

Synopsis of the Primary Differences Between Draft Charter Amendments

Article I

Section 2: In the community member's version 2, the time at which the Charter amendment becomes effective as specified in Article I, Section 2 does not match the time specified at the end of the Charter amendment.

Article II

Section 1: In Section 1 G, City Legal's version addresses the potential situation where a council member's residence falls outside of his or her district due to a mid-term redistricting. It specifies that such a council member would not lose his or her seat until the end of the unexpired term. The community member's version 2 is silent as to the issue.

Section 3: In Section 3 C, the community member's version 2 lays out the specific timing of the first Mayoral primary and election. Technically, the timing of any special election is dependent on a future Council passing the necessary resolutions calling for such special elections and submitting the resolutions to the county auditor in a timely fashion. Thus, City Legal's version is silent as to specific timing of the first mayoral primary and election, and generally provides that municipal elections shall be done in accordance with state law.

Section 3: In the community member's version 2, the salary of the Mayor is specified to be "not less than an amount equal to the salary of the highest paid City employee other than the City Administrator, and shall be specifically provided by ordinance." This language could be read to conflict with RCW 35.22.205:

"The compensation and the time to be devoted to the performance of the duties of the mayor and elected officials of all cities of the first class shall be as fixed by ordinance of said city irrespective of any city charter provisions."

City Legal's version simply specifies that the Mayor's salary be set by ordinance.

Section 5: In the community member's version 2, it specifies that "The Clerk shall call special meetings of the Council upon written request of the Mayor, the Council President, or two members." However, RCW 42.30.080(1) specifies that:

A special meeting may be called at any time by the **presiding officer** of the governing body of a public agency or **by a majority of the members** of the governing body by delivering written notice . . .

City Legal's version reads, "The Clerk shall call special meetings of the Council upon written request of the Council President or a majority of the Council members," which is in harmony with the statute.

Additionally, there are a handful of minor differences between the two versions. Also, if the Council were to adopt the community member's version 2, there are two of Article II Section 3 D, the latter would need to be corrected to read "E."