

**Clark County Charter Review Commission  
Resolution No. 2021-7**

A RESOLUTION to submit to the voters of Clark County which would make minor corrections and technical clarifications to the Charter.

WHEREAS, In November 2020, the voters of Clark County elected fifteen commissioners to serve on the Charter Review Commission to review the Clark County Home Rule Charter and propose amendments to the same if necessary and appropriate; and

WHEREAS the Clark County Charter Review Commissioners have faithfully undertaken their responsibilities entrusted to them by the voters of Clark County, Washington; and

WHEREAS, the Clark County Charter Review Commission has, in open public meetings convened between January 1, 2021, and July 7, 2021, proposed and deliberated on potential charter amendments; and

WHEREAS, Clark County Charter Review Commission, in a duly noticed public meeting held on July 7, 2021 voted to submit to the voters of Clark County in the November 2021 General Election a proposed amendment to the Clark County Home Rule Charter that would amend the Charter to provide for minor corrections and technical clarifications to the Charter; and

WHEREAS, the Clark County Charter Review Commission has reviewed the Charter and determined that the proposed amendments are necessary and appropriate for its adequacy and suitability to the needs of Clark County;

NOW, THEREFORE, BE IT RESOLVED, BY THE CLARK COUNTY CHARTER REVIEW COMMISSION:

**Section 1. Amendatory.** Charter Section 2.4.B, Powers of the council, is hereby proposed to be amended as follows:

~~B. Establish~~ Provide compensation for all county employees and provide for the reimbursement of expenses.

**Section 2. Amendatory.** Charter Section 3.1, Composition and powers, is hereby proposed to be amended as follows:

The executive branch shall be composed of the offices of county manager, assessor, auditor, clerk, prosecuting attorney, sheriff, and treasurer. ~~and the officers and employees of administrative departments and elected executive offices established by state law or this charter or created by the council.~~ The executive branch shall have all executive powers of the county under this charter.

1 **Section 3. Amendatory.** Charter Section 3.2, The county manager, is hereby proposed to be  
2 amended as follows:  
3

4 A. Appointment.

- 5 1. Appointment or termination of a county manager shall require a simple  
6 majority vote of the council.  
7 2. The county manager shall be selected on the basis of ~~his or her~~ their executive  
8 experience and professional administrative qualifications.  
9 3. No member of the council shall, during the time for which ~~he or she~~ they were  
10 ~~was~~ elected, be appointed county manager.  
11 4. The county manager shall serve at-will. The council shall establish the county  
12 manager's terms of employment, including compensation, by written contract,  
13 provided the county manager's employment shall be at-will and terminable in  
14 accordance with contract terms and this charter.  
15 5. Employment of a county manager shall not be construed as changing the relationship  
16 of the councilmembers or other elected officials to their constituents, or the  
17 relationship of the council members to other elected officials.  
18 6. The county manager shall designate a qualified employee of the county as ~~his or~~  
19 ~~her~~ their deputy county manager. The deputy county manager shall perform the  
20 duties of the county manager during the county manager's extended absence or  
21 disability.  
22

23 B. Powers and Duties.

24 The county manager shall be the county's chief executive officer and have all executive  
25 powers of the county which are not expressly vested in other elected officers by state law or  
26 this charter. The county manager shall have the power to:  
27

- 28 1. Supervise all administrative departments established by this charter or created by the  
29 council.  
30 2. Execute and enforce all ordinances and state statutes not assigned to other elected  
31 officials.  
32 3. Present to the council an annual statement of the county's fiscal and governmental  
33 affairs, and any other report which ~~he or she~~ they may deem necessary.  
34

35 **Section 4. Amendatory.** Charter Section 3.4, Administrative departments, is hereby proposed to  
36 be amended as follows:  
37

- 38 A. The administrative departments shall consist of the departments and agencies of  
39 the executive branch that are not headed by ~~other~~ executive elected officials.  
40 B. The chief officer of each administrative department shall appoint all officers and  
41 employees of ~~his or her~~ their department. The chief officer shall comply with the  
42 county's human resources policies and procedures when appointing officers and  
43 employees to positions covered by human resources policies and procedures.

1  
2 **Section 5. Amendatory.** Charter Section 3.5, Other elected officials, is hereby proposed to be  
3 amended as follows:

4  
5 **Section 3.5 ~~Other~~ Executive elected officials**

6 ~~Other Executive~~ elected officials include the assessor, auditor, clerk, prosecuting  
7 attorney, sheriff and treasurer.

8  
9 **Section 6. Amendatory.** Charter Section 3.6, Appointments by other elected officials, is hereby  
10 proposed to be amended as follows:

11  
12 **Section 3.6 Appointments by ~~other~~ executive elected officials**

13 ~~Other Executive~~ elected officials shall appoint under their bond (RCW 36.16.070) all  
14 officers and employees of their respective executive elected offices. ~~Other Executive~~  
15 elected officials shall comply with the county's human resources policies when  
16 appointing officers and employees unless alternate human resource policies have been  
17 adopted by that official. The ~~chief officers and employees~~ shall be appointed on the  
18 basis of their abilities, qualifications, integrity and experience concerning the duties of  
19 the office to which they are appointed.

20  
21 **Section 7. Amendatory.** Charter Section 4.1, Financial administration, is hereby proposed to be  
22 amended as follows:

- 23  
24 A. For the purposes of budget preparation, presentation to the council and monitoring,  
25 under Chapter 36.40, the county manager is designated as the chief financial officer  
26 of the county.
- 27 B. Per RCW 36.40.010, each office and department shall provide a preliminary  
28 budget composed of a detailed and itemized estimates, both of the probable  
29 revenues from sources other than taxation, and of all expenditures required by  
30 such office, department, service, or institution for the ensuing fiscal year.
- 31 C. Per RCW 36.40.040, upon receipt of the preliminary budget estimates the county manager  
32 shall prepare the county budget which shall set forth the complete financial program of the  
33 county for the ensuing fiscal year, showing the expenditure program and the sources of  
34 revenue by which it is to be financed.
- 35 D. The auditor shall be responsible for financial administration of the county,  
36 including reports to the county council on the actual revenues and expenses of the  
37 organization, in accordance with RCW36.22.010 and this charter; provided the  
38 auditor is not responsible for those duties assigned by this charter to the treasurer or  
39 county manager.
- 40 E. The duties of treasurer are those specified in RCW 36.29.010 federal law, and  
41 Washington State Constitution, and statutes.
- 42

1 **Section 8. Amendatory.** Charter Section 5.1 Applicability, is hereby proposed to be amended as  
2 follows:  
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4 Clark County policies shall promote effective human resource practices, create a  
5 standardized system for employee management and ensure that human resources actions  
6 and decisions comply with federal, state and local laws.  
7

8 The council shall, by resolution, establish and maintain human resources policies as  
9 defined in their authority in this article. Pursuant to the council's budgetary authority  
10 in Article 4, policies concerning employee compensation and benefits are applicable to  
11 all county employees, including employees reporting to other elected officials' offices.  
12 ~~Other Executive~~ elected officials may adopt alternate administrative policies for their  
13 offices. If alternative policies are not adopted, the policies developed for the departments  
14 reporting to the county manager apply.  
15

16 **Section 9. Amendatory.** Charter Section 5.5, Elected official salaries and compensation, is  
17 hereby proposed to be amended as follows:  
18

19 A. Council Member.

20 1. The salary of council members initially shall be fifty-three thousand dollars  
21 (\$53,000), and shall be adjusted based on percentage changes established by the  
22 Washington State Salary Commission for state legislators, and shall be effective on  
23 the effective date determined by the Washington State Salary Commission by that  
24 commission for legislative salary adjustments.

25 2. The chair of the council shall receive a salary twenty (20) percent higher  
26 than other council members in recognition of the additional responsibilities  
27 of that position.

28 B. ~~Other Executive~~ elected Officials.

29 1. The salary of the sheriff is one hundred six thousand two hundred twenty-four  
30 dollars (\$ 106,224) and shall be adjusted based on percentage changes established  
31 by the Washington State Salary Commission for state legislators on the effective  
32 date determined by that commission for legislative salary adjustments.

33 2. The salary of the assessor, auditor, county clerk and treasurer is one hundred  
34 thousand nine hundred twenty dollars (\$100,920) in 2014, and shall be adjusted  
35 biennially based on percentage changes established by the Washington State Salary  
36 Commission for state legislators on the effective date determined by that  
37 commission for legislative salary adjustments.  
38

39 **Section 10. Amendatory.** Charter Section 6.1, Election procedures, is hereby proposed to be  
40 amended as follows:  
41

42 Except as otherwise provided in this charter, ~~nominating~~ primaries and general elections shall  
43 be conducted in accordance with general law governing the election of partisan county

1 officials.

2

3 **Section 11. Amendatory.** Charter Section 6.4, District boundaries, is hereby proposed to be  
4 amended as follows:

5

6 The boundary of each council district was established in accordance with the criteria  
7 set forth in state law. The ~~initial~~ council districts for the county are set forth in  
8 Appendix A.

9

10 **Section 12. Amendatory.** Charter Section 6.6, Redistricting plan, is hereby proposed to be  
11 amended as follows:

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13 Within two (2) months after appointment, the redistricting master shall draw a  
14 redistricting plan for the county and submit the plan to the committee for adoption. The  
15 committee shall conduct a public hearing at least one week before proposed adoption.  
16 The redistricting committee shall adopt the redistricting plan within thirty (30) days of  
17 submission to the committee. The redistricting plan shall be adopted as submitted or as  
18 amended by two-thirds majority vote of the redistricting committee. Upon adoption,  
19 the plan shall be filed with the council by the redistricting committee. After  
20 submission of the plan, the council shall have thirty (30) calendar days to amend the  
21 committee's plan. If the council amends the committee's plan, the amendment must be  
22 approved by an affirmative vote of two-thirds of councilmembers, and the area  
23 amended may not include more than two (2) percent of the population of any council  
24 district. No later than eight (8) months after receipt of the census data, the council shall  
25 adopt by ordinance a redistricting plan. The adopted redistricting plan for the county must  
26 follow precinct boundaries established by the council prior to that year's candidate filing  
27 period.

28

29 **Section 13. Amendatory.** Charter Section 7.2, Initiative, is hereby proposed to be amended as  
30 follows:

31

32 C. Initiative Procedures.

33 1. Any registered voter of Clark County may file an initiative proposal with the  
34 auditor, who shall transmit a copy to the prosecuting attorney. Within ten (10)  
35 business days of the filing date, the prosecuting attorney shall formulate a true  
36 and impartial ballot title, posed as a positive question not exceeding fifty (50)  
37 words.

38 2. The prosecuting attorney shall transmit the initiative petition to the auditor,  
39 who shall give the proposed initiative a number that will be the identifying  
40 number. Within an additional five (5) business days, the auditor shall confer  
41 with the petitioner to review and establish the form and style of the initiative  
42 petition as required by the auditor or ordinance. Within an additional ten (10)  
43 days ~~t~~The prosecuting attorney shall evaluate the petition and provide the  
44 petitioner and auditor with the following statement: "In the opinion of the

1 Clark County Prosecuting Attorney, the subject of this initiative is within the  
2 scope of local initiative powers. Yes [ ] No [ ] No opinion at this time [ ].”  
3 The prosecuting attorney shall mark the box that reflects his or her opinion.  
4 The petition may include this statement on the petition.

- 5 3. The petitioner shall have one hundred twenty (120) days after receipt of the  
6 Prosecuting Attorney’s statement as required in 7.2. C (2) ~~conferring with the~~  
7 auditor to collect signatures of registered county voters. Valid signatures  
8 collected shall number no less than: ten (10) percent of the number of votes  
9 cast in the last gubernatorial election. Each petition shall contain the warning  
10 clause prescribed by state law, full text of the proposed measure, ordinance or  
11 amendment to an ordinance, and ballot title...

12  
13 **Section 14. Amendatory.** Charter Section 7.3, Mini--initiative, is hereby proposed to be  
14 amended as follows:

15  
16 The people reserve the power of mini-initiative, except as limited by state or federal law  
17 and subject to Article 7, Section (2)(A). Ordinances or amendments to an existing  
18 ordinance may be proposed to the council by transmitting the proposal to the auditor. An  
19 initiative petition shall bear the signatures of qualified voters totaling no less than three  
20 (3) percent of the number of votes cast in the county in the last gubernatorial election.  
21 The auditor shall have thirty (30) business days to validate signatures. If a sufficient  
22 number of signatures is verified, the auditor shall transmit the initiative petition to the  
23 county council. The council shall hold a public hearing on the proposed ordinance or  
24 amendment to an existing ordinance within sixty (60) days, and enact, reject or modify  
25 the proposed ordinance within thirty (30) calendar days of the hearing.

26  
27 **Section 15. Amendatory.** Charter Section 7.4, Referendum, is hereby proposed to be amended  
28 as follows:

29  
30 The people reserve the power of referendum. Referendum may be ordered on any ordinance, or  
31 any part thereof, passed by the council, except as limited by state or federal law or court  
32 interpretations.

33 A. Referendum Limitations.

34 The following are limited by state or federal law or court interpretations and may not  
35 be proposed or adopted by initiative.

- 36 1. Emergency ordinances.  
37 2. Ordinances providing for compensation or working conditions of county  
38 employees or elected officials.  
39 3. Ordinances authorizing or repealing an appropriation of money or any portion  
40 of the annual budget.  
41 4. Ordinances authorizing or repealing taxes or fees.  
42 5. Ordinances required by state or federal law.

1  
2 B. Referendum Procedure.

3 A referendum petition proposal shall be filed with the auditor within ten (10) days  
4 after the council passes an ordinance. Except as set forth in this section, a referendum  
5 petition proposal may be filed against an ordinance or any portion of an ordinance.  
6 Any registered Clark County voter may file with the auditor a referendum petition  
7 proposal signed by at least one hundred (100) registered voters of Clark County. The  
8 auditor shall verify signatures on the referendum petition proposal within ten (10)  
9 calendar days. After one hundred (100) signatures are validated, the ordinance or  
10 portion of the ordinance subject to referendum is suspended until:

- 11 a. Sufficient valid signatures are collected within the time prescribed by  
12 this section to place the measure on the ballot and voters have voted on  
13 the measure.
- 14 b. Valid signatures are not collected within the time prescribed by this  
15 section to place the measure on the ballot.
- 16 2. Filing a referendum petition proposal against a portion of an ordinance shall  
17 not delay the remainder of the ordinance from taking effect.
- 18 3. Within five (5) business days of filing the referendum petition, the auditor  
19 shall confer with the petitioner to review the ~~proposal~~ referendum petition as  
20 to form and style, as required by the auditor or ordinance. The auditor shall  
21 give the referendum petition an identifying number and transmit a copy of the  
22 referendum petition to the prosecuting attorney and county manager. Within  
23 ten (10) business days after receipt, the prosecuting attorney shall write a  
24 ballot title not to exceed fifty (50) words and posed as a positive question,  
25 which shall express a true and impartial statement of the measure. The  
26 prosecuting attorney shall then promptly transmit the referendum petition's  
27 ballot title to the auditor who shall provide it to the petitioner within five (5)  
28 business days.
- 29 4. The petitioner shall have one hundred (120) calendar days from the date of  
30 delivery of the ballot title as required in 7.2 B (3) ~~registration~~ to collect  
31 signatures of the required registered Clark County voters. The number of valid  
32 signatures collected shall equal no less than ten (10) percent of the total votes  
33 cast in the county in the last gubernatorial election. Each petition shall contain  
34 the full text of the referred measure and ballot title. The auditor shall verify  
35 the number of signatures and, if valid, submit the measure to voters at the next  
36 general election. Petition signatures must be submitted to the auditor for  
37 verification no less than one hundred fifty (150) calendar days before the date  
38 of the next general election.

39  
40 **Section 16. Amendatory.** Charter Section 8.7, Nondiscrimination, is hereby proposed to be  
41 amended as follows:

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43 In the exercise of its powers or performance of its duties, the county shall ensure no person is  
44 discriminated against because of age, sex, marital status, sexual orientation, race, creed or color. No

1 person shall be discriminated against because of national origin, veteran or military  
2 status, citizenship, immigration status, families with children or the presence of any sensory,  
3 mental or physical disability or the use of a trained dog guide or service animal by a  
4 person with a disability, or any other legally protected status, unless based on a bona fide  
5 occupational qualification. The prohibition against discrimination because of disability  
6 shall not apply if the particular disability prevents the proper performance of the  
7 particular worker involved. The council shall take whatever action necessary to  
8 accomplish this purpose as defined in the state and federal constitutions, laws,  
9 regulations and applicable court interpretations.

10  
11 **Section 17. Amendatory.** Charter Section 9.7, Codification, is hereby proposed to be amended  
12 as follows:

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14 ~~Amendments to the charter shall be incorporated in the text of the original charter and~~  
15 ~~published. The text of the transition article shall appear only in the initial charter as~~  
16 ~~published.~~

17 Following the election at which any proposed provision of this amended charter is approved by  
18 a majority of the voters voting thereon, the county council shall cause such amendment to be  
19 incorporated into the text of the original charter and shall publish the amended charter. In the  
20 process of incorporating amendments into the text of the original charter, the clerk of the county  
21 council may, at the discretion of the county council, correct manifest errors in reference to other  
22 charter sections and correct manifest spelling, clerical or typographic errors, additions, or  
23 omissions.

24  
25 **Section 18. Repealer.** Article 10 of the Clark County Home Rule Charter, Transitional  
26 Provisions, is hereby repealed in its entirety.

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28 **Section 19. Effective Date.** This resolution proposing amendments to the Clark County Home  
29 Rule Charter shall be effective immediately upon adoption.

30  
31 **Section 20. Instructions to Staff.** The County Manager shall direct appropriate county staff to  
32 do the following:

- 33  
34 A. File a copy of this Resolution with the Clark County Auditor for submittal to the  
35 voters at the next general election as a proposal to amend the Clark County Home  
36 Rule Charter.  
37 B. Transmit a copy to the Clark County Prosecutor and request preparation of an  
38 appropriate ballot title for the proposed amendment.  
39 C. If a majority of the voters vote in favor of the proposed amendment, provide a copy to  
40 Code Publishing for inclusion in the Charter.



1 ADOPTED at a regular meeting of the Clark County Charter Review Commission this 7th day of  
2 July, 2021.

3  
4 ATTEST:

FOR CLARK COUNTY CHARTER  
REVIEW COMMISSION:

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8 

9 Anthony Vendetti, Secretary  
10 Clark County Charter Review Commission




Kim D. Harless, Co-Chair  
Clark County Charter Review Commission

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12  
13  
14 Approved as to form only  
15 Anthony F. Golik  
16 Prosecuting Attorney



Charles P. "Chuck" Green, Co-Chair  
Clark County Charter Review Commission

17  
18  
19 By  for  
20 Christine Cook  
21 Senior Deputy Prosecutor

1 CLARK COUNTY CHARTER REVIEW COMMISSION 2021

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Countywide At-Large Commissioners

- Doug Lasher
- Eric Holt
- Bridget McLeman

Councilor District 1 Commissioners

- Anthony Vendetti
- Kim Harless
- Chris Goodwin

Councilor District 2 Commissioners

- Chuck Green
- Kelsey Potter
- Dorothy Gasque

Councilor District 3 Commissioners

- Maureen Winningham
- Terri Niles
- Jeff Angelo

Councilor District 4 Commissioners

- Deanna Rusch
- John Latta
- Greg Anderson