

Charter Review Commission (CRC) SPECIAL Meeting Minutes

Wednesday, October 6, 2021

1. Call to Order 4:03 pm

1a. Land Acknowledgement

1b. Pledge of Allegiance

2. Roll Call:

In Attendance: Kevin, Olivia, Sharon, Jane, Patty, Tony, Dick, Janet, Dave A, Maureen, Anne Marie, Tom, Paul, Bill, Bob, Liz (joined late) (2 absent – David D, Kyle)

Members of the Public: Kathryn Hansen, Gordy Peterson, Jeff Gillette, Erika Ann C, Paul, Lorin, iPhone, JPMORGAN, allisonlance 360-580-9885, Stacu

Discussion, including:

- Letter will go to SJCC and auditor with final amendments, recommendations, and then a final resolution stating what we're submitting.
- Bill & Kevin discussed if the Climate & Environment amendment doesn't pass)

3. Approve Minutes from September 15 meeting: Motion by Bill to approve, seconded by Paul. Vote: Minutes approved with two abstentions (Anne Marie & Dick)

(4:18 Commissioner Lafferty joined the meeting)

4. Finalize Ranked Choice Voting Amendment for 2022 ballot:

RCV amendment - Sharon presented:

Sharon summarized the changes to the Charter.

Discussion, including:

- Kevin - ... The language in paragraph 2 is not overly prescribed to the function of putting it in place.
- Tom - wants to be sure the minority report is carried forward.
- Bill - ... We shouldn't assume this will happen.
- Kevin - Dozens of people in SJC at town halls asked us to address this.
- Bill - This would be more appropriate as a recommendation. Motion to vote against the amendment and instead recommendation.
- Anne Marie wants to move it forward.
- Liz - Why are we continuing to discuss this since we already voted to move the amendment forward?
- Dick - is this a reconsideration of the original motion - did Bill vote in the affirmative?

- Bill withdrew his motion. Anyone else can make it.
- Jane - How can this become a recommendation given the content of the proposed amendment? This implies a change to the Charter.
- Bill – SJCC can propose an amendment to the Charter.
- Sharon - This is for the voters to vote on.
- Paul - asked Bill if he rescinded his motion.
- Kevin - Pause debate on RCV for now until we clarify Roberts Rules.

[Broke for public comment]

- Kevin on Roberts Rules - motion to rescind on the floor is debatable and can be amended- requires a 2/3 vote without notice or majority vote with notice. Vote to rescind (2/3 vote by members present). We use Small Board Rules of Roberts Rules is how we have been operating.
- Bill - 3 things or majority of entire membership. Majority of entire membership is 10. 2/3 would be 12.
- Kevin - Bill's motion to make the amendment into a recommendation was out of order. He could say "rescind" and that would be in order.

Motion by Anne Marie, Bob seconded to accept the amendment on RCV:

Discussion, including:

- Dave A: Wants to make the change in language to read "If and when ..." rather than "When ..."
- Sharon made this change (even though no formal Friendly Amendment was proposed.)
- Kevin: Spoke to that and called the question.

Vote:

9 in favor, 3 opposed (Tom, Bill, Paul), 4 abstentions (Tony, Olivia, Maureen, Dick)

Motion carried.

5. Finalize Public Advocate Amendment for 2022 ballot:

Maureen presented.

Discussion, including:

- Bob suggested to add a sentence at the end of paragraph (2) saying "The Public Advocate will not give legal advice". *(Not sure if this sentence was added or not.)*

Motion by Bill, seconded by Bob to change the language "in accordance with state statute..." – say instead "Subject to applicable law, the Public Advocate will immediately ..." – add it to paragraph (2). *This change was made.*

- Tom having great difficulty with this....

(Kevin left the meeting at 5:15)

More discussion.

Motion by Paul, Bob seconded to approve Public Advocate amendment, as amended.

Vote:

12 in favor, 1 opposed (Tom), 2 abstentions (Dick, Tony)

Motion carried.

6. Next steps / remaining work to be completed:

Kevin's scenario for our final work:

- Finalize three amendments for 2022
- Finalize a resolution – letter to SJCC with final amendments, Letter to SJCC and auditor with recommendations, Resolution that would recap all of our work. And that would conclude our work – submit these at the same time, at which time we would say that we are concluding our work.

Kevin: This is a longer topic for the Nov. 10 meeting – **Kathryn to put it on that agenda.**

Discussion.

7. Discuss future meetings:

Maureen – Next meeting should be after the election – proposed **Nov 10. She'll discuss the date with Kevin.**

8. New Business:

(1) Jane: Recommendations – whether or not this body wants to have a meeting to present the recommendations verbally to the SJCC prior to our finishing our business or just present them in writing. Give the SJCC an opportunity to ask us questions.

Maureen: **Put this on the agenda for our next meeting.**

(2) Tom read a letter he wrote about seeing memos from the PA. Discuss under new business for next meeting.

Discussion.

Motion by Tom, seconded by Bill, to put this discussion on the agenda under “New Business” for the next meeting. (NOTE: No vote was taken.)

Discussion, including:

- Jane - Months ago we agreed as a majority that we would not be posting advice of PA to the public on our website. Are we putting that to a vote again at the next meeting?
- Tom asking for the CRC to revisit and reconsider that decision around releasing legal advice from the PA to the CRC – to rescind (per Bill).
- Bob: Let's have a special meeting sooner – before the election - to discuss these two items – Jane's and Tom's.
- Jane & Maureen: We want the Prosecuting Attorney or a representative of his office to attend this meeting. It's our discussion but we should have Randy nearby to answer questions.
- Maureen: Randy doesn't represent us personally - he represents this county body.
- Maureen: **She'll let Kevin know and Kevin will invite Randy.**
- Tom proposes to have this meeting one week from today.
- Olivia - Oct. 13 would be a Special Meeting - thinks it's a great idea.
- Bill - We have to give notice on whatever we want to put in the agenda.

Maureen: we will have a Special Meeting on Oct. 13 and we will be discussing two items:

1. The possible rescinding of the CRC's choice not to release communications under attorney-client privilege from the Prosecuting Attorney to the public
2. The discussion on recommendations to the SJCC.

Publicize the Oct. 13 meeting.

Bob: We will then have a subsequent meeting on Nov. 10 to cover remaining issues.

Kathryn will put the two items on the October 13 agenda.

9. Open for Public Comment (4:50pm)

Gordy Peterson: You have never really used Roberts Rules - embarrassing to see. This is a useless debate on RCV because you're not going to get this on the ballot unless the SJCC says they want it. You're wasting a lot of time when you could be doing something productive. See what Randy's memos have to say and they're being hidden.

ADJOURNMENT: Adjourned at 5:52 pm

Sharon Abreu
CRC Member

Minutes were approved by consensus at the October 13, 2021 Special Meeting