

1 **WHATCOM COUNTY CHARTER REVIEW COMMISSION**

2 Record of Proceedings
3 Regular Meeting of June 22, 2015

4
5 **1. CALL TO ORDER**

6
7 Commissioner Ben Elenbaas called the meeting to order at 6:30 p.m. in the
8 Civic Center Garden Room, 322 N. Commercial Street, Bellingham.

9
10 **2. ROLL CALL**

11
12 Present: Ken Bell, Todd Donovan, Chet Dow, Ben Elenbaas, Joe Elenbaas,
13 Yvonne Goldsmith, Wes Kentch, Eli Mackiewicz, Richard May, Jon Mutchler, Barbara
14 Ryan, Eileen Sobjack, Thomas Stuen, Alie Walker

15
16 Absent: Cliff Langley

17
18 **3. FLAG SALUTE**

19
20 **4. PUBLIC COMMENTS**

21
22 The following people spoke:

23
24 David McClusky spoke about the proposed amendment to eliminate the
25 Charter Review Commission from the Charter.

26
27 Sandy Robson spoke about commissioner behavior and the proposed
28 amendment to eliminate the Charter Review Commission from the Charter.

29
30 Ronna Loerch spoke about district-only voting, commissioner behavior,
31 nonprofit organizations, and commissioner impartiality.

32
33 Dena Jenson spoke about encouraging public participation, the proposed
34 amendment to eliminate the Charter Review Commission from the Charter, and
35 district-only voting.

36
37 Greg Brown spoke about commissioner attention to public participation.

38
39 Gary Coy spoke about conservative versus liberal conflicts.

40
41 Edward Yuri spoke about district-only voting and proportional representation.

42
43 Marti Bajema spoke about the proposed amendment to eliminate the Charter
44 Review Commission from the Charter.

45
46 Charles Law submitted a handout (*on file*) and spoke about amending the
47 preamble.

48
49 Kent Murray spoke about minority rights versus majority rule and district-
50 only voting.

1
2 Andrenetta Douglas spoke about redistricting and the proposal for creating
3 five Council districts instead of three.

4
5 Matthew Goggins spoke about district-only voting and consensus.

6
7 Judith Akins spoke about reaching consensus and the proposal for creating
8 five Council districts instead of three.

9
10 Delaine Clizbe spoke about the proposed amendment to eliminate the
11 Charter Review Commission from the Charter.

12
13 Stony Bird spoke about proportional representation.

14
15 Claudia Deuleiss spoke about the proposed amendment to eliminate the
16 Charter Review Commission from the Charter.

17
18 Carole Perry spoke about the proposed amendment to eliminate the Charter
19 Review Commission from the Charter.

20
21 Karl Uppiano spoke about district-only voting.

22
23 Ellen Howard spoke about the threshold for initiatives.

24
25 **5. APPROVAL OF MINUTES FOR JUNE 8, 2015**

26
27 Joe Elenbaas moved to approve the minutes for June 8, 2015. The motion
28 was seconded.

29
30 The motion was approved by general consent.

31
32 **6. OLD BUSINESS: DISCUSSION AND POSSIBLE VOTE ON PROPOSED**
33 **CHARTER AMENDMENTS FOR VOTERS AT THE NEXT GENERAL**
34 **ELECTION**

35
36 Proposed Amendment 18 from Ken Bell: Shall the Charter be amended to apply
37 term limits to the County Executive?

38
39 Bell moved to approve the proposed amendment for a three full term limit for
40 the County Executive. The motion was not seconded.

41
42 Joe Elenbaas moved to reconsider proposed amendment 6 from Ken Bell:
43 Shall the Charter be amended to apply term limits to the County councilmembers?
44 The motion was seconded.

45
46 The motion to reconsider carried with debate, 12-2 with Donovan and Ryan
47 opposed.

1 Bell moved to amend proposed amendment 6 to combine it with proposed
2 amendment 18, to create a three full term limit for County councilmembers and the
3 County Executive, commencing with the terms elected at the 2017 general election.
4

5 The motion carried with debate, 10-3-1 with Ryan, Stuen, and Walker
6 opposed and May abstaining.
7

8 Proposed Amendment 19 from Ken Bell, Todd Donovan, and Eli Mackiewicz: Shall
9 the Charter be amended to change the election system to a system of preferential
10 voting?
11

12 Stony Bird spoke and answered questions.
13

14 Debbie Adelstein, County Auditor, answered questions.
15

16 The motion to approve this item failed for a lack of a full Commission
17 majority, with debate, 7-6-1 with Dow, Ben Elenbaas, Joe Elenbaas, Kentch,
18 Mutchler, and Sobjack opposed. Goldsmith abstained.
19

20 Proposed Amendment 20 from Jon Mutchler: Shall the County Executive have the
21 authority to veto one or more individual items of appropriation within a budget
22 passed by the County Council, while still approving the remainder of the budget?
23 And shall the County Council have the authority to override the County Executive's
24 veto by a two-thirds majority vote of the entire Council?
25

26 Mutchler moved to withdraw this proposed amendment by general consent.
27 The motion was seconded.
28

29 The motion carried by general consent.
30

31 **8. NEW BUSINESS**

32

33 Proposed Amendment 21 from Eli Mackiewicz: Shall the Charter be amended to
34 dissolve the Charter Review Commission?
35

36 Mackiewicz moved to approve the proposed amendment. The motion was
37 seconded.
38

39 Mutchler moved to suspend the rules and allow discussion and a vote on this
40 item during this meeting. The motion was seconded.
41

42 The motion to suspend the rules carried by general consent.
43

44 The motion to approve the proposed amendment failed 3-11 with debate,
45 with Mackiewicz, May, and Ryan in favor.
46

47 Review of Draft Ballot Titles

48

49 Dan Gibson, Prosecutor's Office, submitted a handout (*on file*), spoke, and
50 answered questions.

1
2 Bell moved to approve the ballot title format for each amendment, which
3 includes the two-sentence ballot title preamble, put forward by Prosecuting
4 Attorney Dan Gibson. The motion was seconded.

5
6 The motion carried with discussion 14-0.

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

10
11 Mutchler stated he would like to amend proposed amendment five.

12
13 Joe Elenbaas moved to reconsider proposed amendment five from
14 Commissioner Donovan: Shall the Charter be amended to facilitate voting on
15 initiative and referendum? The motion was seconded.

16
17 The motion to reconsider carried 14-0.

18
19 Mutchler submitted a handout (*on file*) and moved to amend:

- 20 • "Amend sec. 5.40, "~~...not less than 15% of the vote cast in the county in~~
21 ~~the last general election or not less than 8% of the vote cast in the county~~
22 ~~in the last regular gubernatorial election, whichever is lower."~~
23
24 • Amend sec. 5.60, "~~...not less than 15% of the vote cast in the county in~~
25 ~~the last general election or not less than 8% of the vote cast in the county~~
26 ~~in the last regular gubernatorial election, whichever is lower."~~

27
28 The motion was seconded.

29
30 The motion to amend carried with discussion, 12-2 with Bell and Ryan
31 opposed.

32
33 Mutchler moved to place proposed amendments five and 14 next to each
34 other on the ballot. The motion was seconded.

35
36 The motion carried 14-0.

37
38 Joe Elenbaas moved to cluster proposed amendments one, three, and 10 on
39 the ballot. The motion was seconded.

40
41 The motion carried 11-2 with Mackiewicz and Ryan opposed. Bell out of the
42 room.

43
44 **8. NEW BUSINESS**

45
46 Review of Draft Ballot Titles

47
48 Dan Gibson, Prosecuting Attorney's Office, spoke and answered questions
49 about the constitutionality of proposed amendments three and 10.

50

1 May moved to reconsider proposed amendments three and 10. The motion
2 was seconded.

3
4 The motion failed with discussion, 0-14.

5
6 **9. NEW BUSINESS**

7
8 Other New Business

9
10 May moved to suspend the rules and to consider a proposed amendment
11 from Charles Law about amending the Charter Preamble. The motion was
12 seconded.

13
14 The motion failed for lack of a two-third majority of the entire Commission,
15 with discussion, 8-6 with Dow, Joe Elenbaas, Kentch, Mutchler, Sobjack, and Stuen
16 opposed.

17
18 Joe Elenbaas moved to have a special meeting on July 6. The motion was
19 seconded.

20
21 The motion was withdrawn after discussion.

22
23 Bell moved to begin the Commission meeting on July 13 at 4:00 p.m. The
24 motion was seconded.

25
26 The motion carried 14-0.

27
28 **14. ADJOURN**

29
30 Ben Elenbaas moved to adjourn the meeting. The motion was seconded.

31
32 The motion carried by general consent.

33
34 The meeting adjourned at 9:50 p.m.

35
36 The Commission approved these minutes on July 6, 2015.

37
38
39
40 
41 _____
42 Jill Nixon, Recording Secretary

43
44
45
46 
47 _____
48 Chet Dow, Commission Secretary

49
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52 
53 _____
54 Ben Elenbaas, Commission Chair