Language
2016-24	Evaluate Governance Structure for Paine Field	Study Item
2016-30	Evaluate Status of Human Rights Commission	Reviewed Language
2016-31	Appeals of Hearing Examiner	Reviewed Language
2016-38	Change Date of County Elections	Language to be Reviewed
2016-40	Coordinate of Public Safety Services	Study Item
2016-42	Make Prosecuting Attorney Non-Partisan	Reviewed Language

SNOHOMISH COUNTY CHARTER REVIEW COMMISSION AGENDA ITEM 2016-51	
SUBJECT TITLE: Authorizing Commission Chair to send letter to the County Council	Meeting Date: December 16, 2016
Estimated Presentation Time: 5 minutes	Exhibits:

RECOMMENDATION: The Commission should discuss the 2016 election results of the Charter Amendments and direct the Chair to send a letter to the County Council discussing the 2016 Charter Review Commission process and issues for the Council to consider.

SUMMARY:

Over the course of 2016, the Charter Review Commission considered forty-two proposals to amend the Snohomish County Charter and forwarded seven proposals to the voters for their consideration. The voters adopted six of those proposals.

The attached letter to the Snohomish County Council (and to the other elected officials in the County) provides some context for the decisions of the Commission and includes other issues that the Commission may wish for the Council to consider in the future.

BACKGROUND:

During 2016, Commissioners directed that the Commission meet after the 2016 election to reflect on the election results. Commissioners also directed that a letter be sent to the Council reflecting on some of the issues that the Commission did not forward to the voters in 2016. Among those issues included concerns about representation in rural and unincorporated areas of the county, campaign finance reform, increased coordination of public safety services, and the difficulty of holding evening meeting at the County Courthouse. A draft letter articulating those issues is attached to this report as Attachment A.

In addition, the Commission also indicated a desire to share lessons learned from the process to the elected members of the 2026 Charter Review Commission. A draft paper with lessons learned is attached to this report as Attachment B.

ALTERNATIVES:

The Commission may not direct the Chair to sign the letter.



**Snohomish County
Charter Review Commission**

Chair
Jennifer Gregerson

Terry Ryan, Council Chair
Snohomish County Council
3000 Rockefeller Avenue, M/S 609
Everett, WA 98201

Vice Chairs
Bob Terwilliger
Raymond Miller

December 12, 2016

Commissioners
Edward Barton
Carin Chase
Jim Donner
Natalia Fior
Kristin Kelly
John Koster
Marko Liias
Dan Matthews
Shawn O'Donnell
Douglas Roulstone
Cheryl Stanford
Wendy Valentine

Dear Chair Ryan and Councilmembers,

Thank you for the support you and your staff provided to the Charter Review Commission this past year. As you know, the Commission proposed seven amendments to the Snohomish County Charter for consideration by the voters in the November general election. We are pleased that the voters adopted six of those proposals.

Before we present our final recommendations, we want to especially thank Debbie Eco-Parris, Randy Reed, Rochelle Terry, and Elena Lao of your staff. Each provided instrumental support to the Commission. We have also appreciated the assistance of Julie Heinz-Bovino for maintaining our website, Ben Young for assisting individual Commissioners with County technology and email, and Lacey Harper of the County Executive's office for providing information to the Commission. We also want to thank each of you for meeting with the Commission about the state of the County and sharing your thoughts about proposed amendments to the Charter.

From January through June the Charter Review Commission held eighteen meetings with at least one meeting in each of the five County Council districts. We considered forty-two proposed amendments and sent seven amendments to the voters. A list of potential amendments that were considered by the Commission is included with this letter.

This letter addresses several issues that the Commission believes deserve further attention from the Council, and which may involve changes to existing policies or ordinances. Although we concluded that these issues did not require amendments to the Charter at this time, the Commission feels that the underlying concerns are worthy of further consideration and action by the full Council and other County officials.

The Commission expects that there will be increased transparency in County governance. We recognize that the County Council has taken significant steps to improve the transparency of its operations but feels there is still more that can be done to make County government more accessible to its residents. In its own transmittal letter to the Council, the 2006 Charter Review Commission stated that those Commissioners

felt strongly that Council should schedule evening meetings that are predictable and regular so that citizen access to such meeting is enhanced. Furthermore, the Commission should emphasize, it believes public access to the Council's work would be improved through the use of real time technology to increase the availability of relevant Council materials, such as agendas, minutes, and votes of individual members.

We likewise believe that there is more that can be done to be more transparent and open with County residents.

Proposition 5, which was approved by the voters in November, requires the Council to hold meetings across the County and public hearings on certain items in the evenings. Proposition 5 seeks to encourage participation in County government. Although the Council could have taken action to schedule meetings to foster greater participation, a majority of Commissioners felt that a charter amendment was necessary given the large number of County residents who commute across county lines and find it difficult to participate under the Council's current schedule of regular meetings and public hearings. This amendment should be seen as expressing an expectation that the Council will do more than the minimum the Charter now requires.

In a similar vein, the Commission would support Council initiatives and policy direction that make the County's website more user-friendly. During the course of the year both Commissioners and members of the public expressed concerns that information on the County's website is not easily accessible, that documents are stored on multiple locations (without a convenient way to search across databases), and that it can be difficult to find scheduling information for county boards and commissions and other public meetings.

With an eye toward efficient government operations, the Commission recognizes that the Council has existing charter authority to structure appeals from the Hearing Examiner. A majority of the Commission believes that the Council should follow the lead of many cities in Snohomish County and require that appeals of hearing examiner decisions go directly to Superior Court. During their deliberations, several Commissioners expressed concern about the time and costs of appealing decisions to

the Council and the conflicts that Councilmembers face when acting in a quasi-judicial manner.

The Commission respects and appreciates the amount of time Councilmembers put into their positions and service of their communities. During the year a number of Commissioners expressed concerns about the efficacy of representation in rural or unincorporated areas of the County. For a large percentage of County residents their local, general-purpose, elected official is their County Councilmember. The Commission did not adopt a proposal to expand the size of the Council, but many Commissioners expressed a belief that the Council can take other steps to be more responsive to the issues and concerns of residents of rural and unincorporated areas. We encourage the Council to consider how it can better serve these areas.

The Commission considered a charter amendment that would mandate citizen participation in the management of Paine Field, which was not adopted after the County Executive indicated that he would propose legislation to that effect. The draft amendment discussed by the Commission would have created a county airport commission composed of at least one member from each Council district to “advise the executive and council on proposed rules and regulations for the management and control of airport property and on such other matters as may be specified by ordinance.” This proposal was not submitted to the voters because the Commission believes that the Executive and Council should take the lead on creating a commission to help advise the County on managing one of its most important assets.

The Commission also carefully deliberated the idea of requiring the Executive submit the budget thirty days earlier than currently required. Commissioners expressed support of Executive Somers’ commitment to providing the Council with opportunities to comment on the budget earlier than previous Executives, but recognize that the actions of one Executive should not determine how the Charter should or should not be amended.

A majority of Commissioners also believe that the Council should consider campaign finance regulations. There was a belief among many Commissioners that the County can set an example for other local governments by enacting campaign finance reform. Proposals from Commissioners included limiting the size of contributions, like the City of Edmonds, or calling for a system of vouchers citizens can use to make donations to their preferred candidates. Other Commissioners stated that differences in the costs of elections in rural and urban areas of the County and the ability of outside interest groups to spend unlimited amounts on campaigns are issues the Council should wrestle with before passing campaign finance reform.

The Commission hopes the Council will consider increased coordination of public safety services. During the course of the year the Commission heard from Councilmembers, the Sheriff, and the courts about the needs in the criminal justice system including the need for a holistic approach toward individuals with mental illness and other disabilities. The Commission recognizes that a lot of coordinating work is occurring, but feels that more coordination (of budgets and personnel) could occur. In addition, Snohomish County has a very high rate of opiate overdoses, especially compared with surrounding counties. Several Commissioners feel that the Council should take action to address this and other public health issues.

Finally, the Commission feels that existing systems for holding evening meetings in the County Administrative Building have not met the standards the County should expect for public hearings and meetings. The County Administrative Building is a central place for the conduct of County business and may be a good space for community groups, community workshops, open houses, and other events. However, over the course of the year, it became very apparent from our experience with basic logistical issues, such as enabling live streaming, coordination with security, and maintaining public access, that the building is not currently set up for evening events.

We have appreciated the opportunity to help make Snohomish County government more transparent, responsive, efficient, and accountable.

Sincerely,

Jennifer Gregerson,
Chair, Charter Review Commission

cc: Executive Dave Somers
Assessor Linda Hjelle
Auditor Carolyn Weikel
Clerk Sonya Kraski
Prosecuting Attorney Mark Roe
Sheriff Ty Trenary
Treasurer Kirk Sievers
Judge Linda Krese
Judge Beth Frasier
Councilmember Brian Sullivan
Councilmember Ken Klein
Councilmember Stephanie Wright
Councilmember Sam Low

2016 List of Charter Amendment Proposals

2016-01	Move Animal Control to Sheriff's Office
2016-02	Revisions to Districting Timeline and Procedures
2016-03	Abstentions by County Council Members
2016-04	Adding Office of Ombudsman to Charter
2016-05	Evaluate Process for Addressing Whistleblower Complaints
2016-06	Evaluate Process for Addressing Ethics Complaints
2016-07	Non-Partisan Elections for all County Offices
2016-08	Schedule of County Council Meetings
2016-09	Move Union Negotiations to County Council
2016-10	Confirmation of Department Heads
2016-11	Clarify Duties and Powers of County Officers
2016-12	Lower Age for Holding County Office from 21 to 18
2016-13	Reduce Residency Requirement for Holding County Office
2016-14	Enlarge Council from 5 to 7 Members
2016-15	Eliminate Office of Performance Auditor
2016-16	Eliminate Term Limits
2016-17	Allow County Council to Declare an Elected Official's Position Vacant
2016-18	Change Date of Submission of Executive's Budget from October 1 to September 1
2016-19	Update Charter Language on Nondiscrimination
2016-20	Update Charter Language on Transitional Provisions
2016-21	Review Charter for Glaring Errors
2016-22	Require Biennial Budgets
2016-23	Update Charter to use Gender-Neutral Terms
2016-24	Evaluate Governance Structure for Paine Field
2016-25	Explore Concepts for Additional Representation in Unincorporated Areas
2016-26	Require Council to Repeal Ordinances with Adoption of New Ordinance
2016-27	Require Sunset Provisions in Ordinances
2016-28	Make all Elected County Offices Partisan
2016-29	Public Financing for County Offices
2016-30	Evaluate Status of Human Rights Commission
2016-31	Require Appeals of Hearing Examiner to go to Superior Court
2016-32	Require Permit Fees to stay in the General Fund
2016-33	County Elected Officials and Conflict of Interest
2016-34	Decertify Civil Service Labor Unions
2016-35	Requiring the County to make "Land Use Proposals" a link on the county's homepage
2016-36	Require the County to conduct an advisory election for developments two acres are greater
2016-37	County Code and Regulation Review
2016-38	Change Date of County Elections
2016-39	Make Assessor and Treasurer Appointed Offices
2016-40	Coordination of Public Safety Services
2016-41	Reduce Term Limits to Eight Years
2016-42	Make Prosecuting Attorney NonPartisan



Snohomish County Charter Review Commission

Chair

Jennifer Gregerson

Vice Chairs

**Bob Terwilliger
Raymond Miller**

Commissioners

**Edward Barton
Carin Chase
Jim Donner
Natalia Fior
Kristin Kelly
John Koster
Marko Liias
Dan Matthews
Shawn O'Donnell
Douglas Roulstone
Cheryl Stanford
Wendy Valentine**

Notes for the 2026 Charter Review Commission

Congratulations on your election to the Charter Review Commission. Below are some quick lessons learned from the 2016 Commission that may be valuable for you.

- The Charter Review Commissioners serve a term of one year. Under 2016 state laws, ballot questions must be referred to the voters by the County Council by approximately the first week of July for consideration in the November 2016 election. Amendments referred by the Council after July 2016 would be placed on the November 2017 election.
- The first tasks the Commission established were to set a meeting schedule and rules of procedure. These documents, and all other documents of the Commission, are placed in Snohomish County's OneDrive.
- The Commission prioritized contracting with a Commission Analyst with a background in policy (versus an Analyst with a background in administrative support). The Analyst position entailed clerk duties (including scheduling of meetings, public records support, and creation of meeting minutes), as well as policy analysis (including creation of staff analysis and evaluation of alternatives, regular communication with the Commission's Attorney, and meetings with the County Council and other County officials about issues before the Commission).
- The Commission contracted with a former prosecuting attorney with experience with the Snohomish County code and the open public meetings act to serve as the attorney for the Commission. The Analyst was hired by the first week of February and the Attorney by the end of February. A lesson learned would be to complete the hiring process sooner, especially for the Commission Analyst.
- The Commission held meetings in each Council district and had little difficulty in finding available meeting spaces. The Commission held meetings in Marysville, Edmonds, Mill Creek and Mukilteo. The Council office provided a video recorder to tape the meetings. Most meetings were held at the County Courthouse where meetings were recorded (and streamed live) using the County's system.
- The Commission met roughly every other week through April. At that point, the Commission started meeting weekly until its work was completed at the end of June. New potential amendments to the Charter were considered by the Commission until the end of April.
- The Commission's Analyst was Chris Roberts. He was reached at 206-552-9160 and will make himself available to answer questions about the Commission's 2016 process.