

**MINUTES  
CHARTER REVIEW COMMISSION  
May 11, 2016**

Pierce County Annex  
2401 S. 35<sup>th</sup> Street  
Tacoma, Washington 98409

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

**1. Convene**

The Charter Review Commission meeting was called to order at 7:05 p.m. by Chair Hanek.

**2. Pledge of Allegiance to the Flag**

The pledge was led by Tim Farrell.

**3. Roll Call**

Commission Members Present: Don Anderson, Katie Baird, Amy Cruver, Carolyn Edmonds, Linda Farmer, Timothy Farrell, Sharon Hanek, John Ladenburg, Martha Lantz, Carolyn Merrival, David Olson, David Perry, April Sanders, Jan Shabro, Richard Thurston and Paul Wagemann.

Commission Members Excused: Janis Clark, Greg Hartman, Cathy Pearsall-Stipek, Grant Pelesky and Joshua Penner. Commissioners Anderson and Ladenburg arrived after roll call.

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

Also present: Al Rose, Executive's Office.

There were 7 visitors present.

**4. Approval of the Agenda**

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

**5. Approval of Minutes – May 4, 2016**

Edmonds moved approval of the minutes for May 4, 2016, as presented; motion seconded and passed on a voice vote.

**6. Public Comment (three-minute time limit per speaker):**

- Jerry Gibbs, Committee of Citizens for Responsible Spending, expressed thanks to commissioners for their diligence in trying to reach reasonable solutions to protect those who file referenda in the future.

- Cindy Beckett voiced disappointment that her proposed amendment dealing with recognition for small forest land owners was not advanced for consideration by the Commission. Edmonds and other commissioners advised Beckett that the change she requested related to the county code, rather than the Charter.
- John Berry commented on Amendment P-16. Believes threat of punishment for contempt will be deterrent for elected officials.
- Rick Sorrels will submit alternate language clarifying his P-15 substitute amendment.
- Ken Paulsen discussed his proposed amendment P-16 amendment dealing with Charter violations.

**7. Presentations from Elected Officials**

There were no presentations.

**8. Presentations from County Department Heads/Employees**

There were no presentations.

**9. Presentation from Deryl McCarty, vice chair, 2011 Pierce County Districting Cmte.**

Ladenburg raised a point of order about the propriety of a separate agenda item for McCarty to testify. Hanek indicated similar time had been given at earlier meetings to Jerry Gibbs and Randy Boss. Merrival moved to limit McCarty's presentation to five minutes. Seconded. Sanders opposed the motion, noting the agenda had been public for nearly a week. Hanek called for a voice vote. The motion was defeated.

McCarty explained the two Charter amendments he has proposed to make changes in the appointment of the Districting Committee Chair (making the position non-voting) and the Districting Master, and changing procedures for adopting a final plan. He said the intent is to provide a way to make the process less political, and faster. Discussion ensued about Council involvement in the process and other issues.

**10. Discussion of Proposed Amendments**

Vice Chair Lantz moved to seek a legal opinion on whether O-2, O-3, O-4, O-6, O-7 and O-9 could possibly be combined into a single ballot measure, because they all appear to address technical corrections. Motion carried on a voice vote. Farrell suggested that O-2 could create a potential conflict with C-3 and C-4, which he supports.

Cruver requested that discussion of C-11 and C-28 be moved to next week due to unforeseen circumstances. Farrell reported he is working on C-14 with Farmer and requested a similar delay until next week. These requests were granted.

Second reading of C-10 was also postponed due to a miscommunication about a revised version being available for discussion.

The Charter Review Commission recessed at 8:15 p.m., and reconvened at 8:30 p.m.

Chair Hanek called for first reading of C-13. Sponsor Farrell reported he had no information to add to earlier discussions. Perry expressed concerns about what constitutes an absence, and asked for a definition. He would rather address the ability to perform the functions of the job,

rather than a mere absence. Ladenburg believes there could be potential for mischief. Perry, Cruver, Lantz, Thurston have additional concerns.

Discussion was closed on C-13 and it was moved to second reading.

Chair Hanek called for discussion of C-15. Vice Chair Lantz asked Farrell to explain the reasoning behind the proposal. He said many amendments, especially during Council budget deliberations, are offered up to the day the Council votes, making full public engagement difficult and reducing transparency. Discussion ensued about whether this would disrupt timelines and deadlines for consideration of legislation. Cruver predicts unintended consequences, asking for staff clarification on how this would work. Lantz moves that Council staff look into possible consequences. Seconded. Approved by voice vote, with Susan Long identified as staff contact on the request. Chair Hanek said second reading will occur when information is received.

Chair Hanek called for discussion of C-21. Sponsor Farrell was willing to drop this amendment he sponsored. Discussion ensued about merits and whether conflict of interest is issue. Relationship to amendment C-31 referenced. Chair Hanek asked for further comment, and hearing none closed discussion and advanced C-21 to second reading.

Merrival began discussion on C-24 dealing with Ethics Commission. Commissioners reviewed provisions as compared to C-30, with Lantz suggesting the possibility of combining the two proposed amendments. Thurston opposed to both. Chair Hanek closed discussion and both C-24 and C-30 were advanced to second reading.

Thurston moved to postpone first reading of C-25 and C-26 to accommodate Sponsor Clark, who was absent. Seconded, and voice vote to postpone.

Vice Chair Lantz proposed C-29 as a solution to violations of the Code of Ethics in lieu of P-16, as a more precise way of handling the issue addressed by P-16 sponsor Paulson. Pros and cons debated. Discussion ended with Chair Hanek proposing they combine discussion on the two amendments at second reading.

Lantz began discussion on C-31 regarding the holding of more than one elected office. Olson strongly opposed from experience as school board member and Charter Review commissioner simultaneously. Discussion ensued about revised language. Merrival moves to insert "salary". Seconded. Voice vote, motion fails. C-31 advanced to second reading.

## **11. Media and Publicity Expenditure Request**

Chair Hanek announced she would entertain a motion to put this agenda item aside to another meeting because its sponsor, Clark, was not present. Edmonds so moved. Commissioners questioned the need of the expenditure so late in the process. Lantz moves to amend the motion to vote tonight and not push it over to next week. Merrival calls for the question on the amendment. Unanimous in favor of not moving it over to next week. Motion on table to move it to next week. By voice vote, it was defeated. Lantz moves not to spend any additional money on private media. Motion approved by voice vote. Lantz also moved not to spend money promoting the Commission on ~~KLAY~~ *Oh media* beyond what was allocated. The motion was agreed to.

## **12. Commission Timeline**

Options were reviewed for the scheduling of remaining Commission discussions and how to proceed with public input before voting amendments up or down for the ballot. Several options were considered depending on what progress is made on items that are advanced to final

consideration. It was agreed that the Commission will explicitly state in public notices when the Commission will be voting, and that as much public notice as possible is necessary.

**13. Good of the Order**

The next meeting is scheduled for Wednesday, May 18, 2016, in the Public Meeting Room of the Pierce County Annex, at 7:00 p.m.


**14. Adjournment**

The Charter Review Commission adjourned at 10:00 p.m. Motion by Merrival.

Attest:

\_\_\_\_\_  
Andrea Innes, Meeting Clerk

Approved:

  
\_\_\_\_\_  
Sharon Hanek, Chair

  
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Date Approved