

# Proposed Amendment No. 1

Date submitted  
to Commission: **1/26/2015**

Date scheduled  
on agenda: **2/9/2015**

Submitted by **Joe Elenbaas**

Charter Amendment Number: **1**

Section: **Article 2: The Legislative Branch. Section 2.13**

Amendment:

**“Shall the Charter be amended to provide for election of council members within the council district from which the candidate was nominated?”**

As proposed, this Amendment would modify language in Section 2.13 as follows:

Section 2.13 Election ~~Countywide~~ by Council District

The registered voters of ~~Whateam County~~ **each Council District** shall vote upon each council member position **to be filled from their district** at the November general election. The candidate receiving the highest number of votes for each position shall be elected.

## Proposed Amendment No. 2

Date submitted  
to Commission: **1/26/2015**

Date scheduled  
on agenda: **2/9/2015**

Submitted by Joe Elenbaas

Charter Amendment Number: **2**

Section: **Article 5: The Public Interest. Sections 5.40 and 5.60**

Amendment:

**Shall the Charter in Article 5.40 and Article 5.60 be amended to increase the "concise statement" limit from 20 words to 40 words?**

As proposed, this Amendment would modify language in Sections 5.40 and 5.60 as follows:

Section 5.40 Initiative – Procedures.

Any legal voter or organization of legal voters of Whatcom County may file an initiative proposal with the County Auditor, who within five (5) days, excluding Saturday, Sunday and holidays, shall confer with the petitioner to review the proposal as to form and style. The Auditor shall give the proposed initiative a number, which shall thereafter be the identifying number for the measure. The Auditor shall then transmit a copy of the proposal to the Prosecuting Attorney, who within ten (10) days after receipt thereof, in consultation with the petitioner shall formulate a concise statement, posed as a positive question, not to exceed ~~twenty (20)~~ **forty (40)** words, which shall express and give a true and impartial statement of the purpose of the measure. Such concise statement will be the ballot title. The petitioner then has one hundred and twenty (120) days .....(continued)

Section 5.60 Referendum – Procedures.

Any legal voter, or organization of legal voters of Whatcom County may file a referendum proposal, against any enacted ordinance or portion thereof, with the County Auditor. The proposal shall be presented to the Auditor within forty-five (45) days after the ordinance is passed by the County Council.

Within five (5) days, excluding Saturday, Sunday and holidays, the Auditor shall confer with the petitioner to review the proposal as to form and style. The Auditor shall give the referendum proposal a number, which shall thereafter be the identifying number for the measure. The Auditor shall then transmit a copy of the proposal to the County Prosecuting Attorney, who within ten (10) days after receipt thereof, shall formulate a concise statement, posed as a question, not to exceed ~~twenty (20)~~ **forty (40)** words, which shall express and give a true and impartial statement of the measure being referred. Such concise statement will be the ballot title.

The petitioner then has one hundred and twenty (120) days .....(continued)

## PROPOSED AMENDMENT 3

Date submitted  
to Commission: **2/9/2015**

Date scheduled  
on agenda: **2/23/2015**

Charter Amendment Number: <b>3</b>
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Submitted by: <b>Ben Elenbaas</b>
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Title: <b>Shall Charter Section 8.20 be amended to prohibit the County Council from proposing Charter amendments on matters that have been approved by a 2/3 majority of voters?</b>
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Section: <b>Charter Section 8.20</b>
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Amendment:
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**Section 8.20 Charter Amendment – General Provisions.**

Charter amendments may be proposed by the Commission, the County Council **(except in matters approved by a 2/3 majority of the voters)**, or by the public. Any proposed Charter amendment shall be filed and registered with the Auditor and submitted to the voters at the next November general election occurring at least ninety (90) days after registration of the proposed amendment with the Auditor. If more than one amendment is submitted on the same ballot, they shall be submitted in such a manner that the people may vote for or against the amendments separately; provided, an amendment which embraces a single or inter-related subject may be submitted as a single proposition even though it is composed of changes to one or more articles.

If a proposed amendment is approved by a majority of the voters voting on the issues, it shall be effective ten (10) days after the results of the election are certified, unless a later date is specified in the petition or ordinance proposing the amendment. Any implementing ordinance required by any Charter amendment shall be enacted by the Council within one hundred and eighty (180) days after the amendment is effective, unless the amendment provides otherwise.

## PROPOSED AMENDMENT No. 4

Date submitted  
to Commission/or Clerk: **2/3/2015**

Date scheduled  
on agenda: **2/9/2015:** Not Discussed, substitute  
submitted, moved and  
seconded to 2/23  
meeting.

Amendment submitted: **2/9/2015**

Scheduled: **2/23/2015**

Submitted by **Jon Mutchler**

Charter Amendment Number: **4**

Title: **Shall the Charter Preamble be amended to affirm the diversity of our citizens?**

Section: **Preamble**

Amendment:

Preamble

Treasuring the many wonders of our unique environment, **respecting the different cultures and traditions among our citizens,** and realizing that the power and duty to govern and protect this region is inherent in its people, we, the citizens of Whatcom County, in order to have a government which advances justice, inspires confidence, and fosters responsibility, do adopt as the foundation of our government, this Charter.

## PROPOSED AMENDMENT 5

Date submitted  
to Commission/or Clerk: **2/4/2015**

Date scheduled  
on agenda: **2/9/2015:** Not discussed. Amended,  
moved and seconded to  
2/23 meeting

Amended: **2/9/2015**

Scheduled **2/23/15:**

Charter Amendment Number: <b>5</b>
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Submitted by: <b>Todd Donovan</b>
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Title: <b>Shall the Charter be amended to facilitate voting on initiative and referendum?</b>
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Section(s): <b>Section 5.40 and Section 5.60</b>
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Amendment:

Amend sec. 5.40, "...not less than 15% of the vote cast in the county in the last general election or not less than 8% of the vote cast in the county in the last regular gubernatorial election, whichever is lower."

Amend sec. 5.60, "...not less than 15% of the vote cast in the county in the last general election or not less than 8% of the vote cast in the county in the last regular gubernatorial election, whichever is lower."

## PROPOSED AMENDMENT 6

Date submitted  
to Commission: **2/9/2015**

Date scheduled  
on agenda: **2/23/2015**

Charter Amendment Number: **6**

Submitted by: **Ken Bell**

Title: **Shall the Charter be amended to apply term limits to the County Councilmembers, Executive, Auditor, Treasurer, Assessor, and Sheriff?**

Section:

Amendment:

### **CURRENT AMENDMENT**

#### **Section 2.14 Terms of Council Members.**

The term of office of each elected councilmember shall be four (4) years commencing with the second Monday in January following election, and until a successor has been elected and has qualified.

In order to broaden the opportunities for public services and ensure that elected officials of governments are responsive to the citizens of Whatcom County, no non-judicial elected officials for any county office shall serve more than two consecutive terms in office, except that with respect to terms of office are two years or shorter in duration, no such elected official shall serve more than three consecutive terms in office. For purposes of this section, terms are considered consecutive unless they are at least four (4) years apart.

### **PROPOSED CHANGES:**

#### **ARTICLE 2 THE LEGISLATIVE BRANCH**

##### **Section 2.14 Terms of Council Members.**

The term of office of each elected councilmember shall be four (4) years commencing with the second Monday in January following election, and until a successor has been elected and has qualified. Elected councilmembers shall serve no more than two consecutive terms in office. Terms are considered consecutive unless they are at least four years apart.

#### **ARTICLE 3 THE EXECUTIVE BRANCH**

##### **Section 3.21 Election and Term of Office.**

The County Executive shall be nominated and elected by the voters of the county, and the term of office shall be four years and until the successor is elected and qualified. The County Executive shall serve no more than two consecutive terms in office. Terms are considered consecutive unless they are at least four years apart.

##### **Section 3.51 Election and Term of Office.**

There is hereby created by the adoption of this Charter the office of County Assessor, County Auditor, County Treasurer and County Sheriff. These elected officers shall be nominated and elected by the voters of the county, and their terms of office shall be four years and until their successors are elected and qualified. The County Assessor, County Auditor, County Treasurer, and County Sheriff shall serve no more than two consecutive terms in office. Terms are considered consecutive unless they are at least four years apart.

## PROPOSED AMENDMENT 7

Date submitted  
to Commission/or Clerk: **2/9/2015**

Date scheduled  
on agenda: **2/23/2015**

Charter Amendment Number: **7**

Submitted by: **Yvonne Goldsmith**

Title: **Shall the County Charter prohibit grants and expenditures to non-profit organizations unless the County is reimbursed by another organization or jurisdiction?**

Section: (new) **Section 6.74 Charitable Appropriations**

Amendment:

**Section 6.74 Charitable Appropriations**

The Whatcom County Executive and the Whatcom County councilmembers shall not distribute county funds via grants or expenditures, whether budgeted or non-budgeted, to charitable, educational, civic, homeowners, neighborhood, arts, trade, business, religious or scientific non-profit organizations or any other similar types of community organizations/groups not mentioned herein, unless the grant or expenditure is directly reimbursed by community, private, state, or federal grant agencies for the identical purposes for which the agency/government grant is provided.

**PROPOSED AMENDMENT (Pending Submission)**

Date submitted  
to Commission: **(pending submission)**

Date scheduled  
on agenda:

Charter Amendment Number: **(pending submission)**

Submitted by: **Jon Mutchler**

Title: **Shall the Charter be amended to provide voter education concerning county officials' election titles by requiring ballots to refer to the Assessor as the "Property Assessor" and the Auditor as the "Auditor and Elections Officer."**

Section: **Charter section 4.10 Election Procedures**

Amendment:

**Section 4.10 Election Procedures.**

Except as provided in this Article, the nominating primaries and elections of the Assessor, Auditor, Treasurer and Sheriff shall be conducted in accordance with general law governing the election of non-partisan County officers.

**On election ballots and official ballot descriptions, the offices of "assessor" and "auditor" shall be called, respectively, "property assessor" and "auditor and elections officer."**

Nominating primaries and elections of the County Council and Executive shall be conducted in accordance with general law governing the election of non-partisan County offices.



# PROPOSED AMENDMENT

Date submitted  
to Commission/or Clerk:

Date scheduled  
on agenda:

Charter Amendment Number:

Submitted by: Todd Donovan

Title: **Shall the Charter be amended to provide for the election of County Council Members who represent a district from which the candidate was nominated?**

Section: 2

Amendment: Sec. 2.11 ~~Three~~ **Seven** Districts

...the county shall divide into ~~three~~ **seven** districts so that each district shall comprise as nearly as possible one-third ~~seventh~~ of the population of the county. ~~On adoption of the Charter, the existing commissioner districts shall constitute the three districts of the purpose of nomination of candidates to the County Council.~~

Sec. 2.12 Nominations

(a) ~~There shall be two Council positions in each of the three districts, designated positions (A) and position (B), respectively.~~ At the primary election, the qualified electors of each district...

(b) ~~Nominee at large. There shall be one Council position designated councilmember at large, which shall be nominated without regard to district. The two candidates receiving the largest number of votes county-wide shall be certified as candidates for the position of councilmember at large.~~

Sec. 2.13 Election ~~Countywide~~ **by Council District**

The registered voters of ~~Whateom County~~ **each Council District** shall vote upon each **their** Council member position at the November general election.

# PROPOSED AMENDMENT

Date submitted  
to Commission/or Clerk: Feb 23 2015

Date scheduled  
on agenda:

Charter Amendment Number:

Submitted by: Todd Donovan

Title: **Shall the Charter be amended to provide for the election of Council Members countywide and by districts from which the candidate was nominated?**

Section: 2

Amendment:

Sec. 2.11 ~~Three~~ **Five** Districts

The county shall divide into ~~three~~ **five** districts so that each district shall comprise as nearly as possible one ~~third~~ **fifth** of the population of the county.

Sec. 2.12 Nominations

(a) ~~There shall be two Council positions in each of the three districts, designated positions A) and position B), respectively.~~ At the primary...

(b) Nominee at large. There shall be ~~one~~ **two** Council positions designated councilmember at large, which shall be **nominated in different years** without regard to district. The two candidates...

Sec. 2.13 Election Countywide **and by Council District**

The registered voters of ~~Whatcom County~~ each Council District shall vote upon ~~each~~ **their district's** Council member position at the November general election **and upon the at-large position.**

## PROPOSED AMENDMENT

Date submitted  
to Commission:

Date scheduled  
on agenda:

Charter Amendment Number:

Submitted by: **Cliff Langley**

Title:

**Shall the Charter be amended to require that the Councilmember At-Large reside in unincorporated Whatcom County?**

Section: **Charter Section 2.12 (b)**

Amendment:

**Section 2.12 Nominations.**

(a) Nominees by district.

There shall be two Council positions in each of the three districts, designated position (A) and position (B), respectively. At the primary election, the qualified electors of each district shall select two (2) candidates for each position to be filled from their district.

(b) Nominee at large.

There shall be one Council position designated councilmember at-large, which shall be nominated without regard to district. **However the nominee will live in unincorporated Whatcom County and be elected by residents of unincorporated Whatcom County.** The two candidates receiving the largest number of votes **county wide of unincorporated Whatcom County** shall be certified as candidates for the position of councilmember at-large. *(Amended by Ord. 2005-075 Exh. A)*