SECOND AGENDA REVISION NOTICE
FOR JUNE 23, 2015
(DISTRIBUTED AT 3:30 P.M. ON JUNE 23):

THE FOLLOWING ITEMS HAVE BEEN ADDED TO THE EVENING COUNCIL MEETING AGENDA:

INTRODUCTION

5. Ordinance proposing an amendment to the Whatcom County Charter to respect communities and provide for fair election in five equal districts (AB2015-205) (proposed schedule – July 7 public hearing)
   Paperwork Attached Below

6. Ordinance proposing an amendment to the Whatcom County Charter to affirm the legislative authority granted to the County Council by the Washington State Constitution (AB2015-206) (proposed schedule – July 7 public hearing)
   Paperwork Attached Below

7. Ordinance proposing an amendment to the Whatcom County Charter to elect Charter Review commissioners by county so that they represent districts and are equally accountable to each voter (AB2015-207) (proposed schedule – July 7 public hearing)
   Paperwork Attached Below

8. Ordinance proposing an amendment to the Whatcom County Charter to align requirements for amending the Whatcom County Charter by citizen initiative with Washington State Law (AB2015-208) (proposed schedule – July 7 public hearing)
   Paperwork Attached Below
PROPOSING AN AMENDMENT TO THE WHATCOM COUNTY CHARTER TO RESPECT COMMUNITIES AND PROVIDE FOR FAIR ELECTIONS IN FIVE EQUAL DISTRICTS

WHEREAS, both the Washington State Constitution and the Whatcom County Charter allow the County Council to propose charter amendments to the voters; and

WHEREAS, county citizens have testified at the 2015 Charter Review Commission meetings and expressed concerns regarding diversity and representation on the county council; and

WHEREAS, RCW 29A.76.010 states that
(b) Each district shall be as compact as possible.
(c) Each district shall consist of geographically contiguous area.
(d) Population data may not be used for purposes of favoring or disfavoring any racial group or political party.
(e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county, or district, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest; and

WHEREAS, both rural areas and the City of Bellingham are in each of the three districts and both are communities of interest that, to the extent possible, should not be divided yet are divided under our current three district system; and

WHEREAS, five districts would minimize municipal division and enable communities of interest to remain whole; and

WHEREAS, moving from three districts to five districts will ensure rural and urban geographic areas are represented by a person who resides within their district; and

WHEREAS, five districts as proposed would more closely comply with RCW 29A.76.010 than our three current districts which may be in conflict with existing state law.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the County Auditor place on the November 2015 general election ballot a charter amendment changing the present system of electing members of the county council from three districts
with one at-large council member to a system of five districts in which five of the seven county council members represent her or his district plus two at-large council members; and

**BE IT FURTHER ORDAINED** that the five districts shall have a population as nearly equal as is practicable based on the population reported in the federal decennial census, shall be as compact as possible, shall consist of geographically contiguous area, shall not be drawn purposely to favor or discriminate against any political party or group, and shall, to the extent possible, preserve existing communities of related and mutual interest; and

**BE IT FURTHER ORDAINED** that the initial districts shall be as equal as possible and that District 1 shall contain Ferndale, Lummi Reservation, Lummi Island, Birch Bay, Blaine and Point Roberts; District 2 shall contain Lynden, Sumas, Everson, Nooksack and the surrounding farmland; District 3 shall contain Deming, Welcome, Kendall, Maple Falls, Acme, Sudden Valley, Lake Whatcom, Lake Samish and Chuckanut; District 4 shall be north Bellingham; District 5 shall be south Bellingham; and

**BE IT FURTHER ORDAINED** that the transition shall take place as follows: Districts 1, 3 and 5 and At-Large Position A to be elected in 2017, Districts 2, 4 and At-Large Position B to be elected in 2019.

**ADOPTED** this _____ of July 2015

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON
SPONSORED BY: Consent
PROPOSED BY: Consent
INTRODUCTION DATE: 06/23/2015

ORDINANCE NO.______________

PROPOSING AN AMENDMENT TO THE WHATCOM COUNTY CHARTER TO
AFFIRM THE LEGISLATIVE AUTHORITY GRANTED TO THE COUNTY COUNCIL BY
THE WASHINGTON STATE CONSTITUTION

WHEREAS, Article XI Section 4 of the Washington State Constitution states that “Such charter may be amended by proposals therefore submitted by the legislative authority of said county to the electors thereof at any general election after notice of such submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter or amendment thereto, any alternate article or proposition may be presented for the choice of the voters and may be voted on separately without prejudice to others.”

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the County Auditor place on the November 2015 general election ballot a charter amendment affirming that the State Constitution places the authority solely with the legislative authority of the county, the county council, to propose charter amendments to the voters, and that legislative discretion and authority granted by the State Constitution cannot be amended by a charter amendment.

ADOPTED this ____ of July 2015

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON
ORDINANCE NO.__________

PROPOSING AN AMENDMENT TO THE WHATCOM COUNTY CHARTER TO
ELECT CHARTER REVIEW COMMISSIONERS BY COUNTY SO THAT THEY
REPRESENT DISTRICTS AND ARE EQUALLY ACCOUNTABLE TO EACH VOTER

WHEREAS, the Washington State Constitution Article XI, Section 4 states that “any county
may frame a "Home Rule" charter for its own government subject to the Constitution and laws of
this state, and for such purpose the legislative authority of such county may cause an election to
be had, at which election there shall be chosen by the qualified voters of said county not less than
fifteen (15) nor more than twenty-five (25) freeholders thereof, as determined by the legislative
authority, who shall have been residents of said county for a period of at least five (5) years
preceding their election and who are themselves qualified electors, whose duty it shall be to
convene within thirty (30) days after their election and prepare and propose a charter for such
county.”

WHEREAS, Whatcom County Charter Section 8.11 provides for a 15 member commission with
an equal number from each Council district with the qualified voters of the respective districts
voting only for candidates for their district at the general election; and

WHEREAS, Freeholders are elected by all the voters in our county so that they have the best
interests of the entire county in mind; and

WHEREAS, reviewing our Whatcom County Charter is no less important than the task of the
original Freeholders and should be undertaken with the interests of all the citizens and the in the
best interests of governing Whatcom County for all the people; and

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the County
Auditor place on the November 2015 general election ballot a charter amendment changing the
present system of electing commissioners to the charter review commission to a countywide vote
so that while they reside in equal districts they consider the needs of the entire county when
deliberating and reviewing our charter;

ADOPTED this _____ of July 2015

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON
SPONSERED BY: Consent
PROPOSED BY: Consent
INTRODUCTION DATE: 06/23/2015

ORDINANCE NO.__________

PROPOSING AN AMENDMENT TO THE WHATCOM COUNTY CHARTER TO ALIGN REQUIREMENTS FOR AMENDING THE CHARTER BY CITIZEN INITIATIVE WITH WASHINGTON STATE LAW

WHEREAS, Washington State secures the right of citizens to make and remake their laws, to petition to place laws directly on the ballot for other voters; and

WHEREAS, RCW 29A.72.160 states that the person proposing any initiative measure must obtain signatures of legal voters equal to or exceeding eight percent of the votes cast for the office of governor at the last regular gubernatorial election; and

WHEREAS, the Whatcom County Charter Section 8.22, Amendments by the Public, states that “The public may propose amendments to the Charter by registering with the Auditor an initiative petition bearing the signatures of registered voters of the county equal in number to, but not less than, twenty (20) percent of the number of votes cast in the county in the last gubernatorial election”; and

WHEREAS, the Whatcom County Charter sets a higher bar than Washington State law; and

WHEREAS, the Whatcom County Council supports the right of citizens to make and remake their laws and to petition to place charter amendments directly on the ballot for other voters to consider; and

WHEREAS, the Whatcom County Council does not wish to unduly burden citizens who wish to participate in local government and to propose amendments to our charter.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the County Auditor place on the November 2015 general election ballot a charter amendment that persons proposing a charter amendment must obtain signatures of legal voters equal to or exceeding 8% or more of the votes cast for the office of governor in the last regular gubernatorial election.

ADOPTED this _____ of July 2015

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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