



**King County**  
**Metropolitan King County Council**  
**Committee of the Whole**

**STAFF REPORT**

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<b>Agenda Item No.:</b> 4	<b>Date:</b>	<b>8 July 2009</b>
<b>Briefing No.:</b> 2009-0359	<b>Prepared by:</b>	<b>Rebecha Cusack Nick Wagner</b>

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**SUMMARY**

Proposed Ordinance 2009-0359 (Attachment 1, pp. 3-4 of these materials) would implement the charter amendment placed on the November 2009 general election ballot by Ordinance 16547 (the “commission procedures” charter amendment) (Attachment 2, pp. 5-7 of these materials) if it is approved by the voters.

This committee was briefed on the proposed ordinance at its June 3 meeting, but the ordinance had not yet been introduced and therefore was not ready for action.

**BACKGROUND**

The “commission procedures” charter amendment was recommended to the Council by the 2007-2008 King County Charter Review Commission (CRC). If the proposed charter amendment is approved by the voters, it will amend Charter section 800 to:

1. Make clear that the County Executive’s appointments to the CRC are subject to Council confirmation; and
2. Require the Council, after receiving the CRC’s report and recommendations, to “consider the commission’s report and recommendations and decide at an open public meeting how to proceed on each of the commission’s recommended charter amendments, *as provided by ordinance.*” (Emphasis added.)

Proposed Ordinance 2009-0359 would implement part 2 of the proposed charter amendment.

The requirement of a public Council decision on how to proceed on CRC recommendations was based in part on a similar requirement regarding Council action on recommendations of the county’s regional committees. The CRC proposed that Council action on regional committee recommendations be satisfied by “approval, rejection, amendment and rereferral, postponement or any other action of record during a council or standing committee meeting.” The Council approved this requirement in Ordinance 16205 (placing the regional committees charter amendment on the ballot in November of 2008) and Ordinance 16301 (implementing

the regional committees charter amendment by amending Council Rule 7, which governs the regional committees).<sup>1</sup>

Just as Ordinance 16301 implemented the regional committees charter amendment by amending Council Rule 7, Proposed Ordinance 2009-0359 would implement the commission procedures charter amendment by adopting (contingent on voter approval of the charter amendment) a new Council Rule 33 providing:

**Rule 33:** Upon receipt of a report and recommendation of the charter review commission pursuant to charter section 800, the county council or a standing committee thereof shall consider the commission's report and recommendations and, in an open public meeting, take such action on the commission's recommended charter amendments as it deems appropriate, which may consist of approval, rejection, amendment, postponement, or any other action of record.

This would track the analogous language in Ordinance 16301 regarding Council consideration of regional committee recommendations (p. 12, lines 210-215 of these materials).

**INVITEES**

None

**ATTACHMENTS**

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1. Proposed Ordinance 2009-0359 .....	3
2. Ordinance 16547 .....	5
3. Ordinance 16205 excerpt (regional committees charter amendment) .....	9
4. Ordinance 16301 excerpt (amendment to Council Rule 7 re regional committees) .....	11

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<sup>1</sup> Ordinance 16205 amended Charter section 270.30 to read in part: “Each regional committee may develop and propose directly to the council an ordinance or motion adopting, amending or repealing a countywide policy or plan within the subject matter area of the committee. . . . [T]he council shall consider the proposed legislation and take such action thereon as it deems appropriate, as provided by ordinance.” (Attachment 3, lines 100-108, p. 10 of these materials). Ordinance 16301 amended Council Rule 7 to provide in part: “Within one hundred twenty days of introduction by the committee, the council or a standing committee shall consider the proposed legislation and take such action on the proposed legislation as the council or standing committee deems appropriate, including approval, rejection, amendment and rereferral, postponement or any other action of record during a council or standing committee meeting” (Attachment 4, lines 210-215, p. 12 of these materials).



Signature Report

July 6, 2009

Ordinance

**Proposed No.** 2009-0359.1

**Sponsors** Lambert and Ferguson

1 AN ORDINANCE implementing Section 800 of the King  
2 County Charter requirements regarding council  
3 consideration of charter review commission-recommended  
4 amendments to the charter; and adding a new section to  
5 K.C.C. chapter 1.24.

6

7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 1.24 a  
9 new section to read as follows:

10 **Rule 33: Response to charter review commission report and recommendation.**

11 Upon receipt of a report and recommendation of the charter review commission done in  
12 compliance with Section 800 of the King County Charter, the council or a standing  
13 committee of the council shall consider the commission's report and recommendations and,  
14 in an open public meeting, take such action on the commission's recommended charter  
15 amendments as the council or committee deems appropriate, which may consist of  
16 approval, rejection, amendment, postponement or any other action of record.

**Ordinance**

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17            SECTION 2. This ordinance takes effect the effective date of the proposed  
18 amendment of the King County Charter submitted to the qualified voters of King County  
19 by Ordinance ----- (Proposed Ordinance 2009-0348). This ordinance does not take  
20 effect if the proposed amendment to the King County Charter is not approved by the  
21 voters.  
22

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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ATTEST:

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APPROVED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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**Attachments**      None



**Signature Report**

**July 6, 2009**

**Ordinance 16547**

**Proposed No.** 2009-0348.2

**Sponsors** Ferguson and Lambert

1 AN ORDINANCE proposing an amendment to Section 800  
2 of the King County Charter, to provide for council  
3 confirmation of charter review commission members and to  
4 require council consideration of charter review commission  
5 recommended charter amendments; and submitting the same  
6 to the voters of the county for their ratification or rejection at  
7 the November 2009 general election.

8

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. There shall be submitted to the voters of King County for their  
11 approval and ratification or rejection, at the next general election to be held in this county  
12 occurring more than forty-five days after the enactment of this ordinance, an amendment  
13 to Section 800 of the King County Charter as set forth herein:

14 **Section 800 Charter Review and Amendments.**

15 At least every ten years after the adoption of this charter, the county executive  
16 shall appoint a citizen commission of not less than fifteen members whose mandate shall  
17 be to review the charter and present, or cause to be presented, to the county council a

18 written report recommending those amendments, if any, which should be made to the  
19 charter. Appointees shall be subject to confirmation by a majority of the county council.  
20 This citizen commission shall be composed of at least one representative from each of the  
21 county council districts. The county council shall consider the commission's report and  
22 recommendations and decide at an open public meeting how to proceed on each of the  
23 commission's recommended charter amendments, as provide by ordinance.

24 The county council may propose amendments to this charter by enacting an  
25 ordinance to submit a proposed amendment to the voters of the county at the next general  
26 election occurring more than forty-five days after the enactment of the ordinance. An  
27 ordinance proposing an amendment to the charter shall not be subject to the veto power  
28 of the county executive. Publication of a proposed amendment and notice of its  
29 submission to the voters of the county shall be made in accordance with the state  
30 constitution and general law. If the proposed amendment is approved by a majority of  
31 the voters voting on the issue, it shall become effective ten days after the results of the  
32 election are certified unless a later date is specified in the amendment.

33 SECTION 2. The clerk of the council shall certify the proposition to the county  
34 elections director, in substantially the following form, with such additions, deletions or  
35 modifications as may be required by the prosecuting attorney:

36 Shall the King County Charter be amended to provide for council  
37 confirmation of charter review commission members and to require public  
38

**Ordinance 16547**

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38 council consideration of the charter review commission's recommended  
39 charter amendments?  
40

Ordinance 16547 was introduced on 6/1/2009 and passed by the Metropolitan King County Council on 6/8/2009, by the following vote:

Yes: 9 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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ATTEST:

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APPROVED this 17th day of June, 2009.

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**Attachments**      None

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**Signature Report**

**June 1, 2009**

**Ordinance 16205**

**Proposed No.** 2008-0359.1

**Sponsors** Phillips, Hague and Lambert

1 AN ORDINANCE proposing an amendment to Section  
2 230.10 of the King County Charter, Section 270.20 of the  
3 King County Charter and Section 270.30 of the King County  
4 Charter, to reduce the number of county council members  
5 on regional committees, establish a vice chair position on  
6 regional committees, authorize the regional policy  
7 committee to adopt its own work program and add  
8 authority for regional committees to initiate legislation; and  
9 submitting the same to the voters of the county for their  
10 ratification or rejection at the November 2008 general  
11 election.

12  
13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:  
14 SECTION 1. There shall be submitted to the voters of King County for their  
15 approval and ratification or rejection, at the next general election to be held in this county  
16 occurring more than forty-five days after the enactment of this ordinance, an amendment  
17 to Sections 230.10, 270.20 and 270.30 of the King County Charter as set forth herein:

87           A proposed (~~(policy or plan recommended)~~) ordinance or motion that has been  
88 reviewed and recommended or developed and proposed by a regional committee may be  
89 adopted, without amendment, by the (~~(metropolitan)~~) county council by five affirmative  
90 votes. If the (~~(metropolitan)~~) county council votes prior to final passage thereof to amend  
91 a proposed (~~(policy or plan)~~) ordinance or motion that has been reviewed or  
92 recommended or proposed by a regional committee, the proposed (~~(policy or plan)~~)  
93 ordinance or motion, as amended, shall be referred back to the appropriate committee for  
94 further review and recommendation. The committee may concur in, dissent from, or  
95 recommend additional amendments to the (~~(policy or plan)~~) ordinance or motion. After  
96 the regional committee has had the opportunity to review all (~~(metropolitan)~~) county  
97 council amendments, final action to adopt any proposed (~~(policy or plan)~~) ordinance or  
98 motion that differs from the committee recommendation shall require six affirmative  
99 votes of the (~~(metropolitan)~~) county council.

100           Each regional committee may develop and propose directly to the council an  
101 ordinance or motion adopting, amending or repealing a countywide policy or plan within  
102 the subject matter area of the committee. Such proposals must be approved by a majority  
103 of the members present and voting, with no fewer than three and one-half affirmative  
104 votes. Within one hundred twenty days of introduction or such other time as is jointly  
105 established by the county council and the committee, which shall be confirmed in the  
106 form of a motion by the county council, the council shall consider the proposed  
107 legislation and take such action thereon as it deems appropriate, as provided by  
108 ordinance.

109           The council shall not call a special election to authorize the performance of an



Signature Report

June 1, 2009

Ordinance 16301

**Proposed No.** 2008-0609.1

**Sponsors** Phillips and Lambert

1 AN ORDINANCE relating to council rules and order of  
2 business for regional committees; and amending Ordinance  
3 11683, Section 7, as amended, and K.C.C. 1.24.065.  
4

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 SECTION 1. Ordinance 11683, Section 7, as amended, and K.C.C. 1.24.065 are  
7 each hereby amended to read as follows:

8 **Rule 7: Regional committees.**

9 A. Establishment. Three regional, standing committees are established as  
10 provided under the King County Charter to develop, recommend and review regional  
11 policies and plans for consideration by the council: the regional transit committee, the  
12 regional water quality committee and the regional policies committee.

13 B. Membership.

14 1. Composition of committees.

15 a. The regional policies committee and regional transit committee are to each  
16 have ~~((twelve))~~ nine voting members. ~~((Six))~~ Three members of each committee, including  
17 the chair of each, must be county councilmembers appointed by the chair of the council and

199 criminal justice, jails and district court services, and regional facilities siting. In addition,  
200 the regional policies committee may consider major regional governance transition and  
201 consolidation issues, particularly those involving potential changes in organization and  
202 responsibilities with other county, city or regional organizations.

203 L. Policies or plans proposed by regional committees. A regional committee may  
204 develop and propose directly to the council, an ordinance or motion adopting, amending or  
205 repealing a countywide policy or plan regarding regional transit, water quality or other  
206 countywide policies and plans within the subject matter area of the committee. The  
207 proposals must be approved by a majority of the committee members present and voting,  
208 with no fewer than three and one-half affirmative votes. For purposes of this subsection,  
209 "the subject matter area" of the regional policies committee includes matters in the

210 committee's adopted work program. Within one hundred twenty days of introduction by  
211 the committee, the council or a standing committee shall consider the proposed legislation  
212 and take such action on the proposed legislation as the council or standing committee  
213 deems appropriate, including approval, rejection, amendment and rereferral,  
214 postponement or any other action of record during a council or standing committee  
215 meeting. Within five calendar days following council or standing committee action, the

216 clerk of the council or the standing committee shall notify the vice-chair of the committee  
217 of the action taken. If the council amends the proposed legislation, the procedures  
218 described in subsection H. of this rule shall be followed, except that the council's duty to  
219 act on the legislation under subsection H.3. of this rule shall be satisfied by approval,  
220 rejection, amendment and rereferral, postponement or any other action of record taken