

MINUTES
CHARTER REVIEW COMMISSION
March 16, 2016

Tacoma Firefighters Hall
1109 So. 50th Street
Tacoma, Washington 98408

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

1. Convene

The Charter Review Commission meeting was called to order at 7:03 p.m. by Chair Hanek.

2. Pledge of Allegiance to the Flag

The pledge was led by Clark.

3. Roll Call

Commission Members Present: Katie Baird, Janis Clark, Amy Cruver, Sharon Hanek, John Ladenburg, Martha Lantz, Grant Pelesky, Joshua Penner, David Perry, April Sanders, Greg Hartman, Carolyn Merrival and Richard Thurston

(Commissioners Carolyn Edmonds, Timothy M. Farrell, Cathy Pearsall-Stipek, and Paul Wagemann entered the meeting following roll call.)

Commission Members Excused: Jan Shabro, Linda Farmer, Don Anderson and David Olson.

Staff Present: Ian Northrip, Civil Deputy Prosecuting Attorney; Susan Long, Administrator for Legal and Research, Pierce County Council; Kate Kennedy, Meeting Clerk; and Jenifer Schultz, Meeting Clerk.

Also Present: Al Rose, Executive's Office.

There were approximately 15 visitors present.

4. Approval of the Agenda

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

5. Approval of Minutes

Ladenburg moved approval of the minutes; motion seconded. The Chair stated there are no minutes to approve. Ladenburg rescinded his motion; the second withdrew.

The Chair thanked Commissioner Clark for hosting the meeting.

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

The following individuals spoke and answered questions: Jerry Gibbs, Ken Paulson, Rick Sorrels.

John Berry also spoke and provided his comments in writing. (A copy of his written testimony is contained in the meeting file.)

7. Presentations from Elected Officials

Mike Rooney, Elections Manager, Pierce County Auditor's Office spoke to Amendment O-5, and the proposed changes to Section 4.70 of the Charter.

Rooney provided a handout entitled, "Pierce County Referenda Information." (A copy of the handout is contained in the meeting file.) He explained the document and talked about the number of referenda submitted over time.

Rooney spoke to the Referenda submitted in relationship to the Chambers Bay Golf Course, and he gave a history of why numbers were not assigned to these referenda.

Rooney answered questions of Commissioners Merrival, Thurston, Pelesky, and Baird.

8. Presentations from County Department Heads/Employees: none

9. Approval of Commissioner Requests for Research (4 votes needed)

- Research of possible options for defining expectations of Councilmember accountability in the Charter, including examples from other jurisdictions.
- Legal research of possible options for inclusion in the Charter of enforcement processes and mechanisms for alleged violations of Charter, including examples from other jurisdictions.

Sanders moved to forward the two research projects for staff to research; motion seconded and passed on a voice vote.

10. Discussion of Proposed Amendments

- Update on Proposed Amendments Received to Date
- Advance Any Other Selected Proposed Amendments to Next Phase
- Possible Discussion of:
 - Amendment P-1 (proposed change to Section 5.60 – Referendum);
 - Amendment C-5 (proposed change to Section 4.50 - Districting Committee);
 - Amendment O-5 (proposed change to Section 4.70 – Vacancies);
 - Amendment C-1 (proposal for Non-Partisan Council)
 - Amendment O-8 (proposed change to Section 9.15 Purchasing and Contracts)

Merrival moved to remove P-5 and P-7 from consideration; motion seconded. Following discussion, the question was called; the motion failed.

Lantz moved O-6 forward for further discussion; motion seconded. Following discussion, the question was called; the motion passed on a voice vote.

Lantz moved C-3 forward for further discussion; motion seconded. Ladenburg asked for clarification of the amendment. The question was called; motion passed (on a voice vote).

Merrival moved to forward P-5 for further discussion; motion seconded. Following discussion, Lantz stated that P-5 would be forwarded to legal. The question was called; the motion failed on a voice vote.

Merrival moved C-4 forward for further discussion; motion seconded. The question was called; the motion passed on a voice vote.

Merrival moved P-8 forward for further discussion; motion seconded. Ladenburg called for division. The Chair called for a show of hands. The motion passed on a show of hands.

Merrival moved P-9 forward; motion seconded. Pelesky moved to call for the question; motion seconded and passed on a voice vote. The question was called to move P-9 forward; the motion passed on a voice vote.

Lantz clarified the process for moving the "Ps" forward.

Cruver moved to go through all the Ps tonight and C-6 and C-7; motion seconded. Ladenburg moved to amend the motion that if the Ps don't get more than 4 votes they die and are removed from the list; motion seconded. The question was called; the amendment to the motion passed. The question was called on the motion as amended; passed on a voice vote.

Merrival moved P-14; motion seconded. Ladenburg spoke against the motion; Thurston concurred. The question was called; the motion passed on a show of hands.

Lantz moved P-15; motion seconded. Discussion followed. Merrival moved to call for the question; motion seconded. The question was called; the motion passed. The question was called on P-15 to move forward; the motion passed on a voice vote.

Merrival moved to call for the question; motion seconded and passed. The question was called; P-15 was moved forward on a show of hands.

Cruver moved to take from the table C-6 and C-7; motion seconded. The question was called; the motion failed on a voice vote.

Cruver moved C-6; motion seconded. Pelesky called for a point of order. Farrell and Thurston provided comments. Pelesky asked if point of order didn't take precedence. The Chair deferred to Long; Long stated yes. Penner asked Ladenburg about the appointment process and how it works; Ladenburg responded. Penner asked if this amendment were passed can it be changed; Lantz stated yes and it has been submitted to legal. Northrip responded stating that the amendment has not been looked at yet but it is on the list.

Clark requested a recess in that she brought food in hosting the meeting.

The question was called to move C-6 forward; the motion passed on a voice vote.

The meeting recessed at 8:55 p.m. The meeting reconvened at 9:14 p.m.

The Chair stated that the Commission would be having a discussion regarding P-1, C-3, and O-6 as they are all related. Hanek deferred to Northrip to speak to his legal memorandum dated March 9, 2016 to the Charter Review Commission via its Chair pertaining to "Municipal direct legislation powers, meaning of Charter § 5.60, and effect of adopting proposed Amendment P-1 to Charter § 5.60." (A copy of the legal memorandum

is contained in the meeting file.) He provided the website to a document called "Initiative and Referendum Guide."

Discussion ensued and Northrip answered questions of Commissioners.

Cruver moved to table the discussion until next week after the Commission hears testimony from Gibbs. Cruver asked legal if she was not properly following Roberts Rules of Order. Long answered the question. Clark called for point of order, stating the proper procedure was not being followed and is in conflict with the policy. The Chair requested that Clark's concerns be noted in the minutes.

Penner spoke in favor of the motion.

Lantz moved to amend the motion to continue with those who want to speak on the issue tonight and continue the discussion until next week; motion seconded and passed on a voice vote. The question was called on the motion as amended; passed on a voice vote.

11. Good of the Order

- Update on District Meetings
 - March 30, District 3 – Graham Fire Station (6 pm start)
 - April 6, District 2 – Metro Parks Norpoint Center
 - April 20, District 1 – North Tapps Middle School (facility not available after 9)

The Chair stated Mark Lindquist, County Prosecutor, will be speaking before the Commission on April 13.

Lantz moved to start the April 20 meeting at 6:00 p.m.; motion seconded. The question was called; the motion passed.

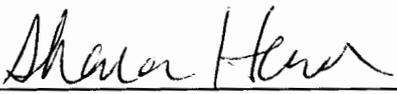
- Budget Update: none
- Clerk Hiring Update
 - The Chair stated that 3 candidates have been selected, and the selection will be named at the next meeting.
- Additional Topics
 - Pelesky thanked Clark for hosting the meeting and bringing food.

12. Adjournment

Merrival moved to adjourn; motion seconded. The question was called; the Charter Review Commission adjourned at 10:35 p.m.


Kate Kennedy, Meeting Clerk

Approved:


Sharon Hanek, Chair

6/22/16
Date Approved