WHATCOM COUNTY CHARTER REVIEW COMMISSION
Record of Proceedings
Regular Meeting of April 27, 2015

1. CALL TO ORDER

Commissioner Ben Elenbaas called the meeting to order at 6:30 p.m. in the Ferndale Public Library, 2125 Main Street, Ferndale, Washington.

2. ROLL CALL


Absent: None

3. FLAG SALUTE

4. PUBLIC COMMENT SESSION

Gary Jensen, Ferndale City Mayor, welcomed everyone to the new Ferndale Library.

The following people spoke:

Abe Jacobson spoke about the Planning Commission schedule and district-only voting.

Lawrence Brown, Sudden Valley Community Association, submitted a handout (on file) on Proposed Amendment 9 and spoke about a proposed amendment being introduced from Commissioner Kentch.

Peter Willing spoke about the proposed amendment being introduced from Commissioner Kentch.

Carol Jacobson spoke about Bellingham residents paying taxes to the County and the proposed amendment to create five Council districts.

Lisa Berry spoke about district-only voting.

Ronna Loerch submitted a handout (on file) and spoke about the proposed amendment being introduced from Commissioner Kentch, district-only voting, and Proposed Amendment 9.

Elise Kennedy submitted a handout and spoke about district-only voting and the County Council's ability to propose Charter amendments that have been previously approved by a 2/3 majority.
Michelle Luke spoke about the influence of special interest groups from outside Whatcom County and district-only voting.

Greg Brown spoke about Proposed Amendment 9 and district-only voting.

Dr. Elizabeth Benke spoke about district-only voting and the proposed amendment being introduced from Commissioner Kentch.

Sandy Lawrence submitted a handout (on file) and spoke about the proposed coal port and sea level rise.

James Gibson spoke about the possibility of district-only voting impacting the coal port issue and Proposed Amendment 13.

Rud Browne, Whatcom County Councilmember, spoke about district-only voting.

Charles Law submitted a handout (on file) and spoke about the common watershed of Whatcom.

Delaine Clizbe spoke about district-only voting and Proposed Amendment 9.

Karl Upplano spoke about district-only voting.

Laura Falbur spoke about district-only voting.

Milt Kreiger spoke about district-only voting.

Diane Foster spoke about district-only voting.

Jeremiah (inaudible) spoke about district-only voting and Proposed Amendment 13.

Stony Bird spoke about district-only voting and proportional representation.

(The Commission took a break from 7:35 p.m. to 7:55 p.m.)

5. **APPROVAL OF MINUTES FOR APRIL 13, 2015**

Donovan moved to approve the minutes. The motion was seconded.

The motion was approved by general consent.

6. **OLD BUSINESS: DISCUSSION AND POSSIBLE VOTE ON PROPOSED CHARTER AMENDMENTS FOR VOTERS AT THE NEXT GENERAL ELECTION**

Proposed Amendment 9 from Todd Donovan: Shall the Charter be amended to provide for the election of Councilmembers countywide and by districts from which the candidate was nominated?
Donovan submitted a revised version of the proposed amendment.

Joe Elenbaas moved to amend to strike the two at-large positions. The five district positions would remain and comprise the full Council. The motion was seconded.

Motion to amend failed 6-9 with debate, with Bell, Ben Elenbaas, Joe Elenbaas, Wes Kentch, Cliff Langley, and Eileen Sobjack in favor.

Motion failed 4-11 with debate, with Donovan, Mackiewicz, May, and Stuen in favor.

Proposed Amendment 12 from Jon Mutchler: Shall the Charter be amended to include a new section to require compliance with the Washington State Open Public Meetings Act?

Mutchler moved to amend to strike proposed section 5.15(4). The motion was seconded.

The motion carried by general consent.

Bell moved to discuss the amendment informally.

The motion was not voted on.

Mutchler moved to amend subsection 2(b): It shall be the policy of Whatcom County that all advisory bodies appointed by the County Council, or by the council in any ex officio capacity, or by the Executive (including but not limited to public commissions, boards, councils, committees and subcommittees) It shall be the policy of Whatcom County that all advisory committees created by County provision or State statute and appointed by the County Council or by the Council in any ex officio capacity or by the Executive be subject to the provisions of the Open Public Meetings Act.

The motion was seconded.

The motion to amend carried by general consent.

The main motion to approve as amended failed 5-8-2 with Donovan, Joe Elenbaas, Wes Kentch, Eli Mackiewicz, and Jon Mutchler in favor and Cliff Langley and Richard May abstained.

Proposed Amendment 13 from Eli Mackiewicz: Shall the Charter be amended to include four political parties, instead of two, in the districting process?

Mackiewicz submitted and moved to approve a substitute version of the amendment with one amendment, "...appointees will select a fifth an additional member who shall be the Chair...." The motion was seconded.
Ben Elenbaas moved to hold and schedule at the next meeting. The motion was seconded.

The motion carried by general consent.

Proposed Amendment 14 from Todd Donovan and Jon Mutchler: Shall the Charter be amended to lower the threshold requirement for ballot signatures for Whatcom County Charter changes from 20% to 15% for citizen initiatives?

This item was held to the next meeting.

7. OLD BUSINESS: PROPOSED CHARTER AMENDMENTS FOR VOTERS AT THE NEXT GENERAL ELECTION

The Commission voted to forward these proposed amendments to Whatcom County voters. They will not be discussed at tonight’s meeting. However, any commissioner may move to reconsider these amendments during any meeting.

- Proposed Amendment 1 from Joe Elenbaas: Shall the Charter be amended to provide for election of council members within the council district from which the candidate was nominated?
- Proposed Amendment 2 from Joe Elenbaas: 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?
- Proposed Amendment 3 from Ben Elenbaas: 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?
- Proposed Amendment 5 from Todd Donovan: Shall the Charter be amended to facilitate voting on initiative and referendum?
- Proposed Amendment 6 from Ken Bell: Shall the Charter be amended to apply term limits to the County Councilmembers?
- Proposed Amendment 10 from Chet Dow: Shall Charter Section 8.23 be amended to prohibit the County Council from proposing any Charter amendment to Charter sections 2.12 or 2.13?

8. NEW BUSINESS

Pending Amendment from John Mutchler (for Auditor Debbie Adelstein): County Auditor duties and responsibilities amendment.

Mutchler moved to forward to the next meeting for discussion as old business. The motion was seconded.

The Chair stated it would be scheduled on the next meeting agenda as old business.

Pending Amendment from Wes Kentch: Shall the charter be amended to increase transparency in funding between Whatcom County and nonprofit non-government organizations (NGOs)?

Kentch moved to forward to the next meeting for discussion as old business. The motion was seconded.
The Chair stated it would be scheduled on the next meeting agenda as old business.

Pending Amendment from Richard May: Shall the charter be amended to include a section on districting restrictions?

May moved to forward to the next meeting for discussion as old business. The motion was seconded.

The Chair stated it would be scheduled on the next meeting agenda as old business.

9. ADJOURN

Ben Elenbaas moved to adjourn the meeting. The motion was seconded.

The motion carried by general consent.

The meeting adjourned at 9:35 p.m.

The Commission approved these minutes on May 11, 2015.

Jill Nixon, Recording Secretary

Chet Dow, Commission Secretary

Ben Elenbaas, Commission Chair