

Schroader, Kathy



From: David McDonald <david@mcdonaldpc.com>
Sent: Tuesday, December 01, 2015 10:47 AM
To: Schroader, Kathy
Subject: Fwd: Follow up on Alleged Charter Violations

Please place this in the index for the comprehensive plan update

Thank you,

David

Begin forwarded message

From: David McDonald <david@mcdonaldpc.com>
Subject: Follow up on Alleged Charter Violations
Date: December 1, 2015 10:41:15 AM PST
To: mark.mccauley@clark.wa.gov
Cc: Chris Horne <chris.horne@clark.wa.gov>, Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>

Mr McCauley:

Just to follow up on my earlier e-mail regarding alleged charter violations. I should have referenced the other provisions of Section 2.6. Certainly, any directives that have been given to GIS, the Planning director or planning staff by Councilor Madore in creating this new Alternative #5 (and by specifically bypassing the Planning Director and his staff) appears to be in violation of §2.6(A) unless Councilor Madore requested, and you gave Dr. Orjiako direction, to work directly with Councilor Madore under this provision and there was a specific "constituent issue" that was covered under this request

"Section 2.6 Relationship with other branches

A Council members shall not interfere in the administration of the executive branch. They shall not issue orders to or direct, either publicly or privately, any officer, agent, employee, contractor or vendor subject to the direction and supervision of the county manager or other elected official.

B Nothing contained herein shall prohibit a council member from

2 Submitting a request to the county manager to work with a department head to investigate a constituent issue "

Although the Charter is newly minted, it appears that Councilor Madore issuing to staff these types of non-legislative, executive directives violate this provision.

Also, I would like clarification as to the issue I raised in my letter to Mr. Horne and Ms Cook regarding the possible termination of ESA and the possible addition of a new consultant.

Please advise.

Thank you,

David T. McDonald

David T McDonald
David T McDonald, P C
Courtroom Lawyer
Suite 625
833 SW 11th
Portland, Oregon 97205
503-226-0188 (o)
503-226-1136 (f)
Admitted To Practice In Oregon and Washington
State and Federal Courts

CONFIDENTIALITY NOTICE

This electronic mail message and any attachments are confidential and/or legally privileged. It is intended only for the addressee. If you are not the intended recipient or believe you have received this message in error, please notify the sender immediately by e-mail reply or telephone. Any disclosure, copying, further distribution or any action taken in reliance upon this transmission without the express permission of the sender is strictly prohibited.