



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

July 20, 2004

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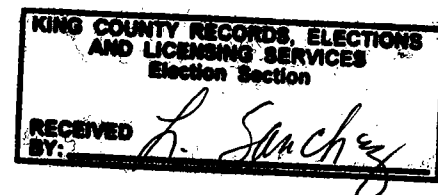
### Ordinance 14965

**Proposed No.** 2004-0338.3

**Sponsors** Phillips, von Reichbauer, Pelz,  
Lambert, Gossett, Hague,  
Constantine, Edmonds and  
Patterson

1 AN ORDINANCE amending Ordinance 14767, Section 1,  
2 and Ordinance 14767, Section 2, proposing an amendment  
3 to the King County Charter reducing in size the King  
4 County council from thirteen to nine members;  
5 consequently reducing council voting requirements related  
6 to the size of the council; phasing in the reduction of  
7 council members with elections and terms of office;  
8 reducing the size of the regional committees of the council  
9 from twelve to six members; amending Section 220.10 of  
10 the King County Charter, Section 230.10 of the King  
11 County Charter, Section 230.20 of the King County  
12 Charter, Section 230.30 of the King County Charter,  
13 Section 270.20 of the King County Charter, Section 270.30  
14 of the King County Charter, Section 460 of the King  
15 County Charter and Section 650.10 of the King County  
16 Charter, adding a new Section 650.40.15 to the King

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17 County Charter, adding a new Section 650.40.25 to the  
18 King County Charter, repealing Sections 650.40.10 and  
19 650.40.20 of the King County Charter and submitting the  
20 same to the voters of the county for their ratification or  
21 rejection at the November 2004 general election.

22  
23  
24 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

25 SECTION 1. Findings of fact. The council hereby finds:

26 A. King County has been a home rule county since the freeholders wrote and the  
27 voters approved the county charter in 1969. The charter created the nine-member county  
28 council as the legislative body of the county. In 1992 the voters of King County and the  
29 city of Seattle voted to approve the merger of King County government and Municipality  
30 of Metropolitan Seattle. The merger involved expanding the nine-member county  
31 council by four new council seats in recognition of the elimination of the Metro council.  
32 The new metropolitan King County council took office on January 1, 1994.

33 B. On February 5, 2003, an initiative petition was filed proposing to amend the  
34 King County Charter to reduce the number of council members from thirteen to nine. On  
35 July 29, 2003, the proposed initiative petition was certified as having the requisite  
36 number of signatures. Litigation regarding the legal effect of the petition culminated in a  
37 decision by the Washington state supreme court that an amendment to the King County  
38 Charter could be proposed by initiative. As a result of the ruling, on September 29, 2003,  
39 the council adopted the initiative as Ordinance 14767 submitting the proposed charter

40 amendment to reduce the size of the council to the voters of the county for their  
41 ratification or rejection at the November 2004 general election.

42 C. There are several practical problems with the implementation of the proposed  
43 charter amendment that were not addressed in the original proposed initiative petition as  
44 filed or in Ordinance 14767 as originally adopted. The measure does not correctly  
45 account for the time necessary to comply with the districting procedures required by  
46 county charter and state law. The measure calls for the creation of a districting  
47 committee and completion of a districting process in 2004, but such an action is not  
48 authorized until after the ballot measure is approved by the voters. If the measure were  
49 approved by the voters in November 2004 then it would not be possible to convene a  
50 districting committee and complete a districting process in time for the 2005 election  
51 cycle. The measure also does not address the need to adjust the size of the regional  
52 committees to reflect the reduction in the size of the council and to account for the  
53 increase in workload created by the smaller council size if the measure is approved by the  
54 voters.

55 D. The council finds that it is necessary to amend the ballot measure to address  
56 the practical, legal and policy problems posed by potential implementation Ordinance  
57 14767 as outlined in subsection C of this section. This amendment would provide  
58 sufficient time for the creation of a districting committee and for the districting  
59 committee to complete the districting process required by state law and county charter.  
60 The amendment would change the implementation date of the smaller council size to  
61 allow for the districting process required by state law and county charter. The  
62 amendment reduces the size of the three regional committees from twelve to six and

63 makes proportionate reductions in the membership of the county, Seattle, suburban cities  
64 and sewer districts.

65 SECTION 2. Ordinance 14767, Section 1, is hereby amended to read as follows:

66 There shall be submitted to the qualified voters of King County for their approval  
67 and ratification or rejection, at the next general election to be held in this county  
68 occurring more than forty-five days after the enactment of ~~((this or))~~ Ordinance 14767 (~~(;~~  
69 ~~or in the event that the council fails to enact this ordinance, at the next general election to~~  
70 ~~be held in this county occurring more than one hundred thirty five days after presentation~~  
71 ~~of the Petition Ordinance No. \_\_\_\_\_,)) an amendment to the King County Charter by  
72 amending Section 220.10 of Article 2, Section 230.10 of Article 2, Section 230.20 of  
73 Article 2, Section 230.30 of Article 2, Section 270.20 of Article 2, Section 270.30 of  
74 Article 2, Section 460 of Article 4 and Section 650.10 of Article 6, amending Article 6 by  
75 adding new Sections 650.40.15 and 650.40.25 and amending Article 6 by repealing  
76 Sections 650.40.10 and 650.40.20, to read as follows:~~

77 **220.10. Composition and Terms of Office.**

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

82 **230.10. Introduction and Adoption.**

83 Proposed ordinances shall be limited to one subject and may be introduced by any  
84 councilmember, by initiative petition or by institutional initiative. At least seven days  
85 after the introduction of a proposed ordinance, except an emergency ordinance, and prior

86 to its adoption or enactment, the county council shall hold a public hearing after due  
87 notice to consider the proposed ordinance. Except as otherwise provided in this charter, a  
88 minimum of ~~((seven))~~ five affirmative votes shall be required to adopt an ordinance.

89 **230.20. Executive Veto.**

90 Except as otherwise provided in this charter, the county executive shall have the  
91 right to veto any ordinance or any object of expense of an appropriation ordinance.

92 Every ordinance shall be presented to the county executive within five days after its  
93 adoption or enactment by the county council. Within ten days after its presentation, the  
94 county executive shall either sign the ordinance and return it to the county council, veto  
95 the ordinance and return it to the county council with a written and signed statement of  
96 the reasons for his or her veto or sign and partially veto an appropriation ordinance and  
97 return it to the county council with a written and signed statement of the reasons for his  
98 or her partial veto. If an ordinance is not returned by the county executive within ten  
99 days after its presentation it shall be deemed enacted without his or her signature. Within  
100 thirty days after an ordinance has been vetoed and returned or partially vetoed and  
101 returned, the county council may override the veto or partial veto by enacting the  
102 ordinance by a minimum of ~~((nine))~~ six affirmative votes.

103 **230.30. Emergency Ordinances.**

104 Any proposed ordinance may be enacted as an emergency ordinance if the county  
105 council finds as a fact, and states in the ordinance, that an emergency exists and that the  
106 ordinance is necessary for the immediate preservation of public peace, health or safety or  
107 for the support of county government and its existing public institutions. A minimum of  
108 ~~((nine))~~ six affirmative votes shall be required to enact an emergency ordinance; and

109 unless it is an emergency appropriation ordinance, it shall not be subject to the veto  
110 power of the county executive.

111 **270.20. Composition of regional committees.**

112 Each regional committee shall consist of ~~((twelve))~~ six voting members. ~~((Six))~~  
113 Three members shall be metropolitan county councilmembers appointed by the chair of  
114 the council, and shall include at least two councilmembers from districts with  
115 unincorporated residents. The remaining ~~((six))~~ three members of each committee except  
116 the water quality committee shall be local elected city officials appointed from and in  
117 proportion to the relative populations of: (i) the city with the largest population in the  
118 county; and (ii) the other cities and towns in the county. Committee members from the  
119 city with the largest population in the county shall be appointed by the legislative  
120 authority of that city. Committee members from the other cities and towns in the county  
121 shall be appointed in a manner agreed to by and among those cities and towns  
122 representing a majority of the populations of such cities and towns, provided, however,  
123 that such cities and towns may appoint two representatives for each allocated committee  
124 membership, each with fractional (1/2) voting rights.

125 The special purpose districts providing sewer service in the county shall appoint  
126 ~~((two))~~ one member~~((s))~~ to serve on the water quality committee in a manner agreed to  
127 by districts representing a majority of the population within the county served by such  
128 districts. The remaining ~~((four))~~ two local government members of the water quality  
129 committee shall be appointed in the manner set forth above for other regional  
130 committees. Allocation of membership of each committee's members who are city and  
131 town representatives shall be adjusted January 1 of each even-numbered year beginning

132 in 1996 based upon current census information or, if more recent, official state office of  
133 financial management population statistics.

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

139 **270.30. Powers and Duties.**

140 Each regional committee shall develop, review and recommend ordinances and  
141 motions adopting, repealing, or amending county-wide policies and plans relating to the  
142 subject matter area for which a regional committee has been established. The regional  
143 policies committee may, by majority vote, request that the county council assign to the  
144 committee proposed policies and plans concerning other regional issues including but not  
145 limited to public health, human services, regional services financial policies, criminal  
146 justice and jails, and regional facilities siting.

147 The metropolitan county council shall assign each such proposed ordinance or  
148 motion to a regional committee for review. When a proposed policy or plan is referred to  
149 a regional committee for review, a time limit for such review shall be ~~((120))~~ one  
150 hundred twenty days or such other time as is jointly established by the metropolitan  
151 county council and the committee, which shall be confirmed in the form of a motion by  
152 the metropolitan county council. If the committee fails to act upon the proposed policy or  
153 plan within the established time limit, the metropolitan county council may adopt the

154 proposed policy or plan upon ((eight)) six affirmative votes. The committee may request,  
155 by motion to the county council, additional time for review.

156 A proposed policy or plan recommended by a regional committee may be  
157 adopted, without amendment, by the metropolitan county council by ((seven)) five  
158 affirmative votes. If the metropolitan county council votes prior to final passage thereof  
159 to amend a proposed policy or plan that has been reviewed or recommended by a regional  
160 committee, the proposed policy or plan, as amended, shall be referred back to the  
161 appropriate committee for further review and recommendation. The committee may  
162 concur in, dissent from, or recommend additional amendments to the policy or plan.  
163 After the regional committee has had the opportunity to review all metropolitan county  
164 council amendments, final action to adopt any proposed policy or plan which differs from  
165 the committee recommendation shall require ((eight)) six affirmative votes of the  
166 metropolitan county council.

167 The council shall not call a special election to authorize the performance of an  
168 additional metropolitan municipal function under state law unless such additional  
169 function is recommended by a regional policy committee, notwithstanding the provisions  
170 of Section 230.50.10 of this charter. Such recommendation shall require an affirmative  
171 vote of at least two-thirds of the membership of each of: (1) metropolitan  
172 councilmembers of the committee; (2) members from the city with the largest population  
173 in the county; and (3) other city or town members of the committee. Nothing in this  
174 section prohibits the metropolitan county council from calling a special election on the  
175 authorization of the performance of one or more additional metropolitan functions after  
176 receiving a valid resolution adopted by city councils as permitted by RCW



177 35.58.100(1)(a) and RCW 35.58.100(1)(b), or a duly certified petition as permitted by  
178 RCW 35.58.100(2).

179 **Section 460. Consideration and Adoption of Appropriation Ordinances.**

180 Prior to the adoption of any appropriation ordinances for the next fiscal year, the  
181 county council shall hold a public hearing to consider the budget presented by the county  
182 executive and shall hold any other public hearing on the budget or any part thereof that it  
183 deems advisable. The county council in considering the appropriations ordinances  
184 proposed by the county executive may delete or add items, may reduce or increase the  
185 proposed appropriations and may add provisions restricting the expenditures of certain  
186 appropriations; but it shall not change the form of the proposed appropriation ordinances  
187 submitted by the county executive. The appropriation ordinances adopted by the county  
188 council shall not exceed the estimated revenues of the county for the next fiscal year for  
189 each fund including surpluses and reserves, but the county council may increase the  
190 amount of the estimated revenues contained in the budget presented by the county  
191 executive by reestimating the amount by motion passed by a minimum of ~~((nine))~~ six  
192 affirmative votes or by creating additional sources of revenue which were not included in  
193 the proposed tax and revenue ordinances presented by the county executive.

194 **650.10. Districts.**

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

197 **650.40.15. Districting in ~~((2004))~~ 2006.**

198 Notwithstanding any other provision of this charter, the districting committee  
199 called for in Section 650.30 of this charter also shall be appointed and shall perform its

200 duties in ~~((2004))~~ 2006 according to the months and days specified in Section 650.30 of  
201 this charter to prepare a districting plan for nine council districts.

202 **650.40.25. Elections and terms of office for ~~((2004))~~ 2007 and thereafter.**

203 Elections for all council districts, as redistricted under Section 650.40.15 of this  
204 charter, shall be held in ~~((2005))~~ 2007. Councilmembers elected in ~~((2005))~~ 2007 to  
205 represent districts one, three, five, seven and nine each shall serve four-year terms.  
206 Councilmembers elected in ~~((2005))~~ 2007 to represent districts two, four, six and eight  
207 each shall serve an initial term of two years. Councilmembers elected in ~~((2007))~~ 2009 to  
208 represent districts two, four, six and eight each shall serve a term for four years. All  
209 subsequent elections shall be held according to the existing provisions of this charter.

210 **650.40.10 and 650.40.20 repealed.** Sections 650.40.10, "Districting in 1993,"  
211 and 650.40.20, "Initial Elections and Terms of Office for Districts Ten, Eleven, Twelve  
212 and Thirteen," of the King County Charter are each hereby repealed.

213 SECTION 3. Ordinance 14767, Section 2, is hereby amended to read as follows:

214 **Effective date.** Upon approval by the voters at the November ~~((4, 2003))~~ 2, 2004,  
215 countywide general election of the amendment to Articles 2, 4 and 6 of the charter as  
216 provided in this ordinance, the amendment takes effect January 1, ~~((2006))~~ 2008, except  
217 that new Sections 650.40.15 and 650.40.25 and the repeals of Sections 650.40.10 and  
218 650.40.20 take effect January 1, ~~((2004))~~ 2005.

219 SECTION 4. Severability. If any provision of this ordinance, or its application

Ordinance 14965

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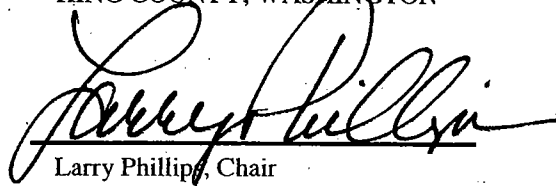
220 to any person or circumstance is held invalid, the remainder of the ordinance, or its  
221 application to other persons or circumstances is not affected.

222

Ordinance 14965 was introduced on 7/12/2004 and passed as amended by the Metropolitan King County Council on 7/19/2004, by the following vote:

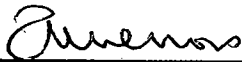
Yes: 9 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. Gossett, Ms. Hague, Ms. Patterson and Mr. Constantine  
No: 4 - Mr. McKenna, Mr. Ferguson, Mr. Hammond and Mr. Irons  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2004.

DEEMED ENACTED WITHOUT  
COUNTY EXECUTIVE'S SIGNATURE

DATED: July 30, 2004

Ron Sims, County Executive

Attachments      None

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KING COUNTY COUNCIL CLERK