

MINUTES
CHARTER REVIEW COMMISSION
March 23, 2016

Pierce County Annex – Public Meeting Room
2401 S. 35th Street
Tacoma, WA 98409

(Note: These minutes are not verbatim. Audio recordings are available upon request.)

1. Convene

The Charter Review Commission meeting was called to order at 7:00 p.m. by Chair Hanek.

2. Pledge of Allegiance to the Flag

The pledge was led by Ladenburg.

3. Roll Call

Commission Members Present: Don Anderson, Katie Baird, Janis Clark, Amy Cruver, Carolyn Edmonds; Linda Farmer, Timothy Farrell, Sharon Hanek, John Ladenburg, Martha Lantz, Carolyn Merrival, David Olson, Cathy Pearsall-Stipek, Grant Pelesky, Joshua Penner, David Perry, April Sanders, Jan Shabro, and Richard Thurston.

Commission Members Excused: Greg Hartman and Paul Wagemann. Commissioners Edmonds, Farrell and Pearsall-Stipek arrived after roll call.

Staff Present: Denise Greer, Senior Civil Deputy Prosecuting Attorney; Kate Kennedy, Meeting Clerk; Susan Long, Administrator for Legal and Research, Pierce County Council; and Linda Medley, Meeting Clerk.

Also Present: Julie Anderson, Auditor; and Al Rose, Executive's Office.

There were approximately 5 visitors present.

4. Approval of the Agenda

Baird moved approval of the agenda as presented; motion seconded and passed on a voice vote.

5. Approval of Minutes – March 9, 2016

Olson moved approval of the minutes as presented; motion seconded and passed on a voice vote.

6. Public Comment (3 minute time limit per speaker):

Rick Sorrels testified on Amendment No. C-7.

Ken Paulson spoke to accountability for individuals who do not follow the Charter, and he responded to questions of Commissioners.

7. Presentations from Elected Officials

Chair Hanek noted the Prosecuting Attorney is scheduled to present at the April 13 meeting and Pat McCarthy, Pierce County Executive, is scheduled to present at the April 20 meeting.

8. Presentations from County Department Heads/Employees

There was none.

9. Discussion of Proposed Amendments

- **Update on Proposed Amendments Received to Date**

Vice Chair Lantz reviewed the updated Proposed Submitted Charter Amendments Chart (contained in the meeting file as Attachment No. 1). Following discussion, she also outlined the process for advancing amendments.

- **Advance Any Other Selected Proposed Amendments to Next Phase**

Merrival moved to advance proposed amendment no. C-8 to next week's agenda for discussion; motion seconded.

Pearsall-Stipek spoke against the motion.

At the request of Edmonds, Merrival explained the intent of her proposed amendment.

Thurston spoke against the motion.

Baird reminded Commissioners of the review requested from legal at the last meeting.

Merrival spoke in support of her motion.

The motion failed for not meeting the 4-vote threshold by a show of hands (0 ayes).

Cruver moved to advance proposed amendment no. C-7 to next week's agenda for discussion; motion seconded.

Cruver clarified the intent of her proposed amendment. Discussion followed.

Anderson spoke against the motion.

The motion failed for not meeting the 4-vote threshold by a show of hands (0 ayes).

Pelesky moved to advance proposed amendment nos. C-3 and C-4 to next week's agenda for discussion; motion seconded.

Chair Hanek noted both amendments have already been advanced in the process.

Vice Chair Lantz moved to advance, as a group, proposed amendment nos. O-2, O-3, O-4, O-5 (2nd substitute), and O-7 to next week's or a future agenda for discussion; motion seconded.

Julie Anderson stated all the proposed amendments are housekeeping and clarifying and believes they could be referenced as one ballot title if the legal department concurs.

Thurston spoke against the motion stating the amendments should be disposed of individually and he explained why.

Vice Chair Lantz clarified her motion. Discussion followed.

Merrival and Clark spoke in favor of advancing the amendments as a group for discussion purposes.

The motion passed by meeting the 4-vote threshold by a show of hands (19 voted aye).

- Discussion of:
 - Amendment P-1 (proposed change to Section 5.60 – Referendum)

Chair Hanek noted Jerry Gibbs will testify on proposed amendment no. P-1 and respond to the two questions asked of Commissioners at a prior meeting.

Gibbs reiterated and responded to the two questions asked of Commissioners at a prior meeting with respect to the referendum process. He responded to additional questions of Commissioners and discussion followed.

Ladenburg strongly encouraged not amending the current language.

Olson referred to the legal opinion received from Northrip.

Merrival moved to recess; motion seconded and passed on a voice vote.

The Charter Review Commission recessed at 8:20 p.m. [*Ladenburg left the meeting*]
The Charter Review Commission reconvened at 8:38 p.m.

Discussion continued on proposed amendment no. P-1.

Merrival moved to reject continuation of proposed amendment P-1; motion seconded. Discussion followed.

Thurston and Anderson spoke in support of the motion.

Discussion followed.

Olson, Penner, Clark and Pelesky spoke against the motion.

Vice Chair Lantz spoke in support of the motion.

Further discussion continued.

Farrell called for the question; motion seconded and passed on a voice vote.

The motion passed by a show of hands (12 ayes) meaning that a simple majority of the quorum failed to approve advancing amendment no. P-1 for final consideration.

Perry noted he has submitted an amendment for legal review for discussion next week.

Chair Hanek noted an amendment from Clark has also been received

- Amendment O-6 (Auditor proposed changes to Section 5.60 – Referendum process)

Julie Anderson responded to Baird's request for clarification of language within the proposed amendment.

Thurston moved to continue discussion of proposed amendment no. O-6 to next weeks' agenda for further discussion; motion seconded and passed on a voice vote.

- Amendment C-3 (Proposed changes to referendum signature requirement in Section 5.70)

Pelesky requested support of his proposed amendment and explained why.

Olson concurred with Pelesky.

Discussion followed regarding the format of the proposed amendment.

Thurston, Farrell, Merrival and Olson all spoke in support of the proposed amendment.

Thurston moved to advance proposed amendment no. C-3 to next week's agenda for further discussion; motion seconded.

Chair Hanek requested the amendment be in proper format.

The motion passed on a voice vote.

Olson moved to suspend the rules to add proposed amendment no. C-4 to the agenda for discussion; motion seconded and passed on a voice vote.

Thurston spoke in support of the proposed amendment.

Olson moved to advance proposed amendment no. C-4 to next week's agenda for final discussion; motion seconded and passed on a voice vote.

Edmonds requested the proposed amendments for discussion be separated between the first and second week.

- Amendment C-5 (proposed changed to Section 4.50, Districting Committee)

Sanders addressed her proposed amendment. Discussion followed.

[Shabro left the meeting]

Olson, Pearsall-Stipek and Pelesky spoke against the proposed amendment.

Merrival moved to amend C-5 as written by removing the term "non-voting" and inserting the following sentence at the end: "If the Districting Committee is unable to agree upon a Districting Master within 30 days, the Presiding Judge of Superior Court shall appoint a Districting Master."; motion seconded.

Discussion followed and Greer will check on the legality of the proposed amendment.

Vice Chair Lantz spoke in favor of the amendment pending confirmation of legality.

The motion passed on a voice vote.

Pearsall-Stipek called for division.

The motion passed by a show of hand (11 ayes; 6 nays).

Thurston moved to advance amendment no. C-5, as amended, to next week's agenda for discussion; motion seconded and passed on a voice vote.

- Amendment O-5 (second substitute version) (proposed change to Section 4.70 – Vacancies)
- Amendment C-1 (proposal for non-partisan Council)
- Amendment O-8 (proposed change to Section 9.15 Purchasing and contracts)

Thurston moved to advance amendment nos. C-1, O-5 (second substitute) and O-8 to next week's agenda for discussion; motion seconded.

Farrell moved an amendment to allow discussion of amendment no. O-5 (second substitute) at the current meeting; motion seconded and passed on a voice vote.

The motion, as amended, passed on a voice vote.

Edmonds moved to advance amendment no. O-5 (second substitute) to next week's agenda for final discussion; motion seconded and passed on a voice vote.

10. Good of the Order

- **Communication and Social Media Update**

Farmer noted there was no update to report and the agenda item can be removed from future agendas.

Vice Chair Lantz outlined how she is proposing to track the progress of amendments on the web page.

- **Update on District Meetings**
 - March 30, District 3 – Graham Fire Station (6:30 p.m. start)
 - April 6, District 2 – Metro Parks Norpoint Center
 - April 20, District 1 – North Lake Tapps Middle School

Chair Hanek provided an update on the district meetings, noting the meeting at the Graham Fire Station will begin at 6:30 p.m.

- **Budget Update**

Chair Hanek provided a budget update (contained in the meeting file as Attachment No. 2).

- Clerk Hiring Update

Chair Hanek announced Andrea Innes has been hired as the Clerk of the Charter Review Commission.

- Additional Topics
There were none.

11. Adjournment

The Charter Review Commission adjourned at 10:08 p.m.

Attest:



Linda Medley, Meeting Clerk

Approved:



Sharon Hanek, Chair



Date Approved

PROPOSED SUBMITTED CHARTER AMENDMENTS

PUBLIC SUBMITTAL(S)									
No.	Submitted by	Subject	Status						Approved for Final Consid.
			Rec'vd by Chair	Sent to Legal	Rec'vd 4 Votes	Communicated to Public	Discussed @ 2 Consec. Mfngs.		
P-1	Jerry Gibbs	Section 5.60 (Referendum)	X	X	X				
P-2	Robert Hill	Section 2.15 (increase Council to 17 members)	X	NO	NO				
P-3	Robert Hill	Section 2.15 (increase Council to 21 members)	X	NO	NO				
P-4	Randy Boss	Superseded by Nes. P-5 through P-13							
P-5	Randy Boss	Section 5.40 (Initiative Procedures)	X	NO					
P-6	Randy Boss	Section 5.60 (Referendum)	X	NO					
P-7	Randy Boss	Section 5.70 (Referendum Procedures)	X	NO					
P-8	Randy Boss	Section 2.15 (increase Council to 9 members)	X	X					
P-9	Randy Boss	Section 2.35 (Rules of Procedure)	X	X					
P-10	Randy Boss	Section 2.45 (Ordinances)	X	NO					
P-11	Randy Boss	Section 2.55 (Resolutions)	X	NO					
P-12	Randy Boss	Section 4.90 (Limitation on Terms of Office)	X	NO					
P-13	Randy Boss	Section 5.30 (Initiative Limitations)	X	NO					
P-14	Randy Boss	Section 8.65 (Amendments by the Public)	X	X					
P-15	Rick Sorrels	Section 2.60 (Codification of Ordinances)	X	X					

X= YES

NO means did not get past 4 vote threshold on an individual basis or as the subject of a motion for no further advancement

This document presented at the
 Charter Review Commission
 Meeting of: 3/23/2016
 Attachment No. _____

COUNTY OFFICIAL/OTHER SUBMITTAL(S)

No.	Submitted by	Subject	Status					
			Rec'vd by Chair	Sent to Legal	Rec'vd 4 Votes	Communicated to Public	Discussed @ 2 Consec. Mtgs.	Approved for Final Consid.
O-1	Auditor	Superseded by Nes-O-2 through O-6	X					
O-2	Auditor (Merrival)	Section 5.40 (Initiative Procedures)	X	X				
O-3	Auditor (Merrival)	Section 5.50 (Agenda Petition)	X	X				
O-4	Auditor (Merrival)	Section 5.10 (Direct Government)	X	X				
O-5	Auditor (Merrival)	Section 4.70 (Partisan Vacancies)	X	X	X			
O-5	Auditor (Merrival)	Section 4.70 (Partisan Vacancies) <i>Substituted</i>	X	X				
O-5	Auditor (Merrival)	Section 4.70 (Partisan Vacancies) 2 nd Substitute	X	X				
O-6	Auditor (Merrival)	Section 5.60 (The Referendum)	X	X	X			
O-7	Auditor (Merrival)	Section 8.65 (Amendments by the Public)	X	X				
O-8	County Engineer (Perry)	Section 9.15 (Purchasing, Contracts, Claims and Bonds)	X	X	X			

X= YES

COMMISSIONER SUBMITTAL(S)

No.	Submitted by	Subject	Status					
			Rec'vd by Chair	Sent to Legal	Rec'vd 4 Votes	Communicated to Public	Discussed @ 2 Consec. Mtgs.	Approved for Final Consid.
C-1	Baird	Non-partisan Council	X	X	X			
C-2	Baird	Non-partisan Prosecuting Attorney	X	X	NO			
C-3	Pelesky	Referendum signature requirement	X	X	X			
C-4	Pelesky	Initiative signature requirement	X	X	X			
C-5	Sanders	Section 4.50 (Districting Committee)	X	X	X			
C-6	Cruver	Section 3.30 (Appts. by Exec. and Confirmation)	X	X	X			
C-7	Cruver	Section 9.45 (Conflicts of Interest)	X	X				
C-8	Merrival	New Section 2.65 (Accountability)	X	X				

X= YES

PIERCE CNTY CHARTER REVIEW COMMISSION
BUDGET 2016

Acctg Code	Description	Yr 2006	Yr 2016
		Actual	Proposed
11.0002	Extra Hire	22,355.00	4,200.00
	Linda Medleys time		2,573.11
12.0001	Overtime	1,800.00	3,818.70
	Linda Medleys Benefits		2,439.72
20.0001	Workers Compensation	159.45	1.94
20.0003	FICA	1,847.86	321.30
20.0004	Retirement		
31.0041	General Supplies (set up meetings)	1,591.72	1,500.00
41.0001	Legal Services		
41.0009	Other Prof Services		100.00
43.0002	Business Miles	4,509.47	9,093.96
43.0025	Training and Development	729.85	
44.0000	Advertising	416.17	750.00
45.0002	Equipment Rental	212.16	
45.0004	Outside Space rent	973.29	1,000.00
	Security		1,875.00
	Food		700.00
49.0008	Other Miscellaneous	143.11	
49.0051	Printing	97.07	
49.0202	Media	8,085.00	2,000.00
		42,920.15	30,373.73

NOTES:

		FICA .0765	L&I @ .1665
March 2 weeks: est 10hr x 2	600.00	45.90	3.33
April est 10hr x 4	1,200.00	91.80	6.66
May est 10hr x 4	1,200.00	91.80	6.66
June est 10hr x 4	1,200.00	91.80	6.66
	<u>4,200.00</u>	<u>321.30</u>	<u>23.31</u>

21 commissioners avg 15 miles / meeting
ave 4 meetings x 6 months + 4 meetings 24 meetings

	7,560.00	4,233.60
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Security - \$25.00 15 meetings

	1,875.00
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Attachment No. 2