



Legislation Text

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Clerk 03/07/2017

AN ORDINANCE relating to council rules and order of business; amending Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035 and Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.055 and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Section 220.40 of the King County Charter requires the council to adopt by ordinance rules of procedure governing the time, place and conduct of its meetings.

B. Consistent with the county charter, the council adopted by ordinance rules of procedure, which are codified in K.C.C. chapter 1.24, and passed motions related to the organization and administration of the council.

C. The rules ordinance and the organizational motion have been amended from time to time to reflect desired changes in the council's rules of procedure and organization.

D. Because the council is reorganizing the council and its committees by motion effective March 6, 2017, including modifying committees, committee chair and vice-chair positions, duties and committee meeting times, this ordinance must be enacted as an emergency ordinance in order to be effective on that date to ensure that the regular meeting times of the council's committees are effective contemporaneously with the reorganization of the council.

SECTION 2. Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035 are each hereby amended to read as follows:

A.1.a. The time of regular meetings of the council is 1:30 p.m. on Monday of each week, or Tuesday if Monday is a state or county holiday or is a legislative branch furlough day due to a county emergency budget crisis, unless otherwise ordered by the chair or a majority of the council. However, the regular meetings of the council shall not take place from ~~((August 1 through August 12, 2016, and from December 19 through December 30, 2016))~~ July 31 through August 11, 2017, and from December 19 through December 30, 2017. All regular or special meetings of council committees shall be regular or special council meetings, in accordance with subsection F. of this rule.

b. Each Wednesday, except the fourth Wednesday of April, July and October, from 1:30 p.m. to 3:00 p.m. shall be reserved for special standing committee meetings except when the health, housing and human services committee or the law and justice committee regular meeting is rescheduled in accordance with subsection B.1.e. and f. of this section and each fourth and fifth Wednesday of each month from 3:00 p.m. to 4:30 p.m. shall be reserved for special regional committee meetings as needed. In order to allow each member sufficient time to review legislation and to meet with constituents, staff and officials of other jurisdictions, no special committee meeting may be called for any other time without the prior written consent of the council chair or the consent of a majority of the members of the committee. If a special meeting for more than one committee is called for the same time and location, the meeting for which the agenda was first filed with the council clerk shall have precedence for use of the meeting location. This subsection A.1.b. does not apply to special meetings of the budget and fiscal management committee for purposes of considering the county executive's biennial budget proposal, which shall be called by the chair of the budget and fiscal management committee.

2.a. All regular meetings of the King County council and the council's committees, except for the employment and administration committee, shall be held in the council chambers on the tenth floor of the King County Courthouse in Seattle, Washington. All regular meetings of the employment and administration committee shall be held in the southwest conference room on the twelfth floor of the King County Courthouse

in Seattle, Washington.

b. Whenever, due to an emergency, as defined in K.C.C. 12.52.010, it is imprudent, inexpedient or impossible to conduct the affairs of the council at the regular or usual place or places, the council may meet at any place within or without the territorial limits of the county on the call of the chair or any two members of the council. After an emergency relocation, the affairs of the council shall be lawfully conducted at the emergency location for the duration of the emergency.

B.1. Except as provided in subsection B.2. of this rule, the times for regular and special committee meetings are as follows, unless the council is meeting at that time because the preceding Monday was a state or county holiday:

a. Committee of the whole: the first and third Wednesdays of each month at 9:30 a.m. (~~((However, from October 3, 2016, through November 23, 2016, the regular meeting of the committee of the whole shall occur on the first and third Mondays of each month at 9:30 a.m.))~~);

b. Budget and fiscal management committee: the second and fourth Wednesdays of each month at 9:30 a.m.;

c. Employment and administration committee: the second and fourth Mondays of each month at 10:00 a.m.;

d. Government accountability and oversight committee: the second and fourth Tuesdays of each month at 9:30 a.m.;

e. Health, housing and human services committee: the first and third Tuesday of each month at 1:30 p.m. or the next Wednesday at 1:30 p.m. if the council's regular meeting is rescheduled to Tuesday because Monday is a state or county holiday or is a legislative branch furlough day due to a county emergency budget crisis, unless otherwise ordered by the chair or a majority of the council;

f. Law and justice committee: the second and fourth, and fifth if one occurs, Tuesdays of each month at 1:30 p.m. or the next Wednesday at 1:30 p.m. if the council's regular meeting is rescheduled to Tuesday

because Monday is a state or county holiday or is a legislative branch furlough day due to a county emergency budget crisis, unless otherwise ordered by the chair or a majority of the council;

g. Transportation, economy and environment committee: the first and third, and fifth if one occurs, Tuesdays of each month at 9:30 a.m.;

h. Regional policy committee: the second Wednesday of each month at 3:00 p.m.;

i. Regional transit committee: the third Wednesday of each month at 3:00 p.m.; ~~((and))~~

j. Regional water quality committee: the first Wednesday of each month at 3:00 p.m.; and

k. Special committee on alternatives to incarceration: the fourth Wednesday of April, July and October at 1:30 p.m.

2. The regular meetings of the committees shall not take place during the first and second weeks in August and the third and fourth weeks in December.

C. Council and committee meetings must be held in accordance with the Open Public Meetings Act of 1971, chapter 42.30 RCW.

D. A meeting may be continued, in accordance with chapter 42.30 RCW, to another date and does not conclude until adjourned in accordance with these rules.

E.1. An executive session may be held during a council or committee meeting if one of the specific grounds under chapter 42.30 RCW for an executive session exists.

2. Before convening in executive session, the chair of the council or committee shall publicly announce the purpose for excluding the public from the meeting place and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the chair.

3. Only members of the council or committee, special invitees and those employees or staff members the council or committee determines to be necessary are allowed to remain in the room. Persons attending an executive session shall maintain the confidentiality of the proceedings.

F.1. A legal analysis of the Open Public Meetings Act by the office of the Attorney General, 2010 AGO

No. 9, has advised that when a committee meeting is attended by a quorum of the governing body it must be noticed not only as a committee meeting but also as a meeting of the governing body. For this reason, all meetings of council committees shall be noticed both as committee meetings and as council meetings whose agenda is limited to the committee business.

2. In all committee meetings, which are council meetings in accordance with subsection F.1. of this rule, only the rules and procedures applicable to committees apply, and not those rules and procedures applicable to full council meetings. This includes, but is not limited to:

- a. only those members who serve on the committee have the right to exercise parliamentary rights in the meeting, including, but not limited to, raising points of order, making motions and voting;
- b. attendance shall be recorded only for members serving on the committee, and the quorum for the meeting shall be the committee quorum; and
- c. committee meetings shall be chaired by the committee chair.

SECTION 3. Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.055 are each hereby amended to read as follows:

The standing committees shall operate as follows:

A. A majority of a committee constitutes a quorum. A committee is considered to have a quorum present unless the question is raised by a member of the committee. If a member objects to proceeding because of the lack of a quorum, the committee may not conduct official business, except to conduct a hearing. The appointment or use of alternate members is not allowed for a standing committee. Any member of the council may attend and participate in any committee meeting by asking questions and offering comments on any matter before the committee. Only members of the committee may exercise parliamentary rights in the committee, including, but not limited to, raising points of order, making motions and voting.

B. During its consideration of a vote on legislation, the deliberations of a committee must be open to the public.

C. A vote to report legislation out of committee must be taken by the "ayes" and "nos," with the committee clerk recording the names of the members voting for and against, as well as the names of the members absent. On any matter, including but not limited to an amendment, a vote must be taken by oral roll call if requested by a member of the committee. A standing committee may not vote by secret ballot on an issue. Except for a regional committee, legislation may be reported out of committee by less than a quorum of the committee, subject to signature by a majority of the members of the committee, unless a member present requests a vote on the recommendation by a quorum of the committee. If a member so requests, the legislation may not be reported out of the committee at that meeting without an affirmative vote by a majority of the quorum of the committee. The committee's recommendation on legislation reported out of committee subject to signature by a majority of the members of the committee is not effective unless signed by a majority of the committee and delivered to the clerk by the close of the second business day after the committee action. A vote in a committee must be recorded and the vote must be preserved as prescribed by the clerk of the council.

D. Legislation reported to the council from a standing committee must have a majority recommendation report, which must be prepared upon a printed standing committee report form and must be signed by a majority of the committee with one of the following recommendations:

1. Do pass;
2. Do pass -- consent;
3. Do pass substitute;
4. Do pass substitute -- consent;
5. Do not pass;
6. Postpone indefinitely;
7. Pass out of committee with no recommendation; or
8. Refer to another committee.

E. The rules and procedures contained in this chapter must be observed, when applicable, in all

proceedings of a standing or special committee of the council.

F. The chair of the committee shall set the agenda for the committee, including whether and when to include on a specific agenda for action proposed legislation referred to the committee by the council chair. A change to the last distributed and posted agenda made at a meeting must be announced by the chair and is subject to appeal to the full committee present by any two members of the committee. A majority of the members present shall decide an appeal under this subsection.

G. Notice of a special meeting must be made in compliance with the Open Public Meetings Act of 1971, chapter 42.30 RCW. The committee chair may call up to six special meetings per calendar year. An additional special meeting may be called only upon the request of the chair and the written consent of either the vice-chair of the committee or the chair of the council before the meeting. A special meeting may be called only when:

1. There is time-sensitive legislation or information that cannot be presented and considered in the ordinary committee meeting schedule;
2. A joint meeting of two or more committees is necessary to consider a matter; or
3. An unusual and extreme workload of a committee does not allow its full consideration during the ordinary committee meeting schedule.

H. A committee may not recess a meeting for longer than eight hours unless consent is given consistent with Rule 6.G, K.C.C. 1.24.055.G. Such a recess constitutes a special meeting solely for the purpose of counting the six discretionary special meetings provided for in this rule. If recess is until the next day but less than twenty-four hours, then the maximum possible notice must be given. If recess is for greater than twenty-four hours, then at least twenty-four hours' notice must be given.

I. For the special committee on alternatives to incarceration:

1. The cochairs shall jointly share the agenda setting responsibilities; and
2. The cochairs shall alternate presiding responsibilities at regular and special meetings of the

committee as mutually agreed upon by the cochairs.

SECTION 4. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.