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August 24, 1992
chart6.jlb/clrk

Introduced by: _____

Proposed No.: 92-595

ORDINANCE NO. **10530**

AN ORDINANCE proposing an amendment to Articles 2, 3, 4, and 6 of the King County Charter concerning the legislative branch and elections; providing for thirteen county council members and for regional committees to recommend and review ordinances adopting county-wide policies; establishing special referendum and initiative requirements for ordinances affecting only unincorporated areas of the county; granting cities the power to initiate ordinances; and submitting the same to the voters of the county and establishing a date of election; amending provisions of Article 2, Sections 210, 220, 220.10, 230.10, 230.20, 230.30, 230.40, 230.50; adding new sections 230.50.10, and 270, amending provisions of Article 3, adding new section 350.20.30; amending provisions of Article 4, Section 460 and amending provisions of Article 6, Section 650.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There shall be submitted to the qualified voters of the county for their approval and ratification or rejection at the next general election to be held in the county the following amendment to the King County Charter:

Article 2. Section 210. Composition.

The legislative branch shall be composed of the metropolitan county council.

Section 220. The Metropolitan County Council.

220.10. Composition and Terms of Office.

The metropolitan county council shall consist of ((nine)) thirteen members. The county shall be divided into ((nine)) thirteen districts, and one council((man))member shall be nominated and elected by the voters of each district. The term of office of each council((man))member shall be four years and until his or her successor is elected and qualified.

Section 230. Ordinances.

230.10. Introduction and Adoption.

1 Proposed ordinances shall be limited to one subject and may
2 be introduced by any council(~~man~~) member (~~or~~), by initiative
3 petition or by institutional initiative. At least seven days
4 after the introduction of a proposed ordinance, except an
5 emergency ordinance, and prior to its adoption or enactment, the
6 county council shall hold a public hearing after due notice to
7 consider the proposed ordinance. Except as otherwise provided in
8 this charter, a minimum of (~~five~~) seven affirmative votes shall
9 be required to adopt an ordinance.

10 New Section. Section 230.10.010. Each metropolitan
11 municipal function authorized to be performed by the county
12 pursuant to RCW ch. 35.58 shall be operated as a distinct
13 functional unit. Revenues or property received for such functions
14 shall never be used for any purposes other than the operating
15 expenses thereof, interest on and redemption of the outstanding
16 debt thereof, capital improvements, and the reduction of rates and
17 charges for such functions.

18 230.20. Executive Veto.

19 Except as otherwise provided in this charter, the county
20 executive shall have the right to veto any ordinance or any object
21 of expense of an appropriation ordinance. Every ordinance shall
22 be presented to the county executive within five days after its
23 adoption or enactment by the county council. Within ten days
24 after its presentation, the county executive shall either sign the
25 ordinance and return it to the county council, veto the ordinance
26 and return it to the county council with a written and signed
27 statement of the reasons for his or her veto or sign and partially
28 veto an appropriation ordinance and return it to the county
29 council with a written and signed statement of the reasons for his
30 or her partial veto. If an ordinance is not returned by the
31 county executive within ten days after its presentation it shall
32 be deemed enacted without his or her signature. Within thirty
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1 days after an ordinance has been vetoed and returned or partially
2 vetoed and returned, the county council may override the veto or
3 partial veto by enacting the ordinance by a minimum of (~~six~~) nine
4 affirmative votes.

5 **230.30. Emergency Ordinances.**

6 Any proposed ordinance may be enacted as an emergency
7 ordinance if the county council finds as a fact, and states in the
8 ordinance, that an emergency exists and that the ordinance is
9 necessary for the immediate preservation of public peace, health
10 or safety or for the support of county government and its existing
11 public institutions. A minimum of (~~seven~~) nine affirmative
12 votes shall be required to enact an emergency ordinance; and
13 unless it is an emergency appropriation ordinance, it shall not be
14 subject to the veto power of the county executive.

15 **230.40. Referendum.**

16 Except as provided herein, an enacted ordinance may be
17 subjected to a referendum by the voters of the county by filing
18 with the county council prior to the effective date of the
19 ordinance petitions bearing signatures of registered voters of the
20 county equal in number to not less than eight percent of the votes
21 cast in the county for the office of county executive at the last
22 preceding election for county executive. In addition, except as
23 provided herein, an enacted ordinance which pursuant to state law
24 is effective only in unincorporated areas of the county may be
25 subjected to a referendum by the voters of the unincorporated
26 areas of the county by filing with the county council prior to the
27 effective date of the ordinance petitions bearing signatures of
28 registered voters residing in unincorporated areas of the county
29 equal in number to not less than eight percent of the votes cast
30 at the last preceding election for county executive, provided
31 however that the number of required signatures shall be calculated
32 based only upon votes cast within areas which on the date such
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1 petitions are required to be filed are unincorporated areas of the
2 county. Each petition shall contain the full text of the
3 ordinance to be referred. The ordinance to be referred shall be
4 placed on the ballot at the special or general election occurring
5 more than forty-five days after the petitions are filed, provided
6 that in the case of an ordinance effective only in unincorporated
7 areas of the county, the proposed ordinance shall be voted upon
8 only by the registered voters residing in unincorporated areas of
9 the county.

10 An appropriation ordinance; an ordinance necessary for the
11 immediate preservation of the public peace, health or safety or
12 for the support of county government and its existing public
13 institutions; an ordinance proposing amendments to this charter;
14 an ordinance providing for collective bargaining; an ordinance
15 approving a collective bargaining agreement; an ordinance
16 providing for the compensation or working conditions of county
17 employees; or an ordinance which has been approved by the voters
18 by referendum or initiative shall not be subject to a referendum.

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20 **230.50. Initiative.**

21 Ordinances except ordinances providing for the compensation
22 or working conditions of county employees may be proposed by
23 filing with the county council petitions bearing signatures of
24 registered voters of the county equal in number to not less than
25 ten percent of the votes cast in the county for the office of
26 county executive at the last preceding election for county
27 executive. In addition, an ordinance which pursuant to state law
28 is effective only in unincorporated areas of the county, except an
29 ordinance providing for the compensation or working conditions of
30 county employees, may be proposed by filing with the county
31 council petitions bearing signatures of registered voters residing
32 in unincorporated areas of the county equal in number to not less
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1 than ten percent of the votes cast at the last preceding election
2 for county executive, provided, however that the number of
3 required signatures shall be calculated based only upon votes cast
4 within areas which on the date such petitions are required to be
5 filed are unincorporated areas of the county. Each petition shall
6 contain the full text of the proposed ordinance.

7 The county council shall consider the proposed ordinance. If
8 the proposed ordinance is not enacted within ninety days after the
9 petitions are presented, it shall be placed on the ballot at the
10 next regular or special election occurring more than one hundred
11 thirty-five days after the petitions are filed or at an earlier
12 election designated by the county council. However, if the
13 proposed ordinance is enacted at any time prior to the election,
14 it shall not be placed on the ballot or be voted on unless it is
15 subjected to referendum.

16 If the county council rejects the proposed ordinance and
17 adopts a substitute ordinance concerning the same subject matter,
18 the substitute ordinance shall be placed on the same ballot with
19 the proposed ordinance; and the voters shall first be given the
20 choice of accepting either or rejecting both and shall then be
21 given the choice of accepting one and rejecting the other,
22 provided that in the case of an ordinance effective only in
23 unincorporated areas of the county, the proposed ordinance shall
24 be voted upon only by the registered voters residing in
25 unincorporated areas of the county. If a majority of the voters
26 voting on the first issue is for either, then the ordinance
27 receiving the majority of the votes cast on the second issue shall
28 be deemed approved. If a majority of those voting on the first
29 issue is for rejecting both, then neither ordinance shall be
30 approved regardless of the vote on the second issue.

31 **New Section. Section 230.50.10. Institutional Initiative.**

32 Any city or town located within the county may, after
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1 securing the consent, by motion or resolution, of at least one
2 half of the cities within the county, propose an ordinance of
3 county-wide significance directly to the metropolitan county
4 council, except an ordinance which is not subject to a referendum
5 under the provisions of Section 230.40 of this charter. Such
6 proposed legislation shall be in ordinance form. The metropolitan
7 county council shall take action on such proposed legislation
8 within ninety (90) days of its filing with the county council.

9 **New Section. Section 270. Regional Committees**

10 **270.10. Regional Committees.**

11 Three regional committees shall be established by ordinance
12 to develop, recommend and review regional policies and plans for
13 consideration by the metropolitan county council: one for transit,
14 one for water quality and one for other regional policies and
15 plans.

16 **Section 270.20. Composition of regional committees.**

17 Each regional committee shall consist of twelve voting
18 members. Six members shall be metropolitan county councilmembers
19 appointed by the chair of the council, and shall include
20 councilmembers from districts with unincorporated residents. The
21 remaining six members of each committee except the water quality
22 committee shall be local elected city officials appointed from and
23 in proportion to the relative populations of: (i) the city with
24 the largest population in the county and (ii) the other cities and
25 towns in the county. Committee members from the city with the
26 largest population in the county shall be appointed by the
27 legislative authority of that city. Committee members from the
28 other cities and towns in the county shall be appointed in a
29 manner agreed to by and among those cities and towns representing
30 a majority of the populations of such cities and towns, provided,
31 however, that such cities and towns may appoint two

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1 representatives for each allocated committee membership, each with
2 fractional (1/2) voting rights.

3 The special purpose districts providing sewer service in the
4 county shall appoint two members to serve on the water quality
5 committee in a manner agreed to by districts representing a
6 majority of the population within the county served by such
7 districts. The remaining four local government members of the
8 water quality committee shall be appointed in the manner set forth
9 above for other regional committees. Allocation of membership of
10 each committee's members who are city and town representatives
11 shall be adjusted January 1 of each even-numbered year beginning
12 in 1996 based upon current census information or, if more recent,
13 official state office of financial management population
14 statistics.

15 In the event any areas are annexed pursuant to powers granted
16 to metropolitan municipal corporations under state law, the
17 populations of any cities and towns in such annexed areas shall be
18 considered as if they were within the county for all purposes in
19 this section with regard to regional committee participation on
20 policies and plans which would be effective in such annexed areas.

21 270.30. Powers and Duties.

22 Each regional committee shall develop, review and recommend
23 ordinances and motions adopting, repealing, or amending county-
24 wide policies and plans relating to the subject matter area for
25 which a regional committee has been established. The regional
26 policies committee may, by majority vote, request that the county
27 council assign to the committee proposed policies and plans
28 concerning other regional issues including but not limited to
29 public health, human services, regional services financial
30 policies, criminal justice and jails, and regional facilities
31 siting.

1 The metropolitan county council shall assign each such
2 proposed ordinance or motion to a regional committee for review.
3 When a proposed policy or plan is referred to a regional committee
4 for review, a time limit for such review shall be 120 days or such
5 other time as is jointly established by the metropolitan county
6 council and the committee, which shall be confirmed in the form of
7 a motion by the metropolitan county council. If the committee
8 fails to act upon the proposed policy or plan within the
9 established time limit, the metropolitan county council may adopt
10 the proposed policy or plan upon eight affirmative votes. The
11 committee may request, by motion to the county council, additional
12 time for review.

13 A proposed policy or plan recommended by a regional committee
14 may be adopted, without amendment, by the metropolitan county
15 council by seven affirmative votes. If the metropolitan county
16 council votes prior to final passage thereof to amend a proposed
17 policy or plan that has been reviewed or recommended by a regional
18 committee, the proposed policy or plan, as amended, shall be
19 referred back to the appropriate committee for further review and
20 recommendation. The committee may concur in, dissent from, or
21 recommend additional amendments to the policy or plan. After the
22 regional committee has had the opportunity to review all
23 metropolitan county council amendments, final action to adopt any
24 proposed policy or plan which differs from the committee
25 recommendation shall require eight affirmative votes of the
26 metropolitan county council.

27 The council shall not call a special election to authorize
28 the performance of an additional metropolitan municipal function
29 under state law unless such additional function is recommended by
30 a regional policy committee, notwithstanding the provisions of
31 Section 230.50.10 of this charter. Such recommendation shall
32 require an affirmative vote of at least two-thirds of the
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1 membership of each of: (1) metropolitan councilmembers of the
2 committee; (2) members from the city with the largest population
3 in the county; and (3) other city or town members of the
4 committee. Nothing in this section prohibits the metropolitan
5 county council from calling a special election on the
6 authorization of the performance of one or more additional
7 metropolitan functions after receiving a valid resolution adopted
8 by city councils as permitted by RCW 35.58.100(1)(a) and RCW
9 35.58.100(1)(b), or a duly certified petition as permitted by RCW
10 35.58.100(2).

11 270.40. If any provision of section 270 of this charter is
12 declared invalid, the metropolitan county council shall initiate a
13 process with representatives of cities and towns within the county
14 to develop a proposed charter amendment providing for effective
15 city, town, and unincorporated area participation in regional
16 decisions.

17 Article 3 New Section Section 350.20.30. Metropolitan Services
18 Department Transitory Provisions.

19 The metropolitan services department shall be independent of
20 all other executive departments and administrative offices of
21 county government. The metropolitan services department shall
22 operate the metropolitan services in order to perform the
23 metropolitan functions of public transportation and water
24 pollution abatement performed by the Municipality of Metropolitan
25 Seattle (METRO) prior to county assumption of METRO's metropolitan
26 functions, and shall perform all additional metropolitan functions
27 hereafter authorized under authority of RCW 35.58. Upon county
28 assumption of the rights, powers, functions and obligations of
29 METRO, the metropolitan services department shall take
30 jurisdiction of all the assets and property, real and personal, of
31 METRO.

1 The metropolitan services department shall initially have the
2 same organizational and reporting structure as has METRO
3 immediately prior to county assumption of METRO's functions.
4 Notwithstanding any other provision of this charter, for a period
5 of two years after January 1, 1994, the county council shall not
6 abolish, combine, or divide the administrative divisions of the
7 metropolitan services department, nor shall it transfer the
8 personnel or powers or duties or property of that department from
9 one division to another, either within the metropolitan services
10 department or to another executive department or administrative
11 office of county government. Thereafter, any organizational
12 changes shall not adversely affect the provision of metropolitan
13 function services.

14 Article 4. Section 460. Consideration and Adoption of
15 Appropriation Ordinances.

16 Prior to the adoption of any appropriation ordinances for the
17 next fiscal year, the county council shall hold a public hearing
18 to consider the budget presented by the county executive and shall
19 hold any other public hearing on the budget or any part thereof
20 that it deems advisable. The county council in considering the
21 appropriations ordinances proposed by the county executive may
22 delete or add items, may reduce or increase the proposed
23 appropriations and may add provisions restricting the expenditures
24 of certain appropriations; but it shall not change the form of the
25 proposed appropriation ordinances submitted by the county
26 executive. The appropriation ordinances adopted by the county
27 council shall not exceed the estimated revenues of the county for
28 the next fiscal year for each fund including surpluses and
29 reserves, but the county council may increase the amount of the
30 estimated revenues contained in the budget presented by the county
31 executive by reestimating the amount by motion passed by a minimum
32 of ~~((six))~~ nine affirmative votes or by creating additional
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1 sources of revenue which were not included in the proposed tax and
2 revenue ordinances presented by the county executive.

3 Article 6. Section 650. Council(~~men~~)members.

4 **650.10. Districts.**

5 The county shall be divided into (~~nine~~) thirteen districts
6 numbered one through (~~nine~~) thirteen.

7 New Section. Section 650.40 Transitional Provisions.

8 650.40.10. Districting in 1993.

9 Notwithstanding any other provision of this charter, the
10 districting committee called for in Section 650.30 of this charter
11 also shall be appointed and shall perform its duties in 1993
12 according to the months and days specified in Section 650.30 to
13 prepare a districting plan for thirteen council districts.

14 650.40.20. Initial elections and terms of office for
15 districts ten, eleven, twelve and thirteen.

16 Notwithstanding any other provision of this charter, the
17 initial primary and general elections for council districts ten,
18 eleven, twelve, and thirteen shall be held in 1993, with members
19 elected at such general election to commence their term of office
20 January 1, 1994. Councilmembers elected at that election to
21 represent districts ten and twelve each shall serve an initial
22 term of two years. Councilmembers elected at that election to
23 represent districts eleven and thirteen each shall serve full
24 terms. Districts ten, eleven, twelve and thirteen shall not be
25 deemed vacant during 1993. All subsequent elections shall be held
26 according to the existing provisions of this charter.

27 SECTION 2. It is hereby found that an urgent need exists for
28 consideration by the electors of King County of the proposition
29 set forth in this ordinance. Pursuant to RCW 29.13.010, it is
30 hereby deemed that an emergency exists requiring the submission to
31 the qualified electors of the county at a special election to be
32 held therein on November 3, 1992, in conjunction with the
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1 statewide general election to be held on the same date, of the
2 proposition set forth in this ordinance. The manager of the
3 division of records and elections shall cause notice of this
4 proposed amendment of the King County Charter to be published in
5 accordance with the state constitution and general law, and shall
6 place it upon the ballot of the county-wide general election on
7 November 3, 1992. The ballot title for this proposed amendment
8 shall be in substantially the following form:

9 Shall the King County Charter be amended to provide for (1) a
10 thirteen member metropolitan county council beginning in
11 1994, (2) with regional committees made up of councilmembers
12 and local government representatives to review county-wide
13 policies and (3) unincorporated area initiative and
14 referendum procedures, such amendment to be contingent upon
15 voter approval of the county's assumption of the rights,
16 powers, functions, and obligations of the Municipality of
17 Metropolitan Seattle (METRO), all as provided for in
18 Ordinance No. 10530 ?

19 SECTION 3. Severability. If any provision of this ordinance
20 or its application to any person or circumstance is held invalid,
21 the remainder of the ordinance or the application of the provision
22 to other persons or circumstances is not affected.

23 SECTION 4. Effective date. Upon approval by the voters at
24 the November 3, 1992 county-wide general election of the amendment
25 to Articles 2, 3, 4 and 6 of the charter as provided in Ordinance
26 No. 10530, and the approval by the voters of the proposed
27 assumption by King County of the rights, powers, functions and
28 obligations of the Municipality of Metropolitan Seattle pursuant
29 to RCW Ch. 36.56, such amendment shall take effect on January 1,
30 1993; provided, however, that new sections 230.50.10, 270 and
31 350.20.30 and amendments to sections 220.10, 230.10, 230.20,
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1 230.30, 230.50 and 460 of the charter shall take effect on January
2 1, 1994.

3 In the event that the amendment to Articles 2, 3, 4 and 6 of
4 the charter is approved by the voters at the November, 1992
5 general election, and the proposed assumption of the rights,
6 powers, functions and obligations of the Municipality of
7 Metropolitan Seattle is approved by a majority of voters voting
8 thereon countywide, but not by separate majorities within Seattle
9 and within the remainder of the county, then new section
10 650.40.010 providing for preparation of a districting plan shall
11 take effect on January 1, 1993, and remaining sections of such
12 amendment shall take effect upon the earlier of either the
13 effective date of legislation passed on or before May 31, 1993 by
14 the Legislature of the State of Washington conferring the powers
15 of the Municipality on King County or the date of voter approval
16 at a special election in 1993 of the assumption by King County of
17 the functions of the Municipality; provided, however, that new
18 sections 230.50.10, 270 and 350.20.30 and amendments to sections
19 220.10, 230.10, 230.20, 230.30, 230.50 and 460 of the charter
20 shall take effect on January 1, 1994.


21 INTRODUCED AND READ for the first time this 17th day of
22 August, 1992.

23 PASSED this 24th day of August, 1992.

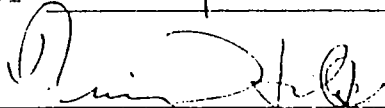
24 KING COUNTY COUNCIL
25 KING COUNTY, WASHINGTON

26 
27 ACTING Chair

28
29 ATTEST:

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31 Clerk of the Council

32 APPROVED this 4 day of September, 1992:

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King County Executive