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## Local Government Committee

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### BILL ANALYSIS SSB 5718

**TITLE OF THE BILL:** *Specifying how code cities may change the plan of government.*

#### **Brief Summary:**

- Specifies code city officers serve the remainder of their terms if a code city changes its plan of government.
- Includes provisions for service of mayor after a change in code cities' plans of government, with the:
  - existing mayor under mayor-council plan serves as a council member if the code city changes to a council-manager form of government;
  - mayor under council-manager plan to be elected as part of the reorganization process if the code city changes to a mayor-council form of government.
- Establishes a 2-year waiting period between elections on a charter adoption proposal if a proposal receives 40 percent or less of the total vote.

**SPONSORS:** Senate Committee on State & Local Government (originally sponsored by Senators Gardner, Spanel, Patterson and Haugen).

**HEARING DATE:** Monday, February 21, 2000.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill is passed.

**FISCAL NOTE:** Not requested.

**ANALYSIS PREPARED BY:** Caroleen Dineen (786-7156).

## **BACKGROUND:**

Cities and towns are classified when they incorporate or are reorganized. Four classes of municipal government exist under Washington law: (1) first class cities; (2) second class cities; (3) towns; and (4) optional municipal code cities. Any city with a population of at least 10,000 may frame a charter for its own government according to constitutional and statutory requirements. City and town classifications are specified in statute as follows:

- *first class cities* are organized according to laws applicable to cities with populations of at least 10,000 that have adopted a home rule charter;
- *second class cities* are cities with populations of at least 1,500 that have not adopted home rule charters;
- *towns* have populations fewer than 1,500 and are not incorporated; and
- *optional municipal code cities* may be noncharter or charter cities of any population that have adopted the optional municipal code according to Title 35A RCW.

Code cities may operate with one of three different plan of government: council-manager, mayor-council, or commission. The council-manager plan consists of an elected city council serving as the legislative body and an appointed city manager responsible for city administration. The mayor-council plan includes an elected mayor serving as the city's chief administrative officer and an elected council acting as the legislative body. Under the commission plan, elected commissioners serve as the legislative authority and as city department directors.

Code cities may alter their plans of government through a vote of the people. If a code city does reorganize under a different plan of government, city officers are elected at the next general or special municipal election occurring more than 90 but fewer than 180 days after certification of the reorganization ordinance or resolution.

The vast majority of Washington's cities and towns operate under either the mayor-council or the council-manager plan of government.

## **SUMMARY:**

When a noncharter code city reorganizes under a different plan of government, the officers serve the remainder of their terms. Provisions regarding service of the mayor after a change in plan of government are specified as follows:

- for a change from mayor-council to council-manager, the mayor serves the remainder of the term as a council member; and
- for a change from council-manager to mayor-council, the mayor is elected as part of the reorganization process according to statutory requirements.

If a city adopts a plan of government other than the plans authorized under the optional municipal code, officers are elected at the next general municipal election.

If a proposal to adopt a charter receives approval by forty percent or less of the total vote, no new election on charter adoption may be held for two years from the date of the charter proposal election.

