

Agenda for Charter Review Commission Meeting
7 p.m. to 9:30 p.m., June 21, 1995
Human Resources Training Room
Bellingham City Hall

Individuals needing information about accessibility or special assistance should please contact the County Council office at 676-6690 at least 48 hours in advance, so that we may make necessary accommodations. Some accommodations, such as assistive listening devices or materials in alternative format may require 7 to 10 days notice.

- I. Call to Order
- II. Roll Call
- III. Approval of the Agenda
- IV. Reading and Approval of Minutes from the June 14, 1995 Meeting
- V. Open Session - Public Comments (15 minutes)
- VI. Discussion of Proposed Motions (See attached)
 1. Sutter, Sects. 2.30 & 2.31: requiring ordinances to state goal, and addition of new section 2.31 requiring ordinances to be reviewed every five years
 2. Section 1.11: reconsideration of addition of new section previously adopted, regarding consideration of and provisions for compensation to those unduly burdened by ordinance or resolution
 3. Polinder, Section 2.20: increasing the Council Chair's salary
 4. Beech, Preamble: changing "justice" to "justice for all", eliminating beginning language
 5. Goldsmith, Section 8.11: preventing county employees from being on the Charter Review Commission
 6. Hansey, Section 8.40: allowing the Council to hire a Hearing Examiner
- VII. Break (8:20 p.m.)
- VIII. Other Business
 1. Overview of Final Motions to Voters
 2. Other Business
- IX. Discussion of Next Agenda
- X. Adjourn

The next scheduled meeting will be Wednesday, June 28, 1995 at 7 p.m. in the County Courthouse Chambers, 311 Grand Avenue, Bellingham.

People are encouraged to write the Charter Review Commission and share their thoughts and concerns. Please mail your comments to: Charter Review Commission, c/o Whatcom County Council Office, 311 Grand Avenue, Bellingham, WA 98225.

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PROPOSED MOTIONS
CHARTER REVIEW COMMISSION
JUNE 21, 1995

1. (Sutter) I move to amend the Charter by adding the following section:

Section 2.30 Ordinances.

Every legislative act shall be by ordinance.

The subject of every ordinance shall be clearly stated in the title, and no ordinance shall contain more than one subject. Ordinances or summaries of them, the places where copies are filed, and the times when they are available for inspection, shall be published when the ordinances are proposed and again upon enactment.

No ordinance shall be amended unless the new ordinance sets forth each amended section or subsection at full length.

All ordinances shall include a clearly stated intent and goal which is measurable within a specified time frame.

Ordinances may, by reference, adopt Washington State statutes, or any recognized, printed codes or compilations in whole or in part.

{Etc.}

Section 2.31 Review of Ordinances

All ordinances shall include a set date, not to exceed five (5) years, for review as to its effectiveness in accomplishing its stated goal. If, upon the required review by the County Council, the ordinance has not met its stated goal, it shall be retired.

After twenty-five (25) percent of the set duration of the ordinance has elapsed, a citizen petition signed by at least five hundred (500) registered Whatcom County voters may be submitted to the County Council requesting an early review of the ordinance. The County Council shall do such a review and hold a public hearing within sixty (60) days of submittal of the petition. A citizen requested review may result in the Council amending or repealing the ordinance. Upon conclusion of review, the date for automatic review shall be reset, and

1 no new citizen request for review may be filed until twenty-five (25) percent of that time has
2 elapsed.

3 If the required review is not done within the specified time period, the ordinance shall be
4 automatically repealed.

5 The county budget, contracts, and other items which are currently subject to periodic review
6 shall be exempted from the requirements of this section and shall be specifically enumerated
7 in the Whatcom County Council Member Handbook of Office and Operating Policies (Res.
8 95-018).

9 2. I move to reconsider the following amendment to the Charter, as provided in the
10 original motion, which passed on February 8, 1995:

11 **Section 1.11**

12 The rights of the individual citizen shall be guaranteed under the Constitutions of the
13 United States and the State of Washington. No regulation or ordinance shall be generated
14 without consideration of and provisions for compensation to those unduly burdened

15 {Clerk's note: the following is an excerpt from the February 8, 1995 meeting minutes, as
16 approved by the Commission on February 15, 1995.}

17 Elenbaas moved to recommend to the citizens the following language, subject to review and
18 improvement of the written format: Shall the Charter be amended to provide the new
19 section 1.11, stating, "The rights of the individual citizen shall be guaranteed under the
20 Constitutions of the United States and the State of Washington. No regulation or ordinance
21 shall be generated without consideration of and provisions for compensation to those unduly
22 burdened"?

23 Motion carried 11 - 4, with Gardner, McLeod, Polinder, and Stender opposed.

24 3. (Polinder) I move to amend the Charter as follows:

25 **Section 2.20 Powers**

26 The County Council shall exercise its legislative power by adoption and enactment of
27 ordinances or resolutions. It shall have the power:

1 (a) To levy taxes, appropriate revenue and adopt budgets for the county.

2 (b) To establish the compensation to be paid to all county officers and employees
3 and to provide for the reimbursement of expenses, except that no council member
4 may receive a salary increase for the term of office during which the ordinance is
5 adopted, ~~nor shall the chair of the council receive a salary in excess of forty (40)~~
6 ~~percent of that of the County Executive; nor shall the remaining council members~~
7 ~~any council member~~ receive a salary in excess of fifteen (15) percent of that of the
8 County Executive.

9 {Etc.}

10 4. (Beech) I move to amend the Charter as follows:

11 **PREAMBLE**

12 ~~Treasuring the many wonders of our unique environment and realizing that the power and~~
13 ~~duty to govern and protect this region is inherent in its people, w~~We, the citizens of
14 Whatcom County, in order to have a government which advances justice for all, inspires
15 confidence, and fosters responsibility, do adopt as the foundation of our government, this
16 Charter.

17 {Clerk's note: this language reflects the language of the Preamble as amended by Polinder's
18 motion, which passed on June 14, 1995.}

19 5. (Goldsmith) I move to amend the Charter as follows:

20 **Section 8.11 Election and Period of Office.**

21 At least every ten (10) years after the adoption of this Charter, the County Council shall
22 cause an election of a Charter Review Commission, hereinafter referred to as the
23 Commission. The Commission shall consist of fifteen (15) persons, an equal number from
24 each Council district. ~~No person who is employed by the County Government or who holds~~
25 ~~an elected office in County Government will be eligible to serve on the Charter Review~~
26 ~~Commission.~~ There shall be no filing fee nor shall there be a primary. {Etc.}

27 {Note: the remainder of the section, as previously amended on April 26, will remain.}

1 6. (Hansey) I move to amend the Charter as follows:

2 **Section 8.40 Hearing Examiner**

3 The County Council may hire a hearing examiner to assist in its quasi-judicial
4 responsibilities. The duties of the Hearing Examiner will be determined by general law and
5 by the County Council by ordinance. The Hearing Examiner shall continuously be a
6 member in good standing of the Washington State Bar Association.

7 {Clerk's note: This proposed amendment is to the new Article 8, which was previously
8 passed by the Commission.}