

**KING COUNTY CHARTER REVIEW COMMISSION
DRAFT AMENDMENT TRACKER 11/20/2018**

Charter Section:	Recommended By:	Comments/Additional Information
Encompassing Changes:	Commissioner Nixon	1. Delete "metropolitan" throughout
	Councilmember Balducci	1. High Priority placed on items that increase transparency
Article 1		
140	Commissioner Nixon	1. This would be a good place to declare who the county is named after (which is currently in state law), that the boundaries are as defined in state law, and that the county seat is Seattle.
Article 2		
NEW SECTION in Article 2	Councilmember Lambert	1. Establish a process for rating and reporting on county services provided in unincorporated king county.
NEW SECTION in Article 2	Commissioner Saka	1. Add new office or committee on the Council to ensure sustained economic growth and vitality in the county (e.g. "Office of Economic Development, Empowerment & Vitality")
220.2	Executive Constantine	1. Clarify Charter's reference to Council's power to set compensation includes all pay items, including medical and leave benefits including Prosecutor's Office and Courts.
220.3	Commissioner Nixon	1. add comma
220.4	Commissioner Nixon	1. This language does not properly account for executive sessions under RCW 42.30.110, nor meetings that are not required to be open under RCW 42.30.140. This language should be amended, unless we actually don't want the council to be able to hold closed meetings allowed under these sections. Does "verbatim" in this context refer to an audio or video recording? This doesn't require a full written transcript of each meeting, correct? Does the council actually record closed meetings under 42.30.110 or 42.30.140? If not, then this language is incorrect. The minimum retention period is specified by the local government records retention schedule developed under RCW 40.14. We should verify that the ordinance is consistent with the schedule.
NEW SECITON 220.51	Councilmember Lambert	1. Create a process for registering unhappiness about the job performance of executive branch employees and appointees.
230.10.10	Commissioner Nixon (1), Executive Constantine (2)	1. Omit, spell out, or capitalize "ch.". State law does allow interfund loans, for terms of three years or less, from utility or enterprise funds. Is the intent of the charter to disallow such interfund loans? If not, should this section explicitly allow interfund loans in compliance with state law? 2. Allow enterprise funded surplus property to be sold for less than fair market value if being used for affordable housing if authorized by the state and any contracts related to the property
230.4	Commissioner Nixon; Councilmembers Balducci and McDermott	1. This is inconsistent with 230.70. This section says that the actual signed petitions have to be filed before the effective date of the ordinance, which is impossible to do with the default effective date being 10 days after enactment. 230.70 says that only the INTENT to file a referendum must be submitted to the clerk of the council, upon which the effective date is delayed until at least 45 days after enactment. Should this section be clarified or refer to 230.70? Countywide special elections are rare and expensive. Should this be only primary or general elections to avoid the cost of a countywide special election? Or would it really be desirable to have a referendum vote at a February or April special election even if it costs millions of dollars, in order to avoid delaying the effective date of the ordinance? Note that statewide referendums are always at a general election. We should check to be sure this is consistent with state law. Election timelines have changed, and 45 days is likely not enough time to get an item onto the ballot because ballots have to be printed in advance of them going out to military and overseas voters 45 days before the election. Also, this definitely does NOT allow enough time for signature verification – the timeline should provide a time limit for signature verification, and make the election date based on that. This could be simplified to just "an emergency ordinance".

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230.5	Commissioner Nixon	1. Countywide special elections are rare and expensive. Should this be only primary or general elections to avoid the cost of a countywide special election? Also, under state law there is no “regular” election; should specify “primary or general”. 135 days is probably enough time for both signature verification and to get printed on ballots, but we should verify against the election timeline. There should be a time limit for signature verification, and specify how this interacts with council consideration of the initiative. What if it is enacted after ballots are already printed? What if the people vote it down after the council enacts it? Is the election moot? This should be clarified to avoid the situation that occurred in the state legislature with I-940. The council should not be allowed to adopt the proposed initiative and then immediately amend it in order to avoid putting the original and substitute on the ballot together.
230.50.10	Commissioner Nixon (1,2)	1. Eliminate metropolitan. 2. What does “take action” mean in this context? Does it mean “a vote of the full council to enact or reject the initiative”? Or can ANY action count, such as referring to committee?
230.6	Commissioner Nixon	1. Should there be a time limit for signature collection? Under the current process, once the form of a petition is approved by the clerk, there’s no limit to how long signatures can be collected. For state initiatives to the people, the time limit is about six months; for initiatives to the legislature, about nine months. People’s opinions change over time, people die, people move away, so long the longer signatures can be gathered the more risk there is that signatures are stale or voters want to withdraw their signature. We should allow petitions to be on 8.5x11 paper so that individuals can easily print their own. We should allow “one line” petitions that can be signed by one person and returned to the initiative committee by mail.
230.7	Commissioner Nixon	1. What does this mean "if an ordinance is subjected to referendum"? I think it means that sufficient valid signatures are submitted prior to the effective date of the ordinance. By default this would mean the signatures must be submitted within 45 days of enactment. But what if signature verification is not complete by the time the effective date is reached? Does the effective date slide until the director of elections declared that the number of valid signatures is sufficient or not? What if the director of elections says there are insufficient valid signatures (because of bad ones), and the referendum proponents challenge it in court? Does the effective date continue to slide until the challenge is resolved? At what point does the decision on whether or not there’s going to be a referendum vote become final, so that the ordinance can either go into effect or it can go on the ballot?
230.75	Commissioner Nixon	1. This should also apply to ordinance proposed by initiative that are adopted by the council without going to the people for a vote. This would avoid the I-940 problem. I think this means that a previous initiative can be amended at any time by another initiative. I think it also means that the county council can put an amendment to an initiative on the ballot for the people to vote on, and the two-year period does not apply.
260	Commissioner Nixon	1. Does mean that complaints can’t be filed by non-citizens? How do we define “citizen of the county”? If it means “resident of the county”, should we change it to that? What if it’s someone who owns a business in the county but lives in another county? Why is this limited to citizens at all?
265	Commissioner Nixon (1) Councilmember Kohl-Welles (2, 3)	1. Some of the records that they may review or copy might be exempt from or prohibited from public disclosure. Should the office of law enforcement oversight be required to protect such files from disclosure to the same extent as the law enforcement agency? Or does the office have the power to override the wishes of the Sheriff and release records to the public that the Sheriff would have not disclosed? 2. Strengthen OLEO powers around independent investigations and access to information and ability to communicate with the public. 3. Change director term to 5 years.

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270.1	Comissioner Nixon (1,2) Councilmembers Kohl-Welles (3) Upthegrove (4)	1. Could we add a regional committee that would review and, by supermajority vote, have the ability to veto proposals for new countywide levies? The creation of new county taxes has a significant impact on the ability of cities to raise their revenue for their own purposes. There should be a way to ensure regional consensus on countywide levies. A committee made up of a few county council members, a representative of the county executive, representatives of cities over a certain population, and SCA representatives of the rest of the cities, should be able to veto new levy proposals by a supermajority vote. 2. Could we add a regional committee focused on affordable housing, or is that assumed to be within the scope of RPC? 3. Consider giving cities a greater voice by merging the regional committees into one. 4. Regional committee process is inefficient and ineffective. Look for strategies to improve coordination and communication.
270.2	Commissioner Nixon	1. Does this mean that at least two of the three must be councilmembers that have unincorporated areas in their district? What does this mean for SCA filling the "other cities and towns" positions? Does SCA have to also consider appointing from cities outside King County?
270.3	Commissioner Nixon	1. Is there a time limit for this second review? Should there be?
Article 3		
310	Commissioner Nixon (1) Executive Constantine	1. Since the Assessor is explicitly listed here, should it also list the other countywide elected officials? 2. Update to add full list of elected officials.
320.2	Commissioner Nixon (1), Executive Constantine (2, 3)	1. Typo – this "a" should be deleted. 2. Delete obsolete Executive duty to serve on boards/commissions from county commissioner era. 3. Add Elections and Sheriff to the composition of the Executive Branch
330	Commissioner Ceis	1. Is this section regrding CAO necessary. It is unclear and adds confusion.
340.1	Commissioner Nixon, Executive Constantine	1. Should the County Sheriff, Superior Court Clerk, and Director of Elections be included here, since they are heads of executive departments who are not appointed by the county executive?
340.4	Executive Constantine	1. Require Council confirmation only for department heads and chief administrative officer only
350	Executive Constantine	1. Retitle "Sheriff's Department" from "Department of Public Safety"
350.2	Commissioner Nixon	1. Shouldn't the Department of Public Safety be listed here, since it is one of the subsections of 350.20?
350.20.40	Executive Constantine	1. Clarify what employees are classified as career service.
350.20.50	Commissioner Nixon (1,2)	1. Typo – this colon is superfluous and should be removed. 2. Add "primary". This is obsolete and should be removed.
350.20.60	Executive Constantine	1. Uniform language to clarify which departments are Executive branch departments and subject to career service rules (Sheriff and Department of Public Defense)
Article 4		
410	Councilmembers Kohl-Welles & Lambert	1. The budget message should be a "budget address at a county council meeting"
460	Councilmember Kohl-Welles (1) Councilmember Lambert (2, 3)	1. Eliminate the prohibition on the County Council originating or changing the capital budget without a request from the Executive. 2. Require consultation prior to the Executive transmittal of appropriations ordinances allocating unspent funds. 3. Allow the Council to originate non-emergency appropriations ordinances.
470.1	Executive Constantine	1. Allow leases of more than a year in operating budgets, not just capital budgets

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470.2	Executive Constantine	1. General clean-up and revision of budget related items and references: replace term "current expense" with "operating"; objects of expense; contingency appropriations
470.3	Executive Constantine	Delete
480	Executive Constantine	Update language
490	Executive Constantine	Delete
Article 5		
530	Executive Constantine	1. Clarify personnel rules apply to Executive branch employees
550	Executive Constantine	1. Expand classifications exempt from career to include division and section heads. 2. Allow Council to designate additional career service exemptions.
Article 6		
610	Commissioner Nixon	1. Why aren't the Sheriff and Director of Elections included in this list? Wouldn't it be easier to just say ALL elected officials?
NEW SECTION 620	Commissioner Ceis	1. Censure or Removal of Elected Officials for misconduct
645	Commissioners Ceis, Heller and others (1) Councilmember Lambert (2)	1. Consider an Appointed Sheriff 2. Consider an appropriate list of qualifications for the office holder.
NEW SECTION 648	Commissioners Saka and Oliver	1. Elected Public Defender
650.1	Commissioners Nixon (1), and Saka (2)	1. Look at increasing the size of the County Council. 2. Add at large seat(s).
650.2	Commissioner Heller (1) Councilmember Lambert (2)	1. Look at "preferential" or "ranked choice" voting for Council districts (Commissioner Tres stressed that pro and con would need to be discussed equally) 2. Establish process for filling councilmember vacancies in the charter.
650.30.10	Commissioner Nixon	1. It would be great if this also said that the Districting Committee shall not consider voting history, the residence of any person including incumbents council members, nor any data regarding characteristics for which discrimination is prohibited under Section 840.
650.4	Commissioner Nixon	1. Do these transitional provisions, and others elsewhere in the charter, need to be retained? Or should this be moved to Article 9?
680.1	Commissioner Nixon	1. Isn't this redundant with the paragraph two above this one?
690	Commissioner Nixon	1. Why is this in the county charter? Why not just depend on RCW 42.17A and PDC?
690.1	Commissioner Nixon	1. Is this now defined in state law, and no longer needed?
NEW SECTION 660	Councilmember McDermott	1. Establish a public process for funding campaigns for office.
Article 7		
710	Commissioner Nixon	1. Typo--should be hypen in "four year"
Article 8		
800	Commissioner Nixon (1) Councilmember Lambert (2, 3)	1. 45 days is no longer long enough to get this done. Check with Elections to insert the right timeline. 2. Allow each councilmember the opportunity to directly appoint a CRC member. 3. Require a resident of Unincorporated King County to be on the CRC.
NEW SECTION 816	Council Chair McDermott	1. Require project labor agreements for county capital projects.
820	Commissioner Nixon	1. Should be "with the county". Should be a colon.

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830	Commissioner Nixon	1. This language is inconsistent with the Public Records Act, RCW 42.56, in a number of ways, particularly in that it specifies only a couple of exemptions and ignores the hundreds of others in state law. This should be removed and just reference the PRA.
840	Commissioners Nixon (1) & Saka (2) Councilmember Kohl-Welles (3)	1. This says that the county shall not enter into any contract with a person who discriminates, but it doesn't say the county itself shall not discriminate in who it contracts with. The county shouldn't be allowed to discriminate in contracting any more than it discriminates on employment. 2. Should the non-discrimination language be expanded? 3. Prohibit the County from contracting with any entity convicted of a trafficking offense.
843	Commissioner Nixon (1) Councilmember Lambert (2)	1. add or contracting 2. Modify to allow more opportunities for faith-based organizations to contract with the County
NEW SECTION 890.1	Councilmember Lambert	1. Prior to commencing of negotiations with represented employees, the Executive shall work with the Council on more specific and timely general paramets and goals
Revisers note	Commissioner Nixon	1. Is it necessary to keep this note forever, or can it be removed?
895	Commissioner Saka	1. Explicitly provide for representation for the family of the deceased.
898	Commissioner Nixon (1) Executive Constantine (2)	1. Could this be 891 to keep it together with 890? Or maybe 890.10? Typo. Should be "result of negotiations". 2. Retitle "Sheriff's Office" from "Department of Public Safety"
Revisers note		1. Is it necessary to keep this note forever, or can it be removed?
899	Commissioner Nixon ☐	1. Could this be 892 to keep it together with 890 and 891? Or maybe 890.20?
Article 9		
Resolution	Commissioner Nixon	1. Does this need to continue to be part of the charter? Does it have any continuing operational effect, or is it just of historical interest?