
Verbatim Transcript of Recorded Public Hearing
2008 Charter Review Commission
April 10th, 2008

Transcribed by: Philip T. Campbell, Jr.

1 (Portions of recording inaudible.)

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4 MS. HEINECKE: I'd like to welcome
5 everybody to the open public hearing of the 2008
6 charter review commission. Introducing myself, my
7 name is Tara Jo Heinecke. I'll be chairing this
8 evening's meeting. I'd like to introduce you to my
9 colleagues on the charter review commission here.
10 Doreen Cato, and Doreen is from Council District 6.
11 This guy probably doesn't need much introduction.
12 You probably all know Governor Mike Lowry who is
13 the co-chair of our commission along with Lois
14 Morris who isn't with us this evening. Mike
15 Wilkins is from Council District 4. Bryan Glynn,
16 and Bryan is Council District 4. On the end is
17 John Jensen, Council District 9. I represent
18 Council District 5.

19 So I'd like to also introduce you to some
20 special folks here tonight. I know that Sherry
21 Tracy is here on behalf of Councilmember Bob
22 Ferguson. He serves this area. Would you like to
23 address us? I understand Bob couldn't be with us.

24 UNIDENTIFIED MALE: What we want to know
25 is how are the twins doing (laughter).

1 MS. TRACY: Jack and Kate are so cute.
2 They're adorable. I was able to see them this
3 morning. Bob spent the day in the district today
4 and had to kind of limit his activities. But he
5 did ask me to come tonight and to express and
6 convey his appreciation to all the charter review
7 commissioners and their staff for all the hard
8 work. There's been lots of time I know that's been
9 put into this project. That's all I really wanted
10 to say. Thank you.

11 MS. HEINECKE: Thank you, Sherry. Nick
12 Wagner is here. Nick is the liaison to the council
13 for the charter review commission. Our charter
14 review commission staff can keep us all on point,
15 Mark Yango, Corrie Watterson, Becky Spithill and
16 Charlotte Ohashi. I just can't tell you how hard
17 they work for us as a commission and keep us all on
18 point. So thank you very much for everything you
19 do for us. Mark is going to give us a little
20 overview of the process from here, the public's
21 role in the charter review process.

22 MR. YANGO: Hello, everyone. I'm Mark
23 Yango. I'm the charter review coordinator. The
24 commission has been meeting now for over a year.
25 We've been talking about issues anywhere from open

1 space all the way to elections and regional
2 committees. There's 21 members in the commission
3 total. The commission outreached to hundreds of
4 organizations and heard from many, many community
5 groups at our meetings. Last summer we held nine
6 public hearings to solicit any type of issues from
7 the public to comment on. Throughout our
8 deliberations, we've listened to government
9 officials, professors, community leaders on a
10 number of issues.

11 In terms of our process, we had four
12 phases to our work. The first was to gather the
13 data. That occurred from February of 2007 to
14 August of 2007 where we met the community out in
15 all of the nine council districts. The second
16 phase was our deliberations, which lasted from
17 September through February of 2008. Now we're
18 currently in our public comment period where we
19 have our recommendations and now we want to hear
20 from you all to hear what you think about those
21 recommendations.

22 Finally, we will transmit the final list
23 of recommendations to our county council at the end
24 of May. We have in total 13 amendments, 10
25 proposed priority amendments, and 3 technical

1 amendments that we have all for you that we'll be
2 discussing in a short while.

3 MS. HEINECKE: We had eight substantive
4 amendments. The six technical amendments that
5 would include some general housekeeping and
6 updating of the charter to be current. We also
7 have some recommendations relative to the King
8 County Library System, which grew out of a
9 substantial amount of public testimony that we took
10 at those nine council district hearings that we
11 held previously.

12 So my fellow commissioners are going to
13 each take a piece. We had divided the original lot
14 of issues up into three subcommittees. So folks
15 who served on various subcommittees will speak to
16 the recommendations coming out of that committee
17 that they served on. So the first issue we're
18 going to talk about is the budget time line.
19 Doreen is going to present.

20 MS. CATO: Well, last year in September
21 the financial advisory task force had brought to
22 our attention that the timeline that is proposed
23 by, say, the executive body for the council to work
24 on the proposal budget from the executive office
25 was inadequate. They looked at the fact that the

1 timeline was 45 days to assess, analyze and make
2 adjustments. They considered that to be entirely
3 too short and insufficient for them to do that.

4 The part of this, the issue, even the
5 council and the executive office, both of them
6 agreed to this assessment. They also agreed that
7 the complexity of the work of the budget did
8 require them to have more time. What they did not
9 agree on was the amount of days that it would take
10 in order to do it. The executive office had
11 thought 65 days, I think -- no, 60 days would do
12 it. Then the council was looking at 70 days in
13 order to do it.

14 The recommendation that came from the
15 charter council -- the charter review commission
16 was to extend it from 45 days to 65 days. That
17 would give them, we feel, enough time to adequately
18 assess, analyze and make the adjustments necessary
19 to the budget. We also believe because of the size
20 and the increasing complexity of the budget, that
21 this is something that the council and the
22 executive body should consider.

23 MS. HEINECKE: We'll take questions at
24 the end of our presentation, so please make a note
25 if you had a question about this particular issue

1 and be sure to bring that up later. At this time
2 John Jensen is going to talk about the citizen
3 initiative issue.

4 MR. JENSEN: Our current charter does not
5 talk about the initiative process. Because of
6 that, the supreme court ruled that there was a
7 default number of 10 percent of the signatures --
8 10 percent of the last election of the King County
9 executive, that number of signatures would be
10 required for an initiative as a default mechanism.
11 So what we want to do is put into the charter a
12 proper way since it doesn't address it now and this
13 is just default by the supreme court. We're going
14 to have a 20 percent signature threshold for
15 amendments that would change the charter. Still
16 just 10 percent of the signatures -- 10 percent of
17 the voters in the last King County executive race,
18 that number of signatures will be required for
19 ordinance changes. But for a charter amendment,
20 we'll raise that to 20 percent of that election.

21 MS. HEINECKE: Thank you, John. Speaking
22 to the commission appointment process, John will
23 also address that issue.

24 MR. JENSEN: And this is also something
25 that is maybe considered a technical amendment. In

1 the charter the executive appointments are
2 confirmed by the council except for the charter
3 review commission because it's in a different
4 section of the charter. It may have just been
5 omitted by accident. So we want to add that in so
6 that in the future charter review commissions will
7 be confirmed by the council.

8 MS. HEINECKE: Okay. Governor Lowry is
9 going to speak to council actions on the
10 commission's recommendations.

11 MR. LOWRY: After the charter review
12 commission meets and does its work and there have
13 been literally thousands of comments that have been
14 brought in from citizens, people from around the
15 state of Washington, the charter review commission
16 makes our recommendations and sends them to the
17 county council, recommendations for changes sent to
18 the county council. It is the council that decides
19 whether to put those recommended amendments and
20 changes in the charter out to a vote to the people
21 for changing the charter.

22 There's nothing in the charter that
23 requires the council to act on what the charter
24 review commission says. So the proposed charter
25 amendment is that within a sufficient amount of

1 time, the council must act on those recommendations
2 that are brought out of the citizen charter review
3 commission. Now, actually, it can be to vote to
4 take no action. Action can be at the table, but
5 what this would prevent would be just ignoring the
6 work that has been brought by all these thousands
7 of citizen's hours and by just not looking at it at
8 all. So that would be an amendment to the charter.

9 MS. HEINECKE: Thank you, Governor.

10 Election deadlines, John Jensen once again.

11 MR. JENSEN: Actually, is that me?

12 MR. YANGO: I could speak to that.

13 MR. JENSEN: Could you, Mark?

14 MR. YANGO: Yes.

15 MS. HEINECKE: Thank you, Mark.

16 MR. YANGO: One of the issues that came
17 up to us towards the latter end of the deliberation
18 process was to extend local initiative (inaudible)
19 city division from 45 to 84 days. Their rationale
20 for that is that they didn't feel they had enough
21 time to prepare local initiatives for the ballot
22 given the current constraints and deadline. What
23 they wanted to do was to make the deadline
24 consistent with state law, which extends the
25 deadline from 45 to 84 days. And the amendment

1 brings the county deadlines into line with
2 (inaudible).

3 MS. HEINECKE: Thank you. The open space
4 initiative.

5 MR. JENSEN: That is me.

6 MS. HEINECKE: Thank you.

7 MR. JENSEN: The open space charter
8 amendment raises the level of protection on some
9 properties that are already owned by King County.
10 These are the best habitat and biological
11 conservation properties along our rivers and
12 streams. They serve as salmon recovery areas.
13 They help with flood control. They are also
14 sources for drinking water and some of our best
15 natural recreational areas.

16 A significant amount of the acreage, the
17 106,000 acres that is covered by the open space
18 amendment is where the county owns the development
19 rights on rural forest land. This amendment would
20 require the council to bring before the voters any
21 attempt to change the use or sell this property.
22 This is the same protection that currently exists
23 on the farmland preservation properties. It would
24 add our forestry land base and our best natural
25 areas to this category. It does not involve the

1 county buying any additional land, but it also does
2 not prevent the county from continuing its process
3 to purchase open space properties.

4 Not all King County owned properties are
5 included in this list, but the map -- is it over
6 there on the left? I didn't look when I came in.

7 MS. HEINECKE: It's on the right.

8 MR. JENSEN: If you look at the dark
9 areas, you'll be able to go to the area that you're
10 from. I see our former mayor from Newcastle is
11 here. We've (inaudible) Cougar Mountain. There
12 are some properties that you will be familiar with
13 and maybe some that you're not. But Jerry Lavender
14 and I worked hard on this. We're very proud of it.
15 I think that it will help protect this land to a
16 level that we can be very happy with.

17 MS. HEINECKE: Thank you, John. Mark is
18 going to speak to the qualifications issues.

19 MR. YANGO: Yes. This issue was
20 discussed in subcommittee during our deliberations
21 on whether or not certain positions should be
22 elected or appointed. In light of Initiative 25,
23 which is the initiative going to the ballot in
24 November asking voters whether or not they want to
25 elect or appoint an elections director, the

1 commission felt that it would be important to
2 ensure that the proper qualifications were
3 established for both positions to make sure we have
4 the right candidate. So this amendment is intended
5 to provide a more rigorous processes for screening
6 candidates. Additional qualifications for both
7 positions could be set and established by ordinance
8 in the county council.

9 MS. HEINECKE: Mike Wilkins regarding
10 regional committees.

11 MR. WILKINS: This set of recommendations
12 is as much a product of a small group of elected
13 city officials and elected county councilmembers as
14 it is the charter review commission. A couple of
15 commissioners, myself and Gary Wong with the
16 consent of one of our committees, worked with the
17 small work group to come up with a set of
18 recommendations that would deal with one of the
19 county council's strong request and several of the
20 city's requests for changes that would strengthen
21 the influence of the committees on the full council
22 and strengthen the influence of the noncounty
23 councilmembers on those committees.

24 The county council, in a large part
25 because of the recent citizen initiative that

1 reduced the number of county councilmembers from 13
2 to 9, had asked for a commensurate reduction in the
3 participation on the three original committees by
4 county councilmembers, but without upsetting the
5 carefully negotiated even voting block balance
6 between county councilmembers on the committees and
7 the noncounty councilmembers. They are all
8 12-member committees with six votes among the
9 county councilmembers; six votes on the noncounty
10 councilmembers.

11 It was done deliberately to ensure that
12 there would be a debate between officials who are
13 elected to make decisions for the county and
14 officials elected to city offices or in the case of
15 water quality sewer districts or elected to make
16 decisions on behalf of other governments but have a
17 huge stake in things like transit and water quality
18 for sewage treatment. Its background, the three
19 committees are regional transit and regional water
20 quality. The latter deals with sewage treatment
21 issues and things that are related to sewage
22 treatment that affect water quality.

23 The regional policy committee, the third committee,
24 is open ended in terms of subject matter. It's
25 limited, only in that it can deal with regional

1 policies and regional plans.

2 The changes that this working group came
3 up with are to first reduce the number of county
4 councilmembers from six to three, but give each of
5 the three members two votes to maintain the voting
6 balance. The second provision is to add a vice
7 chair selected by the noncounty members and
8 empowered to act in the absence of the chair who is
9 a county councilmember, to conduct meetings with
10 the full powers of the chair. There's also a
11 consulting role between the vice chair and the
12 chair on setting agendas for the meetings.

13 The third is that the regional policy
14 committee will be able to, under one of these
15 amendments by simple majority vote, assuming it has
16 the forum of the members present to vote on it,
17 adopt its own work program and the subject areas
18 that it wishes to deal with each year in contrast
19 to the way it's been done since the inception of
20 the regional policy committee, which was to have
21 the full county council by ordinance establish what
22 subject areas it will work on. It will give the
23 regional policy committee basically control over
24 what it deals with and what it sends to the full
25 council.

1 All three committees and fourth amendment
2 would give all three committees the power to
3 initiate motions and ordinances without having to
4 have sponsorship by a county councilmember, which
5 is currently the case. Though there has been some
6 debate over the past 17, 18 years since the
7 inception about whether these committees had the
8 authority to initiate measures and legislation that
9 wasn't assigned by the council, I think the real
10 rub was that even if they initiated something, if
11 there wasn't a county council sponsor, it could
12 die. It could die without any formal discussion.

13 Having the amendment to the charter that
14 has initiatives for the regional committees treated
15 much as citizen initiatives that's automatically
16 introduced without a sponsor ensures that there
17 will be some kind of consideration. The last
18 change of substance to my mind is that the county
19 council, under one of these amendments, would be
20 required to act, to take an action of record as
21 Governor Lowry explained earlier in reference to
22 another subject. It wouldn't necessarily have to
23 be a vote up or down on the issue. It could be a
24 tabling. But there will be an action of record.
25 People will understand what was done, when it was

1 done. There will be a public record of it.

2 The last change I don't think is so much
3 (inaudible). But I think it's important in that it
4 would allow the county council by ordinance to give
5 nonvoting membership on the water quality committee
6 to those areas outside of King County's boundaries
7 that are served by the King County sewage treatment
8 system under contract. Right now that is only the
9 southern parts of Snohomish County. The language
10 we drafted is for generic so that if King County
11 sewer system ever extends to other counties, the
12 same thing could apply. That's pretty much it.

13 MS. HEINECKE: Thank you, Mike. Bryan
14 Glynn is going to talk about the sheriff's office
15 issues.

16 MR. GLYNN: We call these the sheriff's
17 office issues, but they really are about balancing
18 the role of elected officials and bargaining and
19 management of workforce issues. Under the current
20 charter language Section 890 it makes the executive
21 the bargaining agent of the county for collective
22 bargaining. There's been some concerns raised by
23 the sheriff and others that maybe the bargaining
24 agent isn't doing is sufficient job to represent
25 the interest of elected officials and have the

1 responsibility to manage the departments.

2 This was a difficult issue for the
3 commission. We struggled over this. We recognized
4 that the bargaining of the labor contract has both
5 financial and management aspects to it. The thing
6 that was necessary here was to balance those
7 interests so that the ability of the elected
8 official to manage his or her department is
9 maintained without the county being put in
10 (inaudible) risk.

11 What we're proposing is a charter
12 amendment that directs the council to an act in
13 ordinance that provides for effective
14 representation and collective bargaining with the
15 four elected officials to head charter departments.
16 We also propose an ordinance that we think sets
17 forth how effective representation would be
18 achieved.

19 It basically has three elements. One,
20 the bargaining agent would have to consult with
21 elected officials on bargaining strategies,
22 objectives and so on (inaudible) considerations of
23 the objectives of the elected official in the
24 bargaining process. And if they chose not to
25 pursue an issue that an elected official wanted

1 pursued, they'd have to explain in writing why not.
2 This would be by ordinance, which has the ability
3 to offer flexibility in the event that things turn
4 out differently than we think they will. It allows
5 adjustments, provides balance and it doesn't go as
6 far as some people would like. We think it's the
7 prudent way to proceed at this point.

8 MS. HEINECKE: Okay. John is going to
9 speak to the unincorporated and rural area
10 representation (inaudible).

11 MR. JENSEN: Well, we've done two things,
12 two main things to help representation issues in
13 the unincorporated areas. The first is to specify
14 that the executive point will create an office for
15 someone specifically to represent the citizens in
16 the unincorporated areas. The second thing kind of
17 explains why that's necessary. It's a change to
18 the preamble that just acknowledges the idea that
19 for those of us that live in cities, King County is
20 our regional service provider and our cities are
21 our local service provider.

22 For those people that live in
23 unincorporated areas, the county provides both of
24 those, both local and regional services. So
25 between having that position and making that change

1 and acknowledgment in the preamble, what the
2 commission's goal is to help provide a voice for
3 those people in the unincorporated areas at the
4 county level and to a degree within the executive's
5 office, to demonstrate a priority that the county
6 and the executive and the council is giving a
7 priority to the needs of those unincorporated areas
8 and understanding that the services the county
9 delivers is also local. It also gives people in
10 those areas a point of contact.

11 This also, like some of the other issues,
12 there were many different ways that we could have
13 approached it. So we're still looking for input.
14 We do feel like we've come to a place where this
15 can be an improvement to the current way that the
16 unincorporated areas have representation. But if
17 there's more input, we're looking for that too.

18 MS. HEINECKE: Thank you, John. Doreen
19 was going to address the anti-discrimination
20 amendment.

21 MS. CATO: Yes, I was. This was brought
22 to the charter review commission's attention in
23 July of last year. The information that came to
24 us, by the way, came from the web. So it was the
25 citizens that recognized that we needed to add or

1 amend the charter to include sexual orientation.
2 This would bring it consistent (inaudible) charter,
3 consistent with the current (inaudible) that we
4 already had in both the county codes as well as the
5 state law.

6 One of the things, the second part of
7 that division, also states that federal law
8 prohibits this particular thing. So it's not in
9 there. So what we want to do is make sure that we
10 are able to have contracts with them, with the
11 federal government because we already currently
12 have lucrative contracts with them. By having this
13 amendment done, in looking at the other protective
14 classes, it would prevent us from having future
15 contracts, and we don't want that.

16 So in putting the recommendation of
17 amending the charter to add sexual orientation,
18 we're also adding nongovernmental entities in there
19 as well. And so the anti-discrimination, we're
20 asking to amend section 840, the
21 anti-discrimination by just adding the sexual
22 orientation.

23 MS. HEINECKE: Okay. Thank you, Doreen.
24 At this time Mike is going to address budget
25 allotments.

1 MR. WILKINS: The original charter
2 included a requirement for budget allotments which
3 were essentially detailed spending plans that every
4 agency of county government except the council had
5 to prepare, usually quarterly projections,
6 sometimes monthly projections that were submitted
7 to the executive budget office and then forwarded
8 on to the county council in the early years of the
9 operation of the charter government.

10 As the government has grown, conditions
11 have changed. All of the agencies of county
12 government now, unlike in the late 1960's and early
13 70's, have both financial management expertise
14 within the agencies to watch, monitor and control
15 expenditures. They also have the luxury of modern
16 automated financial systems that make it a lot
17 easier to monitor expenditures and control
18 expenditures. Both the executive and the council
19 agreed that this provision is (inaudible), is a
20 time waster and should be deleted from the
21 charters. That's what we're recommending.

22 MS. HEINECKE: Thank you. Bryan is going
23 to speak to transitory provisions.

24 MR. GLYNN: Well, considering that we're
25 all transitory here on planet earth (inaudible)

1 careful consideration to these provisions. There
2 are mostly language that's stayed in the charter
3 from dealing with the transitions in charter
4 government itself and later to the consolidation
5 with the late Metro. Essentially what this does is
6 eliminate all these (inaudible) and no longer
7 necessary transitory provisions to make the charter
8 a little bit cleaner and more understandable to the
9 readers. It makes it less of a history lesson for
10 folks, but they'll have to get that somewhere else.

11 MS. HEINECKE: Thanks, Bryan. Doreen is
12 going to speak to the issues surrounding the King
13 County Library System that were brought to our
14 attention.

15 MS. CATO: There was quite a few that
16 were brought to our attention. During several of
17 the public meetings we had (inaudible) from the
18 King County Library System that made us realize
19 that there was several concerns. One, the lack of
20 broad representation on the board of trustees
21 geographically as well as the people themselves. I
22 think it's, like, three board of trustees. I was
23 really surprised.

24 The other thing was the fact of lack of
25 transparency, accountability, the fact that the

1 people didn't see enough governments or structure
2 around the group at all. Now, the piece that's
3 really difficult for us is that, really, we can't
4 get our hands around it. It doesn't fall under our
5 jurisdiction so to speak. It really is a state
6 responsibility.

7 However, there's no way that we could
8 ignore what was being said to us. Something has to
9 be done. So as a commission, we're making a
10 recommendation that the council really put this on
11 their legislative agenda and take it to the state
12 asking them to expand the board of trustees and to
13 make sure that there is some structure in place, to
14 look at the geographic locations being represented
15 since it is one of the largest library systems in
16 the United States. I didn't know that. I mean, I
17 learned about this as I listened to the people make
18 their presentation.

19 I agree that this is something that we
20 really want to see the council get behind and make
21 the changes since it's something that we ourselves
22 cannot do in our charter. So that's what we're
23 moving forward as well. Thank you.

24 MS. HEINECKE: Okay. Thank you. So now
25 we get to the real heart of this meeting, which was

1 our promise and commitment last fall when we held
2 the original open public hearings to hear input
3 from you as to what you thought the future needs
4 would be of the county and how they should be
5 addressed through the charter. We promised that
6 before we finalized our recommendations as a
7 commission, we would come back to you with the
8 conclusions that we reached and get our input.

9 So I see that a number of you have signed
10 up indicating that you would be interested in
11 speaking. If you didn't happen to put a "yes" next
12 to your name but have decide that you do have a
13 question or a thought you'd like to share, I'll
14 come see you at the end. But I'll go through in
15 the order that people signed in and invite you up
16 to the podium to share your thoughts with us.

17 So I think the first person -- that looks
18 like a "Y". Is it Justice? Justin? Did I say
19 that right? Great. Do you want to come up to the
20 microphone here.

21 UNIDENTIFIED: I'm a student from Nova
22 Alternative High School, and I'm here to talk about
23 instant runoff voting. Instant runoff voting is a
24 voting system that uses rank choice voting. So if
25 there's five people running for an office position,

1 you can choose your first choice, your second
2 choice, your third choice, your fourth choice, your
3 fifth choice, et cetera, depending on how many
4 people are in office.

5 Then if the first person that you vote
6 for gets the lowest amount of votes, then your
7 votes go to the next person. So that pretty much
8 gets through the spoiler effect that has been going
9 on with elections. It's known as RCVNIRV
10 (phonetic). I just think it would be a great
11 system to have because it let's you vote your hopes
12 rather than your fears. It gets rid of lessor of
13 the two evils factor that a lot of people have been
14 having trouble with. I think it would -- I don't
15 know. It has a lot of plus sides. It increases
16 voter turn out, spoiler factor, less funding. I
17 don't know. Thank you.

18 MS. HEINECKE: Great. Do the
19 commissioners have questions?

20 UNIDENTIFIED COMMISSIONER: I just wanted
21 you to know that we did look at it and we're not
22 dismissing it in any way. It's just that we
23 decided to wait and see how Pierce County did this
24 coming year. That was, I don't think, a sign from
25 the commission a lack of interest at all. I see

1 Joe's here too. And a couple of us commissioners
2 have made it a priority to include that in the
3 report. I have looked at the report. I believe it
4 is in there that we will come back to that or
5 recommend that the council revisit that next year.

6 UNIDENTIFIED: All right. Thank you.

7 MS. HEINECKE: Thank you. And I
8 especially want to encourage you in the future.
9 It's really heartening to see students out talking
10 about these issues. I really appreciate you coming
11 out.

12 I think -- well, I have a question mark
13 next to the next name, Joe McGavic. And Joe, for
14 those of you that don't know, is a former public
15 official and former deputy county executive for
16 King County. Thank you for coming out.

17 UNIDENTIFIED COMMISSIONER: And also my
18 first boss at the county.

19 MS. HEINECKE: Oh, really?

20 UNIDENTIFIED COMMISSIONER: And mine,
21 which I learned many valuable things.

22 MS. HEINECKE: So thank you for coming
23 out. We'd appreciate your thoughts as well. The
24 next person is Chandra Wade.

25 MS. WADE: I'm also from Nova Alternative

1 High School. I'm also here to talk about IRV. I
2 understand waiting for Pierce County just so that
3 there's some basis in what has happened already and
4 we're not going into this blind folded. But I also
5 think that it has been done before in the past with
6 many, many other places and has worked very well.

7 My personal thing that I like about it is
8 that I think elections should be shorter. I think
9 we go for too long. There's so many signs up that
10 it feels like we're going into a sporting event and
11 not some kind of a public office. With IRV you
12 would only have to have one election, so you
13 wouldn't have to have the whole primaries. That
14 would also make it a lot shorter. It also would
15 mean that you wouldn't need nearly as much money to
16 run for office, which would open up the political
17 playing field to people who aren't already rich and
18 have (inaudible) money. That's what I have to say.
19 Thank you.

20 MS. HEINECKE: Thank you, Chandra. We
21 had a request from Jean Garber to address the group
22 because she had another commitment. Jean, as I
23 understand, is a former city councilmember from the
24 city of Newcastle; is that correct?

25 MS. GARBER: I actually am a city

1 council --

2 MS. HEINECKE: Oh, you're current, I'm
3 sorry.

4 UNIDENTIFIED COMMISSIONER: She's a
5 former mayor.

6 MS. HEINECKE: Former Mayor, pardon me.

7 MS. GARBER: It's very nice to see a
8 Newcastle resident on the commission as well and a
9 couple of old friends. My name, as I said, is Jean
10 Garber. I'm actually a member of the executive
11 committee of the board of directors of the Suburban
12 Cities Association in addition to being a
13 councilmember from Newcastle. I appreciate the
14 opportunity to testify on the proposed amendments
15 to the King County charter on behalf of the
16 Suburban Cities Association.

17 The Suburban Cities Association, or SCA
18 as I'll call it from this point forth, provides
19 information, education and advocacy on behalf of
20 its 35 member cities. Collectively member cities
21 represent approximately 785,000 county residents or
22 53 percent of the population of incorporated King
23 County. SCA has been pleased to be invited to
24 participate throughout the review process of the
25 King County charter.

1 My colleague on the Newcastle city
2 council, Sonny Putter (phonetic) and SCA Executive
3 Director Karen Gorowski (phonetic) who is with me
4 this evening, have attended and participated in
5 most meetings of the commission as well as its
6 regional governance committee and work groups.
7 They've actually been very complimentary of the
8 inclusive process that the commission has used in
9 developing its recommendations.

10 Early in 2007 SCA formed a work group to
11 draft the SCA recommendations for amendments to the
12 King County charter. Those recommendations were
13 (inaudible) with our public issues committee where
14 an average of 25 cities (inaudible) on a monthly
15 basis. The SCA board of directors acted on the
16 work of the public issues committee and on
17 September 20th forwarded our recommendations to the
18 charter review commission.

19 The issues of the suburban cities were
20 grouped into four subject areas. One, annexation
21 and transition. Two, regional committees. Three,
22 county wide special purpose districts and four,
23 good government. Recognizing that the commission
24 had a limited amount of time to address truly a
25 myriad of issues, we're pleased that so many of the

1 issues of the suburban cities were included in the
2 areas of good government and regional committees.

3 Although the commission's proposed
4 amendments to the charter regarding the regional
5 committees do not necessarily correspond to the
6 original recommendations from SCA, we feel much
7 progress was made and appreciate the efforts of all
8 parties involved. Therefor, SCA wholeheartedly
9 supports the recommended amendments in Sections
10 230.10, 270.20 and 270.30 for the regional
11 committees.

12 Under the heading of good government, SCA
13 had recommended, quote, that there be urban
14 unincorporated transitional committees in the urban
15 and unincorporated areas. We felt that the charter
16 did not intend for there to be any kind of
17 government structure in the urban unincorporated
18 areas, unquote. SCA believes that the compromise
19 reached the office of the King County executive and
20 the county council, which has resulted in a
21 proposed charter amendment in Section 320.20 and
22 may address our concern in that respect.

23 SCA had also recommended that, quote, the
24 charter review process should be amended so that
25 the recommendations to the commission must be

1 submitted to the voters as drafted by the
2 commission. This new provision will strengthen the
3 role of the charter review commission. It will
4 guarantee that the work of the commission will be
5 reviewed by the voters, unquote. SCA believes that
6 the proposed amendment to the charter in Section
7 800 that would require the county council to review
8 and take action on all charter review commission
9 recommendations is a step in the right direction.

10 Finally, SCA recommended that, quote,
11 citizens should be permitted to amend the charter
12 through the citizen initiative process by means of
13 a super majority vote. This option creates a more
14 responsive government which allows the public to
15 submit charter amendments to the voters through the
16 initiative process, unquote. The commission's
17 proposed amendment in Section 800.20, clarifying
18 the citizen initiative process, is generally
19 responsive to the intent of SCA's recommendation.

20 While the proposed amendment does not
21 require a super majority vote, it at least sets the
22 threshold for a required number of signatures at 20
23 percent. This would help ensure that only
24 initiatives with broad based support would be
25 successful.

1 SCA appreciates the many, many hours that
2 you volunteers have committed to this charter
3 review process. We believe the results were well
4 worth the effort. We'll encourage the county
5 council to review and act on your recommendations
6 as written. Thank you for the opportunity to make
7 comments tonight.

8 UNIDENTIFIED COMMISSIONER: Thank you,
9 Jean.

10 MS. HEINECKE: I might not get this last
11 name right, Sophie Paliker.

12 MS. PALIKER: (Inaudible).

13 MS. HEINECKE: Sorry about that.

14 MS. PALIKER: So I am also a student from
15 the Nova Alternative High School. I'm also
16 speaking for the topic of IRV. So it is very
17 appreciated that you are taking into account the
18 fact that Pierce County is trying it out. However,
19 Pierce County and King County use two different
20 kinds of software, as I'm sure you're aware. But
21 there are various other counties and cities in the
22 US which do use the same software and which is
23 currently using IRV, which has worked very well.
24 These are Burlington, Vermont and Cambridge,
25 Massachusetts. Those both, it has worked very

1 well.

2 In addition to that, Ireland also uses
3 IRV for its presidential elections while Australia
4 uses it to elect the representatives and its house
5 representatives. So thank you for letting me get
6 that out there.

7 MS. HEINECKE: Thank you. We appreciate
8 your thoughts. Viola Gay.

9 MS. GAY: Good evening. I'd like to
10 address the issue of the sheriff's office and
11 collective bargaining. As a citizen, I've waited a
12 very long time for a citizen's review board for
13 police accountability. The county is miles and
14 years behind the city of Seattle. We do not have a
15 citizen oversight review board for police
16 accountability, and there is no police
17 accountability in the county at this time.

18 As long as you leave this to a potential
19 collective bargaining situation, I don't see any
20 resolution in the near future. I believe we've had
21 the current leadership for 12 years who could have
22 bargained for civilian oversight review, and there
23 has been no action taken. At the current time any
24 citizen's complaints will go to the King County
25 Council of Citizens Complaints Ombudsman's Office.

1 I have reviewed the last 750 complaints
2 against the sheriff's office. Unfortunately, the
3 ombudsman's office has never found any wrongdoing
4 by anyone in the police department or the sheriff's
5 office. It kind of demonstrates that there really
6 isn't any police accountability available in the
7 county. (Inaudible) the citizen does not have an
8 avenue. I personally sent letters to the sheriff's
9 internal investigations unit that were never
10 responded to or acknowledged. I've been told by
11 their attorney they don't have to acknowledge a
12 citizen's complaint let alone investigate it.

13 So I believe it is time (inaudible) would
14 be nice for a citizen's oversight review board. I
15 think as citizens, we deserve that. Everyone
16 should be treated equally regardless of race or
17 gender or sexual orientation. Justice should be
18 for all of us, not just for the people who are
19 wealthy and politically connected.

20 I'm quite sure probably no one sitting on
21 this council has had that problem. But there are
22 many people out there that have not known justice
23 and a police response. I think it is far over due.
24 When you leave this as an option for collective
25 bargaining, I don't know why you think anything is

1 going to change when it hasn't happened in the last
2 20 or 30 or 40 or 50 years. Thank you.

3 MS. HEINECKE: Do the commissioners have
4 questions of Viola?

5 MR. JENSEN: I would like to get more
6 information from you. I can give you a card, if
7 you can call me. I think it's a very (inaudible).
8 We're still discussing. We have a proposal that's
9 come forward from the regional governance
10 subcommittee. In addition to that, there is an
11 active minority report being worked on. I think
12 there's some discussions to try to improve the
13 effectiveness of what we're recommending.

14 Coinciding with our timeline was the blue
15 ribbon panel report. I don't know if you're
16 familiar with that. So in our report and in
17 addition to what we were able to agree on to put
18 forward, we are also encouraging the council to
19 look at the blue ribbon panel's report and take
20 into consideration the difference of our charges,
21 this charter review commission being a very high
22 level overall broad look at the entire charter and
23 entire county governance and the blue ribbon
24 panel's more specific look at a specific problem,
25 which is implementing citizen oversight which the

1 council has wanted to do for a few years.

2 So I would like to give you a card before
3 you go or if you leave before the meeting's over.
4 But I'd like to talk to you more.

5 UNIDENTIFIED COMMISSIONER: Viola, two
6 questions. The citizen panel that John was
7 referring, the blue ribbon panel, how much did it
8 address the concerns that you were raising? And
9 then had you submitted those concerns to our
10 commission previously and we didn't get them or
11 something? In other words, I actually hadn't heard
12 the concerns you're stating right here, which I
13 think are -- all of us are listening and saying --
14 you know, you're saying things that we really ought
15 to be looking at.

16 MS. GAY: Well, I'm overwhelmed because
17 I've talked to many people in the last few years,
18 and no one seems to want to listen to these
19 concerns. I did speak to the police sheriff's
20 commission --

21 UNIDENTIFIED COMMISSIONER: The blue
22 ribbon panel.

23 MS. GAY: The blue ribbon panel, yes, I
24 did. The hardest thing for me is to deal with the
25 sheriff's office that refuses to acknowledge civil

1 rights for crime victims. I have fought for that
2 for many years. They do a great job with domestic
3 violence, and they do absolutely nothing for sexual
4 assault crime victims. I must say it was a great
5 pleasure that Christine Gregoire was the only
6 person that ever listened to me. She signed RCW
7 7.90 her first year as governor, which guarantees
8 every sexual assault crime victim a protective
9 order in this state. Because up until then, only
10 domestic violence victims could get such protective
11 orders. Now everybody can. I thank her. She's
12 the only one who ever heard me.

13 I don't understand why the sheriff's
14 office refuses to provide crime victims with
15 information about protective orders. (Inaudible)
16 it's the law, RCW 7.69.030. It's been there since
17 1982. It has been ignored consistently by the
18 sheriff's office. In fact, I spoke to their
19 attorney less than a month ago. He said, well, we
20 just don't think it's appropriate to give this
21 stuff out. I said, well, the law says an initial
22 meeting with police. So if not initial meeting,
23 when do you think it's appropriate? There was no
24 response.

25 So I have problems not merely with just

1 low-level police officers, I have problems with the
2 top administration. I think it's sad that crime
3 victims are treated so poorly by our county
4 sheriff's office.

5 UNIDENTIFIED COMMISSIONER: And you had
6 presented this to the blue ribbon commission?

7 MS. GAY: Yes, I did.

8 UNIDENTIFIED COMMISSIONER: And they
9 didn't address this?

10 MS. GAY: Of course not.

11 MS. HEINECKE: I think that we'd be all
12 be interested in getting more information from you.
13 So if you could send that to Mark, and then he
14 could distribute it to all the commission. What
15 you're talking is a bit afield of the discussions
16 that we had as commissioners, which were more
17 focussed on whether or not the sheriff would have
18 the right to bargain collective bargaining
19 agreements independent of the county's department
20 of human resources and labor relation staff.

21 MS. GAY: But we were told that civilian
22 oversight review has to be collective bargaining.
23 That's what the legal rulings have been. My point
24 is --

25 MS. HEINECKE: If you --

1 MS. GAY: -- how many more meetings do we
2 have to wait to get there? Because obviously, it
3 hasn't been a priority up until now and even after
4 the commission and then it's the next --
5 (inaudible) got a contract right now, but they
6 don't want to bring it up. Then how many more
7 years for that --

8 MS. HEINECKE: Do you know for a fact
9 that that's not an issue on the bargaining table
10 right now? Because they are in the middle of
11 negotiations.

12 MS. GAY: I'm unaware, but I'm also not
13 privy to those negotiations.

14 MS. HEINECKE: Right. So it may be
15 something that they are talking about. We may not
16 know at the moment. But in any event, what you're
17 talking about with the crime victim's piece is
18 certainly not something that we as commissioners
19 were taking a look at.

20 MS. GAY: Right.

21 MS. HEINECKE: So do get more information
22 to us.

23 MS. GAY: It's not like I haven't been to
24 the King County council, because I have.

25 MS. HEINECKE: Well, we're not the King

1 County council. We're making recommendations to
2 the council.

3 UNIDENTIFIED COMMISSION: Thank you.

4 MS. HEINECKE: Thank you.

5 UNIDENTIFIED COMMISSION: Yes.

6 UNIDENTIFIED COMMISSION: Thank you.

7 We'll make sure we bring this up at our next
8 meeting.

9 UNIDENTIFIED COMMISSION: Yes.

10 MS. HEINECKE: Brie --

11 MS. GYNUILD: Gynuild.

12 MS. HEINECKE: I'm sorry.

13 MS. GYNUILD: I'll spare you.

14 MS. HEINECKE: Thank you.

15 MS. GYNUILD: I actually want to talk
16 briefly about three things.

17 MS. HEINECKE: Okay.

18 MS. GYNUILD: It makes me feel very
19 involved. I actually came here because of IRV. I
20 was very disappointed to see that you aren't
21 recommending it at this time. I'm curious when you
22 say you're recommending that a council look at it
23 next year, is that a formal recommendation?
24 Because the report just said later, which is very
25 vague.

1 UNIDENTIFIED COMMISSIONER: Well, one
2 other thing that's happening this coming year is
3 we've got Initiative 25 going to the ballot. So we
4 did hear from the Pierce County elections director
5 and got our hands full in learning this new system.
6 That was one of the other things that I think was
7 on the minds of the commissioners, was we may be
8 starting --

9 MS. GYNUILD: There's a lot of change
10 going on.

11 UNIDENTIFIED COMMISSIONER: Yeah, a lot
12 of change going on.

13 MS. GYNUILD: I hear that. I hear that.
14 See, what makes me nervous is I don't want to wait
15 another 10 years. Charter review is a 10-year
16 process, right? There are a lot of voters who
17 really want this right now. I actually think this
18 is an ideal time to get people involved in this and
19 thinking about this system because for the first
20 time we're seeing folks who aren't as cynical as
21 they've been for a while. I'd like to capture --
22 look at all these Nova youth here. Let's capture
23 them before they're cynical, right? (Applause)
24 Give them a way to vote. Vote for the people they
25 want to vote for and not feel like they're throwing

1 their votes away.

2 I'm very excited that Pierce County did
3 it. I believe it was Chandra that mentioned -- who
4 I've never met before and I'm very impressed that
5 they're all here -- that other counties and cities
6 have been doing this quite successfully. And while
7 Pierce County, we commend them and are very excited
8 to see for ourselves what happens in November
9 there, we don't only have Pierce County to look at.
10 It's been tremendous down in San Francisco with the
11 board of supervisors elections. They're a little
12 bigger than we are. So that's pretty cool. Well,
13 maybe not bigger than King County, I'm not sure.

14 So anyway, I would encourage you that if
15 you are saying let's wait, there's a lot of change
16 going on, that you actually make a recommendation
17 that the council revisit this within a year or two
18 and maybe set a date that you would recommend they
19 do it. Put something in writing.

20 MS. CATO: I like that suggestion.

21 MS. GYNUILD: Yeah, thank you. I do too.

22 MS CATO: I just leaned over and asked
23 Governor Lowry if this is something that we can
24 revisit. I just want to say thank you to the
25 students from Nova. I'm just so impressed with how

1 you delivered your presentation, along with your
2 presentation. It makes me think after hearing so
3 many people talk about it, there's no reason why we
4 can't talk about it again.

5 MS. GYNUILD: Great.

6 MS. CATO: And I like that suggestion
7 that you made that we can take back to our fellow
8 commissioners.

9 MS. GYNUILD: Good, good.

10 MS. HEINECKE: Which was the whole point
11 of making the commitment that we would come back to
12 the public before we finalized recommendation.

13 MS. GYNUILD: Right, which is fabulous.
14 I mean, actually, this is a wonderful process. I
15 actually wanted to thank Viola too because I didn't
16 know any of that. We're sitting there going, oh,
17 my God. So thank you. It takes a lot of courage
18 to do that especially when you've had doors slammed
19 in your face. So IRV, please revisit. Whatever
20 you tell the council, please actually put it in
21 writing and make it real.

22 As far as the anti-discrimination goes, I
23 applaud you for recommending to put sexual
24 orientation as a protected class, and I would
25 encourage you as well to make sure the definition

1 includes gender identity and expression. I know
2 that was brought up at the hearings on Tuesday. I
3 hope you are talking to Equal Rights Washington or
4 (inaudible) Legal, some of those groups about
5 appropriate language there. But that's where the
6 real vulnerability lies.

7 And then I would also encourage everyone
8 in this room to work toward federal ENDA so we
9 wouldn't have to excuse our federal government from
10 the standards we hold everyone else to. That's
11 just a little thought there. And ENDA is the
12 employment nondiscrimination act.

13 And then I had a question on the citizen
14 initiatives for charter amendments. How many
15 signatures would 20 percent be based on the last
16 election of the county executive?

17 UNIDENTIFIED COMMISSIONER: Christian's
18 not here. I think it was 146 --

19 UNIDENTIFIED COMMISSIONER: 105,000.

20 UNIDENTIFIED COMMISSIONER: 105,000,
21 yeah.

22 MS. GYNUILD: 105,000.

23 MS. HEINECKE: (Inaudible) numbers at the
24 time. You know, it's not going to be the same
25 number each time --

1 MS. GYNUILD: No, of course not.

2 MS. HEINECKE: -- because of the -- it
3 would depend on the voter turn out.

4 MS. GYNUILD: I just wanted kind of a
5 ball park, right. And then when was the last time
6 a citizen initiative went forward for a charter
7 amendment?

8 UNIDENTIFIED COMMISSIONER: Initiative
9 25.

10 UNIDENTIFIED COMMISSIONER: It's
11 happening right now.

12 MS. GYNUILD: Oh, okay. Right, I guess
13 that is (inaudible).

14 UNIDENTIFIED COMMISSIONER: (Inaudible)
15 75,000 (inaudible).

16 UNIDENTIFIED COMMISSIONER: That's right.
17 It's 10 percent.

18 UNIDENTIFIED COMMISSIONER: I mean, this
19 is the constitution.

20 MS. GYNUILD: Right.

21 UNIDENTIFIED COMMISSIONER: That's what
22 we were thinking of this. This isn't referring to
23 statute.

24 MS. GYNUILD: Right, exactly.

25 UNIDENTIFIED COMMISSIONER: And frankly,

1 that number of signatures is so easy to get.
2 People can spend just some money and go out and get
3 -- that was the feeling (inaudible).

4 MS. GYNUILD: Right, right. No, I
5 understand that the charter is a bigger deal than
6 that.

7 UNIDENTIFIED COMMISSIONER: (Inaudible)
8 for the charter, you know. But anyway, it would be
9 105,000.

10 MS. GYNUILD: 105,000.

11 UNIDENTIFIED COMMISSIONER: As opposed to
12 -- it was 57,000 or something. It was a very low
13 number.

14 MS. GYNUILD: Okay, okay. Great.

15 UNIDENTIFIED COMMISSIONER: To amend the
16 charter.

17 MS. GYNUILD: I think that answers my
18 questions. Thank you. So I'm thankful that you're
19 talking about revisiting IRV.

20 MS. HEINECKE: Alison Longley had a
21 question mark and wasn't sure. Did you want to
22 speak, Alison?

23 MS. LONGLEY: I'm Alison Longley. I'd
24 just like to briefly recommend that you do use
25 instant runoff voting. It seems to me that if

1 you're worried about the elections committee having
2 a great deal to do, then that's all the more reason
3 to go for IRV because it makes things so much
4 simpler. You don't have to have both the primary
5 and then a general election. Thank you.

6 MS. HEINECKE: Thank you, Alison. Chris
7 Robertson.

8 MR. ROBERTSON: I'm a teacher at Nova
9 High School. I'd first like to say a great job to
10 all the students that have come up and spoken. I
11 would like to also recommend that King County adopt
12 IRV. I think it's a great system. It's been
13 proven to be effective. We'd really like to
14 emphasize that there is an urgency to this. It
15 needs to be addressed and adopted as soon as
16 possible. 10 years might be too late. We've seen
17 how problems in this country and this world can
18 (inaudible) very quickly. It would be nice to be
19 able to address the voters as soon as possible.
20 The IRV is one of the ways for voters to express
21 their concern for those issues and to dissipate
22 (inaudible) democracy as well. Thank you.

23 UNIDENTIFIED COMMISSIONER: I would point
24 out that although charter review commissions are
25 only brought forth once every 10 years, charter

1 amendments can occur more frequently, as Mark
2 pointed out, regarding the ability to put them on
3 the initiative. I think the council probably has
4 the authority on its own to charter amendments
5 (inaudible).

6 UNIDENTIFIED COMMISSIONER: They do.

7 MR. ROBERTSON: That's good to hear.

8 MS. HEINECKE: Thank you, Chris. Bill
9 Lavelle.

10 MR. LAVELLE: Yes, (inaudible) to support
11 instant runoff voting. I endorse everything that's
12 been previously said about that. I'll submit my
13 additional comments to you in writing.

14 MS. HEINECKE: Thank you. Thank you for
15 coming out. Casey Roby.

16 MS. ROBY: Hi. I'm also a student from
17 Nova. I'm here to talk about IRV. I feel that you
18 should revisit IRV for a number of reasons. I
19 mean, without a primary and caucuses and all that,
20 like, it's so much cheaper. We could use the money
21 in so many other ways for our city, yeah. It's
22 also a shorter process. So I think a lot of people
23 are probably very tired out by, like, how -- like,
24 you have to go to the polls so many times to get
25 your point across to, like, help your candidate

1 win.

2 I think some people are just -- they're
3 not up to the challenge of going to all of those
4 things. They don't find it worth it because also
5 another point of instant runoff voting is maybe if
6 they have another candidate that is not, like, the
7 republican or democratic party that they're
8 interested in, they can't vote for them and, like,
9 honestly believe that they are going to win. So
10 instead of voting for who they want to vote for,
11 they have to vote for one of the other candidates
12 who actually has a chance. If they're not
13 interested in either of the other candidates, then
14 they might just not vote at all. So yeah, it's
15 also a lot simpler. I see that as a pretty nice
16 thing. Yeah, I think that's all I have to say.

17 UNIDENTIFIED COMMISSIONER: Thank you.

18 MS. HEINECKE: Thank you.

19 MS. ROBY: Thanks.

20 MS. HEINECKE: Danielle Askini.

21 MR. ASKINI: Askini.

22 MS. HEINECKE: Sorry about that.

23 MR. ASKINI: That's fine. First off, I
24 want to congratulate all the young people that are
25 here. I think it's amazing. So I wanted to -- I

1 have a prepared statement on the amendment to
2 include sexual orientation in the nondiscrimination
3 policy Section 840. So I'd first like to thank you
4 all for the opportunity to give feedback and
5 recognize King County's history of protecting LGBT
6 people.

7 I'm here specifically to address the
8 proposal to include sexual orientation in the
9 county's anti-discrimination policy. I really
10 applaud that you have recognized that this is an
11 area that King County is lagging behind the rest of
12 the state, particularly some of our cities such as
13 Seattle. I definitely recognize the intent behind
14 your move.

15 As some of you probably know, the
16 lesbian, gay, bisexual and transgender community is
17 made up of a large number of communities of various
18 backgrounds including races, religions, political
19 beliefs and ancestries. I'm here as a member of
20 the transgender community, a population that really
21 is not super visible amongst the LGBT community
22 (inaudible) larger community.

23 King County is home to one of the largest
24 transgender populations in the nation. I would say
25 similar to the rest of the LGBT community, Seattle

1 in particular has a huge population. I work
2 primarily every day -- my full-time job is serving
3 other transgender people in accessing healthcare.
4 So as such, I think there's a component in this
5 amendment which I'm slightly concerned about. I do
6 not believe that the proposed amendment will
7 explicitly cover all parts of the LGBT community.

8 I'm sure this is a slight oversight and
9 unintentional as is generally understood by public
10 and legal scholars. The language sexual
11 orientation does not currently extend coverage and
12 protection to transgender people. Sexual
13 orientation describes people who are lesbian,
14 bisexual or gay, but does not describe
15 transgendered people. The language that has
16 historically been used in states such as Maine,
17 California, New Mexico, Minnesota and a handful of
18 others and cities such as San Francisco, Los
19 Angeles, New York and Chicago is sexual orientation
20 and gender identity and expression.

21 In fact, frequently the solitary use of
22 sexual orientation without gender identity and
23 expression has unfortunately had the negative
24 consequence of invisibilizing transgender people
25 and leading to false stereotypes that all

1 transgender people are attracted to people of the
2 same sex, that we all come from the gay and lesbian
3 community, when in fact a large number of
4 transgender people identify as straight or come
5 from the straight community.

6 Similarly, other classes of people sort
7 of would not find it acceptable to be subsumed into
8 another class. I just think that folks need to be
9 more explicit in the intention to include
10 transgender people and to use language that
11 organizations such as Equal Rights Washington,
12 which I'm sure can advise you on such as using
13 gender identity and expression in the charter
14 language so that it's accessible to transgender
15 people, they understand that there are explicit
16 protections for them and so that people who are in
17 contracts with the county understand that they're
18 on notice to not discriminate against transgender
19 people.

20 So yeah, I guess that's pretty much all I
21 have to say. I really congratulate you and
22 appreciate you updating the charter to include this
23 part of nondiscrimination. I'm certainly here for
24 any questions. I have copies with my address and
25 phone number.

1 UNIDENTIFIED COMMISSIONER: I just want
2 to say that we work this issue with the intent of
3 eliminating any kind of invidious discrimination
4 from the county (inaudible). The other night we
5 got a bit of an education on these issues at the
6 hearing in West Seattle.

7 MR. ASKINI: I'm glad to hear that.

8 UNIDENTIFIED COMMISSIONER: I think it's
9 fair to say that, I at least, am going to rethink
10 this and propose a change along the lines that
11 you've discussed. Essentially the problem I think
12 we ran into was that there's a technical disconnect
13 between what county ordinances do and say and the
14 language in the charter.

15 MR. ASKINI: Yes.

16 UNIDENTIFIED COMMISSIONER: And we just
17 need to figure out technically how to address that.
18 Because the intent of all of us was to rule out any
19 discrimination by the language we use in the
20 organic law of the county. I would say to the
21 commentary about the community we live in, we were
22 able to move this as a consent item among the
23 commission. There was really no debate or descent
24 about it.

25 MR. ASKINI: I'm glad to hear that.

1 UNIDENTIFIED COMMISSIONER: That would be
2 true everywhere. So I think we can perhaps
3 (inaudible).

4 MS. CATO: I just want to also say you're
5 absolutely correct, where we are around protective
6 classes really expanded over the years.

7 MR. ASKINI: Yes.

8 MS. CATO: And as you know for any group,
9 there's all the different terms and names that you
10 don't know. So I really appreciate you coming and
11 bringing that forward. And of course our intention
12 is to include all protective classes. I do have a
13 question. When you said expression, can you define
14 that. That's the first I've heard that. I've
15 heard the other, the gender identity.

16 MR. ASKINI: Sure. So gender identity is
17 a person's internal sense of their gender as either
18 male or female. Gender expression is how you
19 display that. So sort of what is being seen at a
20 national level is that there aren't protections for
21 people who do not fit the stereotypes of male or
22 female. We would assume that that would be covered
23 under sex discrimination, but many, many courts
24 have ruled that it's not. So it's kind of this --
25 it's sort of fascinating.

1 So actually putting the language gender
2 expression clarifies that and says really you can't
3 discriminate based on how somebody presents
4 themselves as male or female. So it really is
5 looking at the stereotype of not only how people
6 identify internally, but also how they present
7 themselves. Thank you.

8 MS. HEINECKE: Thanks, Daniel.

9 UNIDENTIFIED COMMISSIONER: Really
10 quickly. Just in terms of our rationale for using
11 the language sexual orientation, our legal counsel
12 advised me that the reason we use sexual
13 orientation (inaudible) county code and state code
14 perspective that sexual orientation does encompass
15 gender --

16 MR. ASKINI: Gender identity and
17 expression, yes. And so I think that just like
18 having a statement that explicitly describes what
19 sexual orientation entails, yeah.

20 MS. HEINECKE: All right.

21 MS. CATO: I guess I have a question to
22 ask. I mean, I'm just thinking about financial
23 statements or whatever, there's always these little
24 footnotes at the bottom. Is it the same type of
25 thing that we could do with that? I mean, it's a

1 new terminology for a lot of people. I don't want
2 to assume that they all understand that that's been
3 incorporated in there. So I'm asking you is that
4 legally possible. I see a finger going up.

5 UNIDENTIFIED COMMISSIONER: I can't
6 answer that question, Doreen. I think some of us,
7 based on the first public hearing, are leaning
8 pretty strongly in the direction of changing the
9 charter recommendation to use plain English that
10 means what it says.

11 MS. CATO: Right.

12 UNIDENTIFIED COMMISSIONER: And in doing
13 that, it would be also recommending either
14 implicitly or explicitly that the county council
15 amend the King County code to correspond to what
16 would become the organic law if our commission
17 moves it in and if the voters approve it.

18 MS. CATO: Yeah, I like that better.
19 Okay, no footnote.

20 UNIDENTIFIED COMMISSIONER: Okay.

21 MR. ASKINI: Great. Thank you so much.
22 I appreciate it.

23 MS. HEINECKE: Thank you. Sean
24 Crutchfield.

25 MR. CRUTCHFIELD: Well, I assume that by

1 now you've drawn the conclusion that I too am a
2 student from Nova speaking in favor of IRV. First
3 of all, I'll just say that I'm happy to hear that
4 you're entertaining the idea of observing how IRV
5 works in Pierce County first, but I still don't
6 think that eliminates the need for me to speak to
7 it.

8 The first point that I'd like to make in
9 favor of IRV is that I notice it tends to increase
10 voter participation because it eliminates the need
11 for a second election. And also as (inaudible)
12 said earlier, by eliminating the need for a second
13 election, therefor it does not create the
14 possibility of being forced to choose the lesser of
15 two evils.

16 I can't tell you how many times I've
17 asked friends, like, who you're voting for or what
18 bill you want to be passed or something along those
19 lines, and they've told me that they're not voting
20 because they don't like either of the parties in
21 question or because they don't have the wanting to
22 really attend the second election.

23 Also another point I wanted to make about
24 IRV is that it is a majority rule from the get-go.
25 The default system, which is the top two system,

1 even though in the end nomination is majority,
2 leading up to that, the nominees don't need to be
3 chosen by majority, so therefor again it creates
4 the problem that either the two elected might not
5 be fully supported by a large amount of people.

6 Thank you.

7 MS. HEINECKE: Sean, would you like to
8 tell us a little bit about your school? There's so
9 many of you here. Where is Nova High School?

10 MR. CRUTCHFIELD: It's on 23rd and
11 Cherry. It's in Seattle, of course.

12 MS. HEINECKE: Downtown.

13 MR. CRUTCHFIELD: It's in the central
14 district actually.

15 MS. HEINECKE: And is it a public school
16 or a private school?

17 MR. CRUTCHFIELD: It's alternative. So
18 yeah, it is a public school.

19 MS. HEINECKE: You can tell I live in the
20 suburbs.

21 MR. CRUTCHFIELD: I could possibly say
22 that. Nova, if I was to describe it, it's a place
23 where people, I suppose, are very liberal. They
24 really enjoy expressing themselves in many
25 different fashions. It's a place where, I suppose,

1 a lot of students can express themselves without
2 fear of being discriminated against or being
3 attacked for what they believe or how they look or
4 anything like that. I don't know what I'd do
5 without it.

6 MS. HEINECKE: Great.

7 MR. CRUTCHFIELD: And it brings to my
8 attention a lot of ideas. I really enjoy it.
9 Nova's the reason why I'm here.

10 MS. HEINECKE: Well, great. Thank you.
11 Are you guys all part of the same class or belong
12 to a club of some sort?

13 MR. CRUTCHFIELD: Most of us are. We are
14 in American government economics which is taught by
15 Joe and another teacher by the name of Sheila.
16 Most of us are, a couple aren't and just wanted to
17 attend the IRV hearing -- well, not IRV hearing
18 but... (Laughter).

19 MS. HEINECKE: That's what it's turning
20 in to (laughter).

21 MR. CRUTCHFIELD: But thank you very
22 much.

23 MS. HEINECKE: Thank you, Sean.

24 UNIDENTIFIED COMMISSION: I'd like to add
25 that my daughter graduated from Nova four years

1 ago. It was a very good experience for her. Joe
2 was her teacher.

3 MS. HEINECKE: And Joe Szwaja. Am I
4 saying that right?

5 MR. SZWAJA: Szwaja.

6 MS. HEINECKE: Szwaja, pardon me.

7 MR. SZWAJA: Thank you very much. I'm
8 Joe Schwaya. I'm the vice president of instant
9 runoff voting of King County -- excuse me, of
10 Washington, I should say. I'm available to answer
11 questions about that. I also teach at Nova. I
12 really want to first of all say I greatly
13 appreciate all the hours you guys have put in to
14 try to make our county a better place. Thank you
15 so much for that.

16 First of all, I just want to briefly
17 explain IRV for those who might not know about it.
18 It's a system that's been used over a century in
19 the US and around the world. It pulls together the
20 primary and the general election and it allows
21 voters to rank their choices in order of
22 preference. If somebody gets a majority of number
23 one votes, they're just elected, as is the case
24 with our system now.

25 However, if nobody gets a majority of

1 number one votes, what happens is the candidate
2 with the fewest votes is eliminated. Those votes
3 are transferred to their second choice or third if
4 necessary and up the line until a majority is won
5 by somebody. So it does ensure, as Sean said, a
6 true majority in every case.

7 It is used around the world from
8 Australia to Ireland. The Utah republicans use it.
9 It's a system that has been endorsed by John McCain
10 and Barack Obama, San Francisco, many places
11 including Pierce County. In fact, in the last 10
12 jurisdictions where it's been on the ballot, the
13 IRV has won the majority. So it's definitely on
14 the upswing.

15 What is the evidence of how IRV works?
16 We have lot of evidence about it around the world
17 now. I think the evidence is that it tends to --
18 and I emphasize "tends to" because it doesn't solve
19 unfortunately all the problems of the world. But
20 it does tend to, I think, go along with most of the
21 values we have in Pierce County. It tends to elect
22 more ethnic minorities. It tends to elect more
23 women. It does, generally speaking, promote more
24 voter participation.

25 The thing that I think is really

1 important as a former candidate and former
2 councilman myself, is I think that it definitely
3 promotes less negative campaigning. Why is that?
4 Because under IRV you don't have to just go for the
5 true believers. It really matters how people vote
6 for you number two and number three. So you don't
7 want to diss people who might not totally agree
8 with you. I think it leads to a cross pollination
9 of ideas and coming together and less negative
10 campaigning.

11 I appreciate the fact that you all have
12 mentioned Pierce County. I do think it's important
13 to look at other jurisdictions. I would like to
14 add that Rich Anderson Connolly (phonetic) who was
15 here the other day, the president of our group who
16 was from Pierce County, reported that the auditor
17 in Pierce County said that vote by mail is not an
18 obstacle to IRV, so that shouldn't be an
19 impediment. I also want to remind you that Pierce
20 County does not use (inaudible) our election
21 software system company.

22 So I think if you want to really compare
23 apples with apples, I would invite you to compare
24 how IRV is working in Cambridge, Massachusetts and
25 Burlington, Vermont, two places where they have IRV

1 (inaudible) so we can make a good comparison there.
2 I'll just end by saying that I think as a historian
3 and as a person involved in politics, I think that
4 our country and our county is strongest when we
5 widen the circle of democracy and the circle of
6 choice.

7 If you look at it historically, look at
8 the new ideas that had been enacted in our country
9 that were first advanced by candidates and by
10 parties outside of the main stream system. What
11 are some of those ideas? Women suffrage, the end
12 of slavery, the 8-hour day, unemployment insurance,
13 social security. I could go on and on. Those are
14 all advocated by small parties, small candidates.
15 Now we all take them for granted.

16 The ability of folks outside the system
17 to put forward those new ideas and allow them to
18 percolate the system, that is not muffled by money.
19 Now, IRV is not going to get rid of the power of
20 money. As (inaudible) said, I think it can reduce
21 it a little bit by reducing the time of the
22 campaign. But what IRV can do, and I think this is
23 really profound, is it can eliminate the fear
24 factor. How many times have I talked to people and
25 they said I really like the ideas of your

1 candidate, but I'm not going to vote for them. I
2 say, how many you're not going to vote for them?
3 Well, you know, I don't want to vote -- I don't
4 want to elect somebody I really, really don't like.

5 So I think we are at our best as a
6 country when we eliminate the fear factor. We can
7 do that through IRV. It is tested legally in
8 Washington. It's been ruled legal in Washington.
9 It's a simple system. It saves money. It promotes
10 greater participation. I'm really going to urge
11 you guys to act in the tradition of our county,
12 which has been really courageous many times over
13 the years and in the tradition of the wonderful
14 person our county is named for, Martin Luther King,
15 and to open the circle of voices and choices and to
16 recommend specifically that the King County council
17 consider IRV.

18 I just want to end with a little song
19 about IRV. (Singing) IRV, it's easy as 1, 2, 3.
20 For the most majority, democracy, IRV it's for you
21 and me. Now, I'm going to keep singing until you
22 all adopt (inaudible). (Laughter) Thank you very
23 much. I really appreciate your time.

24 MS. HEINECKE: You know that blanket
25 thing you were talking about really would work in

1 terms of my slaughtering people's last names.

2 Sorry about any mispronunciation here. Abe

3 Aslanides.

4 MR. ASLANIDES: Aslanides.

5 MS. HEINECKE: Sorry.

6 MR. ASLANIDES: I'm also a student from
7 Nova High School. You've heard from many of my
8 peers. I'd like to just bring to this committee
9 what I believe is very important about IRV. I
10 think it's a very simple system, which is one of my
11 main concerns. It surely brings more voters to the
12 polls when they only have to come once. That's
13 something that I think is very important to the
14 system. I'd like to thank you all for listening to
15 all of our statements.

16 MS. HEINECKE: Thank you, Abe. Chuck
17 Richards.

18 MR. RICHARDS: Thank you. Well, given
19 the time and all the people that have talked
20 before, I came to speak on behalf of rank choice
21 voting. I don't feel that I need to say too much
22 after what the students and others have said here.
23 I was out at Aberdeen talking recently. I was
24 invited to speak. I had to wait because the
25 legislatures were being questioned by their

1 citizens. There was a fellow from Hoquim who got
2 up and said, when are we going to have this IRV?
3 They said, oh, well, we're all waiting to watch and
4 see what Tacoma does, Pierce County.

5 As a King County resident, I have to say I
6 was a little chagrined that they weren't
7 (inaudible). But you and your wisdom can decide
8 when you want to make that recommendation, and I'll
9 be happy. But instead I'd like to use maybe 30
10 seconds to do a thank you to you instead in
11 listening to your report on your recommendations.
12 I just retired after 40 years of teaching public
13 school. I'm glad I made it through it. I wouldn't
14 trade it for anything. It was great.

15 I came from four generations of school
16 teachers. Of course, I was excited to be a
17 teacher, but I didn't know at the time that I was
18 gay. I just want to thank you for what you're
19 doing with sexual orientation because there was
20 about 25 years where I never knew -- for sure I was
21 teaching out in the county. All of King County is
22 a great place to live. But I was out where it
23 seemed like there was even less protection. I
24 never knew if I was going to finish my career
25 because all I needed to have was one parent say I

1 found my kid's teacher's a queer, and I don't want
2 that, and you've got to fire him.

3 For many years I had no protection.
4 Things have changed so much. I'm sure glad that
5 the young people don't have to go through all that
6 stuff. So thank you for one of the last final
7 steps in our county's system of charter regs to end
8 that. But I appreciate living in King County and
9 what that has meant. How many people we
10 (inaudible) over the years with the rights trying
11 to get gay rights or equal rights for gay people
12 and lesbian and transgender and bisexual and how
13 much it felt as if we were a community. So many
14 people cared when they didn't really have to.

15 The last thing I'd like to say is this
16 thing about the sheriff's office issues. We all
17 are a community. I think all of us as parents and
18 others, every time there's a story in the paper
19 that some parents had their kids killed or
20 something (inaudible) police or the sheriff's
21 office and they try to petition and they try to
22 bring a claim, and they say, well, this is a
23 negotiated matter with the guild or the officer's
24 union and we really can't get too much involved, if
25 we create a citizen review board, it's really going

1 to be ineffective and don't expect too much to come
2 from it.

3 It really seems we need you to figure out
4 some artful way to say that even the right of
5 having due process and getting a response and
6 having the way our kids are treated or our family
7 members are treated by the police and the sheriffs
8 when something goes wrong, that can't be just a
9 labor negotiated deal that ties our hands. It's
10 got to be something to do with our rights and be
11 addressed and responded to and not ignored like
12 we've heard a little about tonight.

13 We are a community. I've always felt
14 that. I think there's people here who do not feel
15 like they belong in the community because they
16 don't get treated well. We need you to find some
17 artful way to help strengthen the fact that
18 everybody deserves to be heard and considered. And
19 when their kids are hurt or killed, that they get
20 their day of attention. So please do something
21 with the language. It's not just a labor
22 negotiated agreement. Thank you.

23 MS. HEINECKE: Thank you, Chuck. Ken
24 Ruben.

25 MR. RUBEN: Good evening. I am not a

1 student at Nova (laughter). But I am here because
2 I do care about IRV. I want to first off thank
3 you. You seem very open and responsive. When we
4 come to these kinds of events, you never know how
5 much is a facade of people shaking their heads with
6 predetermined agendas, and now the public's gone
7 and we can go back to what we want. I'm hoping
8 that you will maintain that openness with IRV when
9 you realize that we probably have 20 people here
10 speaking for IRV.

11 (Inaudible) for each person who has the
12 time and energy and effort here. There's, as we
13 all know, probably 100 or 1,000 or 5,000 who are
14 not represented. I've not heard anybody here speak
15 in opposition to it. Although you might hear 20
16 voices, please hear that as five or ten or a
17 hundred times more. Again, I hope you're open to
18 not following others, but showing leadership and
19 leading and being responsive to us as a group.

20 But a piece of information that I needed
21 to find out for myself was how other political
22 scientists felt about IRV. It's wonderful to hear
23 about citizens. But how do researchers and how do
24 academics feel about it? So I did a little bit of
25 research and investigated the largest political

1 science association in the world. It has 15,000
2 members in 80 countries. It's based here in
3 America. It's called the American Political
4 Science Association, APSA.

5 They've been around since 1903 so they
6 know what they're doing. These are the
7 researchers. They investigate how democracy seems
8 to best represent the needs of the variety of
9 people in the countries. When I started looking
10 for articles and I read about the organization, I
11 stopped in my tracks because what I find out was
12 the way they choose to elect their officials is
13 through IRV.

14 To me, that speaks mounds of the largest
15 organization, of the most popular political
16 magazine in the world. They didn't wait to follow
17 another organization to monitor that organization.
18 They took leadership. That's how they elect
19 theirs. I urge you to consider not waiting, but
20 showing leadership in doing IRV asap. Thank you.

21 UNIDENTIFIED COMMISSIONER: I just wanted
22 to ask you: I know that you and your colleagues in
23 the IRV movement have spent a lot of time and
24 effort studying the issue and articulating the
25 advantages of it. Who was opposed to IRV and the

1 extent that you know why?

2 MR. RUBEN: I appreciate your assumption
3 that we're a part of a large organization. But the
4 fact is we're a bunch of concerned citizens who
5 (inaudible) show a little bit in the past --

6 UNIDENTIFIED COMMISSIONER: Well, I
7 didn't say organization, I said a movement.

8 MR. RUBEN: Right. I'm not even part --
9 again, I appreciate that. It's the millions that I
10 represent here (inaudible). (Laughter) We'll have
11 to get back to you on that. Yes, I definitely
12 represent millions. I don't know. I'm sure like
13 everything, there are imperfections. For instance,
14 I think a big need in voting is none of the above,
15 NOTA, so that those want to vote and believe in
16 democracy and want to reinforce the sanctity of
17 voting. But if they don't believe in a candidate,
18 they can make their statements saying, I vote for
19 none of the above.

20 So I think there's a lot of holes in it.
21 I don't have enough information. If you'd like,
22 I'm happy to do some research and get back to you
23 on the balance.

24 UNIDENTIFIED COMMISSIONER: Well, I'm
25 just curious if the political parties are against

1 this.

2 MR. RUBEN: Excuse me?

3 UNIDENTIFIED COMMISSIONER: Yes.

4 UNIDENTIFIED COMMISSIONER: Yes.

5 UNIDENTIFIED COMMISSIONER: Yes.

6 MR. RUBEN: Oh, of course they are.

7 UNIDENTIFIED COMMISSIONER: There's
8 political action committees against it? You may
9 know more about this than I do.

10 MR. SZWAJA: Well, I would say that as
11 organized entities, the democrats and republicans
12 are both against it. In fact, they both went on
13 the record -- or some of the legislature districts
14 did go on the record before your organization to
15 say they're against them. However, I think it is
16 encouraging that there are a number of prominent
17 democrats and republicans that are open minded
18 enough to use it. As I said, the Utah republican
19 party uses it. Howard Dean, John McCain and Barack
20 Obama are all on record as supporting it.

21 So there are many people at the grass
22 roots of the democrats and republicans who do
23 support it as organized political entities while
24 both major parties are against it. I think an
25 argument that's also advanced against it many

1 times, which I can understand on the surface sounds
2 good, is that it's too complicated. But I think as
3 some of the students testified the other day,
4 ranking things is something we all do in everyday
5 life, whether it's choosing what food we're going
6 to eat or what clothes we're going to wear based on
7 the sniff test or who you're taking to the prom.
8 You know, you always don't get your first choice.
9 (Laughter).

10 So I think we all use IRV. (Inaudible)
11 one of the people who came from Australia says I
12 don't think Americans are too dumb to count one,
13 two, three or one, two, three, four, five. So it's
14 been used for over a century in the US in many
15 places. In fact, it was used earlier in our state
16 in the early part of the century (inaudible). So
17 it's used by a lot of people. Those are some of
18 the arguments against it if that helps you.

19 UNIDENTIFIED COMMISSIONER: Okay.
20 Thanks.

21 UNIDENTIFIED: Bryan, just for the
22 record, in the governmental structure subcommittee
23 both the chairs of the King County dems and
24 republicans voiced opposition to IRV.

25 UNIDENTIFIED COMMISSIONER: Yes.

1 UNIDENTIFIED COMMISSIONER: I wasn't on
2 that committee. I could have figured this one out
3 on my own. I'm curious what difference it makes
4 what the democratics and republicans feel if the
5 people might feel -- I'm just curious as to --

6 UNIDENTIFIED: Well, it doesn't matter to
7 me. I'm a member of the pedestrian party
8 (inaudible) on the ground. (Laughter).

9 MS. HEINECKE: Thank, Ken. Sandy Harold.

10 MS. HAROLD: I don't know Joe and before
11 today had never heard of the Nova High School
12 (inaudible). I just want to quickly say that I'm
13 also here for IRV and that I'll try to do something
14 in writing.

15 MS. HEINECKE: Thank you for coming. And
16 then the last speaker signed in is Virginia Gunby.
17 And Governor Lowry advises me that you served on a
18 past charter review commission.

19 MS. GUNBY: Yes, I've served on charter
20 review commissions. I was the original freeholder
21 who helped write the first charter. (Applause)

22 first of all, I want to thank all of you
23 members of the commission for your dedication and
24 work over the past year and a half. If you're
25 interested in learning about county government and

1 being on the charter review commission, it can be
2 fascinating and educational. I thank you for doing
3 that.

4 Up front I will tell you that my bias is
5 protecting a 40-year-old county constitution from
6 too many proposed amendments which could be
7 accomplished more flexibly through your
8 recommendations to recommend to the council
9 revisions in ordinance form. The county charter
10 has stood the test of time. It's been a model for
11 others as the first (inaudible) county charter in
12 our state. As I have watched King County and other
13 charter review commissions in our state, there's a
14 tendency to not just review, but in their
15 enthusiasm to overdo and recommend too many details
16 and too many new charter changes that do not stand
17 the test of time and need to be revised again and
18 again.

19 There have been about 17 proposed or
20 adopted amendments to the charter over the last 40
21 years. In 2008 I ask you to please weigh each
22 proposed amendment that you believe needs to go to
23 the voters carefully before deciding to approve it.
24 Most voters that I have met, their eyes glaze over
25 when you start talking about charters and proposed

1 amendments. I know because I chaired the
2 (inaudible) voters King County government study
3 that recommended a change to the charter in the
4 60's.

5 Many times amendments are part of special
6 interest groups' campaigns as we've seen tonight.
7 As a result, I've never supported voting for
8 amendments to the charter that I believe are not in
9 the public's interest or benefit the (inaudible)
10 charter's basic objectives. We're finding out that
11 checks and balances of the executive council policy
12 making and the oversight forum of a chartered
13 county government work, except they are gradually
14 being eroded by the hybrid similar to the former
15 original independently elected county of officers
16 model that we had in many of the other counties in
17 our state.

18 First it was due to a compromise vote of
19 the King County freeholders choosing to have an
20 elected assessor rather than an appointed by the
21 executive in 1968. We were threatened at that time
22 that the charter would fail to be approved by the
23 voters if the assessor was not elected then by the
24 council. Another amendment was in 1986 for an
25 elected sheriff. In the future there's a proposed

1 question of an elections director coming up.

2 My position to any of your housekeeping
3 amendments that are important enough to require
4 charter changes should be placed on the ballot in
5 2008 at the presidential election year. Hopefully
6 well informed voters will be able to sort them out
7 and vote accordingly. It delays your final closure
8 on your review, but I believe the substantive
9 amendments should wait until 2009 when the
10 executive and five councilmembers and the majority
11 of the council will be up for election.

12 County unincorporated voters pay
13 attention to the county elections, but I've found
14 that they are secondary interest to people who live
15 in incorporated cities unless there are substantive
16 and controversial issues. Your proposed charter
17 amendment list includes some very substantive
18 policy issues. Charter amendments allowed in the
19 new section 820 should be more difficult to file
20 than the regular initiative.

21 I suggest that you consider adding
22 revised wording similar to section 230.50, the
23 initiative, to state except to charter amendments
24 providing for the compensation or working
25 conditions of county employees. We felt that was

1 important to put in the initiative process. I
2 would ask your attorneys to look at that as an
3 exception to the rule on charter amendments.

4 I agree that section 800 needs to clarify
5 the horrible process that the Washington State
6 Supreme Court struggled to decide. Their laborious
7 process needs to be reduced from the disconcerting
8 multiple votes that they decreed. The freeholders
9 were told at the time that the state and federal
10 constitutions could not be amended by initiative.
11 So we affirm that process and only allow the
12 amending of the charter through council action, and
13 then go to the voters.

14 I support your requirement of 20 percent
15 higher signature threshold than what the charter
16 requires for ordinance type charter initiatives.
17 Council taking action on charter review amendments
18 on the record is also necessary. This will help
19 revise the past history of the council's sometimes
20 lack of enthusiasm or consideration of action of
21 many of the past charter commission's lengthy work
22 on charter amendments and other recommendations.

23 Open space protection and required
24 inventory. I consider myself an environmentalist.
25 I think that limiting it to 1,000 acres is too

1 little. I believe that there should be some
2 additional study done on this with some open space
3 advocates working with the council to keep the
4 protection flexible enough through requiring a
5 county ordinance. If open space protection for
6 some reason is being misused, watchful citizens
7 will have to have the ultimate power to either
8 initiate an ordinance or a charter amendment to
9 revise the action.

10 Setting qualifications for the county
11 assessor is the start of a trend to set standards
12 to promote an increase in the number of
13 independently elected county officials, which I
14 oppose. The 2000 Pierce County charter added an
15 elected nonpartisan sheriff's office and
16 nonpartisan labels for the assessor and the auditor
17 and returning that county more towards a
18 traditional separate county governmental office
19 like we've had in the past.

20 Strengthening and reforming the regional
21 committees is really important. It's been needed
22 for a long time. Up until now, the language of the
23 charter and the language proposed is, again, too
24 detailed. Again, regional collaborative structures
25 that the county and the cities can design together

1 to enable them to productively work on many
2 regional public issues, rather than the single
3 minded, narrow fragmented and competing work plans
4 that's greatly needed.

5 I believe the charter language on
6 regional committees should state the objectives and
7 outcomes and leave the details to the required
8 regional ordinance in which the noncounty members
9 must be jointly involved. Revisions and lessens
10 learned and types of improvements can be made
11 simply without the delay of going back to the
12 voters for another charter amendment. I would
13 suggest that there be an annual regional report to
14 county citizens or a regular independent
15 performance audit of the group with an evaluation
16 required to report to the public and advance
17 regional issues to the public county wide.

18 The sheriff's office. I like the
19 commission's suggestion that recommends that this
20 action be done by ordinance and that the public
21 official and staff collaboration be used rather
22 than a proposed charter change that would further
23 erode the executive and council (inaudible) and
24 balances and accountability established by our
25 (inaudible) county charter.

1 The charter gives the rule of bargaining
2 labor agreements to the executive with oversight by
3 the council, all of whom are elected and
4 representing the public and overseeing the whole
5 county system, not just one office of county
6 government. Both branches should play significant
7 roles in policy making and implementing policies
8 through the control of the budget overall offices,
9 the administrative, the legislative and other
10 offices whether they are independently elected or
11 not.

12 As a former freeholder, I would never
13 have voted for an independently elected sheriff.
14 I'm sorry (inaudible) elected sheriff. With
15 respect to Sheriff (inaudible), I have a great deal
16 of respect for her. She can discipline her
17 employees under the current county procedures. But
18 to have the sheriff assume that collective
19 bargaining control over working conditions is
20 inconsistent with the philosophy and goals of the
21 county's (inaudible), the constitutional amendment
22 21.

23 Unincorporated areas are another issue.
24 Placing the chartered unincorporated office of the
25 executive does not guarantee that unincorporated

1 interest and issues will really be considered. I
2 don't believe that this is a charter issue, but it
3 is a priority concern of your members. It needs to
4 be proposed to the county executive and council so
5 that they can develop a new proactive effort to
6 gain greater visibility and involvement from county
7 constituents and residents living in the
8 unincorporated areas of the county.

9 Adequate financial support and reporting
10 regularly to unincorporated community councils or
11 whatever they're now called must be linked to the
12 responsibilities of the county council chair
13 responsible for unincorporated areas also. This
14 should help, in my opinion, to break down current
15 barriers. With few civic classes, although we've
16 seen some good tonight in most of our schools, and
17 competing work and busy lives, citizens need
18 encouragement to learn how to be meaningfully involved
19 in their local and county communities as part of
20 the democratic system of representative government.

21 Striking the transitory provisions, maybe
22 I have some ownership to those. I think it
23 provides a sense of history to this charter. It's
24 a model for any future county charter writers. If
25 you still desire to strike the transitory sections

1 of the charter, please include them as a historical
2 reference or for new and future inexperienced
3 charter review commission members and interested
4 newcomers to the county.

5 Finally, remember that the county council
6 can propose housekeeping charter amendments just as
7 the budget timelines, the allotment revisions, the
8 election deadlines, any time they can agree and
9 that they are needed. Again, I want to thank you
10 for your work. I'll be watching your progress and
11 your resulting endeavors. Thank you.

12 MS. HEINECKE: Thank you. (Applause)
13 Virginia was the last person that signed in
14 indicating they wanted to speak. Are there folks
15 --

16 UNIDENTIFIED: I thought I put a "Y"
17 (inaudible).

18 MS. HEINECKE: Okay. Come on up. And
19 after Brandon, if there's anybody else present that
20 did not indicate that you'd like to speak but has
21 decided you'd like to, please come up to the podium
22 at that time.

23 BRANDON: Okay. Yeah, sorry about that.
24 The same thing happened at West Seattle. I'm from
25 Nova. I came to talk about IRV. First I want to

1 thank you. I am a member of the GLBT community. I
2 want to thank you for your decision on that. Yeah,
3 I really don't have much to add to what I said at
4 West Seattle. But I would like to see that King
5 County -- actually, I'd love to see Washington be
6 kind of a leader. I'm not sure if any other states
7 have two counties with IRV, but it would be great
8 if Washington had two counties with IRV sooner
9 rather than later. I'd ask you to review that.
10 Thank you.

11 MS. HEINECKE: Thank you, Brandon.
12 Anybody else that hasn't had an opportunity to
13 speak?

14 MR. KODAY: My name is Auther Koday
15 (phonetic). I'm a Shoreline resident. Thank you
16 very much for having this meeting and all that
17 you've done. Many people here, in fact, the
18 preponderance of people since I've been here this
19 evening, though I came late, have spoken in one
20 manner or another regarding elections. I do note
21 that there's a section in that article 6 on
22 elections here in this (inaudible) charter.

23 What I find interesting and somewhat
24 troubling however is that there is no fundamental
25 ascertain of voter rights in King County. I think

1 that any treatment of voting, whether it's using an
2 IRV system or any other proposed mechanism, really
3 rests on top of a more basic foundation, and that
4 is what are the actual rights of the voters. I
5 think there's good cause for concern here in our
6 state, perhaps nationally and certainly in King
7 County, to call into question what the actual
8 rights of voters would be.

9 I would just recommend that this
10 commission give serious consideration to inserting
11 some sort of a fundamental but brief statement on
12 the rights of voters in King County. Of course we
13 have our US federal rights starting with our
14 constitution and the many supreme court case
15 rulings spanning more than one century regarding
16 voter rights in America. We have our own state
17 constitution, which says it very short and sweet:
18 All elections shall be free and equal, and no
19 power, civil or military, shall at any time
20 interfere with the right of suffrage. Something
21 along those lines I think would be in order. Thank
22 you.

23 MS. HEINECKE: Does the commissioners
24 have any questions? John? Do you have a question
25 of our last speaker?

1 MR. JENSEN: No.

2 UNIDENTIFIED: I hadn't intended to
3 speak. My name is (inaudible). I've been part of
4 the ad hoc committee of patrons of the King County
5 Library System. I just want to say thank you very
6 much to the commission. I quite realize that KCLS
7 does not neatly fall into the charter review
8 process. But I do believe, if anything, what the
9 charter review process is, is about good
10 governance. And in that, your letters will help
11 for a better governance of KCLS. I think you're
12 doing a huge favor to all the residents of King
13 County and the patrons of the King County Library
14 System. Once again, thank you. (Applause)

15 MS. HEINECKE: Thank you. Is there
16 anybody else that would like to speak at this time?
17 Okay, I'm hearing none. I want to thank you on
18 behalf of all of the commissioners for your coming
19 out and taking the time to give us your thoughts
20 and share your ideas with us.

21 The commissioners will be meeting in two
22 more of these kinds of public hearings in the
23 coming week in Renton and Preston. We will be
24 reconvening on the 22nd to review the testimony
25 taken at these four public hearings. The final

1 meeting of the commission to finalize
2 recommendations will be on the 29th of April.
3 Thank you very much.

4 (End of recording.)

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STATE OF WASHINGTON)
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COUNTY OF KING)

I, the undersigned, under my commission as a Notary Public in and for the State of Washington, do hereby certify that the foregoing audiotape, videotape, CD and/or DVD was transcribed under my direction as a transcriptionist; and that the transcript is true and accurate to the best of my knowledge and ability; and that I am not a relative or employee or any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of _____, 2008.

Philip T. Campbell, Jr.
In and for the State of Washington,
residing at Seattle. Commission
expires December 18, 2010.