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1-31-11  
Council Meeting

17023

Sponsor: Gossett

an

Proposed No.: 2011-0045

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2011-0045, VERSION**

2 **1**

3 On page 1, beginning on line 6, strike everything through page 12, line 244, and insert:

4 " BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 **SECTION 1. Findings:**

17023

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

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

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

14 D. Because the council is reorganizing its committees by motion effective today,  
15 including modifying committee names, duties, and committee and council meeting times,  
16 this ordinance must be effective immediately to ensure that the regular meeting times of

17 the council and its committees are enacted and effective contemporaneously with the  
18 reorganization of the council.

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

21 **Rule 4: Meetings.**

22 A.1.a. The time of regular meetings of the council is ~~((11:00 a.m.))~~ 1:30 p.m. on  
23 Monday of each week, or Tuesday if Monday is a state or county holiday or is a legislative  
24 branch furlough day due to a county emergency budget crisis, unless otherwise ordered by  
25 the chair or a majority of the council ~~((, except that the time is 1:30 p.m. from September 21  
26 through December 31)).~~ However, the regular meetings of the council shall not take place  
27 on the first and second Mondays in August and the third and fourth Mondays in December.

28 All regular or special meetings of council committees shall be regular or special council  
29 meetings, pursuant to council rule 4. F.

30 b. Each Wednesday from 1:30 p.m. to 3:00 p.m. shall be reserved for special  
31 standing committee meetings and each fourth and fifth Wednesdays of each month from  
32 3:00 p.m. to 4:30 p.m. shall be reserved for special regional committee meetings as needed.

33 In order to allow each member sufficient time to review legislation and to meet with  
34 constituents, staff and officials of other jurisdictions, no special committee meeting may be  
35 called for any other time without the prior written consent of the council chair or the  
36 consent of a majority of the members of the committee. If a special meeting for more than  
37 one committee is called for the same time and location, the meeting for which the agenda  
38 was first filed with the council clerk shall have precedence for use of the meeting location.

39 This subsection A.1.b. does not apply to special meetings of the budget and fiscal

40 management committee for purposes of considering the county executive's ~~((2011))~~ 2012  
41 budget proposal, which shall be called by the chair of the budget and fiscal management  
42 committee.

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

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

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

58 a. Committee of the whole: ~~((Wednesday))~~ the first and third Mondays of each  
59 ~~((week))~~ month at 9:30 a.m. or Tuesday if Monday is a state or county holiday or is a  
60 legislative branch furlough day due to a county emergency budget crisis, unless otherwise  
61 ordered by the chair or a majority of the council January 1 through September 16;  
62 thereafter through December 31, Monday of each week at 9:30 a.m.;

63           b. Budget and fiscal management committee: the first and third Tuesdays of  
64 each month at 1:30 p.m.;

65           c. Employment and administration committee: the ~~((first and third))~~ second and  
66 fourth Mondays of each month at 9:30 a.m. January 1 through September 7; thereafter  
67 through December 31 on the first and third Mondays of each month at 3:00 p.m.;

68           d. ~~((Environment and transportation committee: the second and fourth, and fifth~~  
69 ~~if one occurs, Tuesdays of each month at 9:30 a.m.;~~

70           e.)) Government accountability and oversight committee: the first and third  
71 Tuesdays of each month at 9:30 a.m.;

72           ~~((f))~~e. Law, justice, health and human services committee: the second and  
73 fourth, and fifth if one occurs, Tuesdays of each month at 1:30 p.m.;

74           f. Transportation, economy and environment committee: the second and fourth,  
75 and fifth if one occurs, Tuesdays of each month at 9:30 a.m.;

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

78           h. Regional transit committee: the third Wednesday of each month at 3:00 p.m.;

79 and

80           i. Regional water quality committee: the first Wednesday of each month at 3:00  
81 p.m.

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

84           C. Council and committee meetings must be held in accordance with the Open  
-85 Public Meetings Act of 1971, chapter 42.30 RCW.

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

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

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

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

98 F.1 A legal analysis of the Open Public Meetings Act by the office of the  
99 Attorney General, 2010 AGO No. 9, has advised that when a committee meeting is  
100 attended by a quorum of the governing body it must be noticed not only as a committee  
101 meeting but also as a meeting of the governing body. For this reason, all meetings of  
102 council committees shall be noticed both as committee meetings and as council meetings  
103 whose agenda is limited to the committee business.

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

108            a. only those members who serve on the committee have the right to exercise  
109 parliamentary rights in the meeting, including, but not limited to, raising points of order,  
110 making motions and voting;

111            b. attendance shall be recorded only for members serving on the committee,  
112 and the quorum for the meeting shall be the committee quorum; and

113            c. committee meetings shall be chaired by the committee chair.

114            SECTION 3. Ordinance 11683, Section 5, as amended, and K.C.C. 1.24.045 are  
115 each hereby amended to read as follows:

116            **Rule 5: Agenda.**

117            A. Council business must be disposed of in the following order, or in an order the  
118 chair deems appropriate, subject to appeal as provided in Rule 5.D, K.C.C. 1.24.045.D:

119            1. Roll call;

120            2. Flag salute and Pledge of Allegiance, the leading of which must be offered by a  
121 member of the council and which must rotate among all members of the council;

122            3. Approval of minutes;

123            4. Additions to the council agenda;

124            5. Special items;

125            6. Plat tracings;

126            7. ~~((Motions, from standing committees and regional committees, for council~~  
127 ~~action)) Hearing and second reading of ordinances from standing committees and regional~~  
128 ~~committees;~~

129            8. ~~((First reading of and action on motions without referral to committee)) First~~  
130 ~~reading of and action on emergency ordinances without referral to committee;~~

- 131           9. ~~((Consent agenda on reappointments to boards and commissions))~~ Consent  
132 agenda on hearing examiner recommendations;
- 133           10. ~~((Consent agenda on reports and recommended actions from the employment~~  
134 ~~and administration committee))~~ Motions, from standing committees and regional  
135 committees, for council action;
- 136           11. ~~((Other reports and recommended actions from the employment and~~  
137 ~~administration committee;))~~ First reading of and action on motions without referral to  
138 committee;
- 139           12. ~~((Consent agenda on hearing examiner recommendations;))~~ Consent agenda  
140 on reappointments to boards and commissions;
- 141           13. Consent agenda on reports and recommended actions from the employment  
142 and administration committee;
- 143           14. Other reports and recommended actions from the employment and  
144 administration committee;
- 145           15 First reading and referral of ordinances;
- 146           ~~((14;))~~ 16. First reading and referral of motions;
- 147           ~~((15;))~~ 17. Reports from members serving on special and outside committees;
- 148           ~~((16. Recess;~~
- 149           17. ~~Hearing and second reading of ordinances from standing committees and~~  
150 ~~regional committees;~~
- 151           ~~18. First reading of and action on emergency ordinances without referral to~~  
152 ~~committee;~~
- 153           ~~19;))~~ 18. Extra items;

154            ~~((20.))~~ 21. Messages from the county executive and other county officials, the  
155 judiciary, the regional committees and other agencies;

156            ~~((21.))~~ 22. Other business; and

157            ~~((22.))~~ 23. Adjournment.

158            B. ~~((Required public hearings and second readings of ordinances on the council's  
159 agenda shall begin at 1:30 p.m., unless notice of a different hearing time has been given;~~

160            ~~C.))~~ Legislation or other items for placement on the council meeting agenda must  
161 be submitted to the clerk of the council by 10:00 a.m. Thursday of the week before the next  
162 scheduled meeting, except that:

163            1. If directed by the chair, the clerk may place an item on the council agenda with  
164 a note that the item is contingent on being voted out of committee before the council  
165 meeting; and

166            2. Legislation or other items needing action by the full council may be added at  
167 the discretion of the chair of the council at a regularly scheduled council meeting. The  
168 chair shall apply the following criteria for the additions:

169            a. the legislation is particularly time-sensitive and delay in action either:

170            (1) might impair the effectiveness of the county's responses to emergencies  
171 such as natural or human-made disasters, or other circumstances seriously affecting the  
172 public health, safety or welfare or the support of county government and its existing public  
173 institutions; or

174            (2) might impair timely performance under deadlines of a statute, ordinance,  
175 contract, interlocal agreement, real property instrument or other provision requiring  
176 immediate action;



177 b. legislation should be delivered to (~~(the)~~) the clerk before the beginning of  
178 the council meeting. The original should be provided to the clerk, together with an  
179 introduction slip from the sponsor; and

180 c. the sponsor should provide a brief written description to the chair of the  
181 reason for the need to expedite the legislation without regular committee review.

182 D. The chair shall notify the members present of proposed changes to the agenda.  
183 If two members object to a change, a majority of the members present shall decide whether  
184 to change the agenda.

185 SECTION 4. Ordinance 11683, Section 9, as amended, and K.C.C. 1.24.085 are  
186 each hereby amended to read as follows:

187 **Rule 9: Introduction and initial consideration of proposed legislation.**

188 A. Upon receipt of proposed legislation from the executive, the sheriff, the  
189 assessor, the presiding judge, the prosecuting attorney, the director of elections or a  
190 councilmember, the clerk of the council shall assign a proposed number to the legislation.  
191 The clerk may make formatting and nonsubstantive revisions in form and style to proposed  
192 legislation before first reading and shall indicate on the revised legislation that the  
193 legislation is revised by the clerk and the date of the revision.

194 B. Upon filing with the clerk of the council of either a signature of at least one  
195 member of the council (~~(and filing with the clerk of the council)~~) or electronic sponsorship  
196 of legislation in a form prescribed by the clerk of the council, or upon receipt by the council  
197 of a proposed ordinance submitted as an institutional initiative under Section 230.50.10 of  
198 the King County Charter, the proposed legislation is introduced and must be placed on the  
199 agenda for first reading and referral. Legislation may be introduced with the title only, but

200 the text of the legislation must be filed with the clerk by first reading. The chair of the  
201 council shall refer both the title and the subsequently filed text of the legislation to  
202 committee if the legislation was introduced with the title only. If the text of the legislation  
203 is not timely filed, the legislation is to be removed from the agenda and is not to be referred  
204 to committee.

205 C. A member may add his or her name to sponsorship of legislation at any time  
206 before passage of the legislation by informing the clerk of the council in writing. The first  
207 member listed on the first introduction slip filed for legislation may not remove his or her  
208 name from sponsorship of the legislation. However, any other sponsor of legislation may  
209 remove his or her own name from sponsorship of the legislation by informing the clerk of  
210 the council in writing.

211 D. First reading of legislation shall consist of either:

212 1. Printing the number and title of the proposed legislation on the published  
213 agenda; or

214 2. Adding the proposed legislation to the agenda under Rule 5, K.C.C.  
215 1.24.045.B.2. or 3. and including this information in the council's minutes.

216 E. After the first reading, proposed legislation must be referred to an appropriate  
217 committee or committees by the chair of the council, except for motions confirming  
218 executive reappointments to boards or commissions, which may be referred directly to a  
219 council consent agenda. Proposed legislation referred to more than one committee must be  
220 considered consecutively by the committees in the order set forth on the marked published  
221 agenda or as specified by the chair during the meeting and reflected in the council's  
222 minutes.

223 F. Upon being reported out of committee with a recommendation signed by a  
224 majority of the committee, proposed legislation must be placed upon an agenda for  
225 appropriate action, after consideration of public hearing notice requirements, one week  
226 after the Monday after the committee meeting, unless the committee chair decides and  
227 states on the record at the committee meeting that the item be placed on the next council  
228 agenda. The clerk of the council may make formatting and nonsubstantive revisions in  
229 form to proposed legislation after the legislation is reported out of the committee and  
230 before the legislation is placed on the agenda for second reading and shall indicate on the  
231 revised legislation that the legislation is revised by the clerk and the date of the revision.

232 SECTION 5. The county council finds as a fact and declares that an emergency  
233 exists and that this ordinance is necessary for the immediate preservation of public peace,  
234 health or safety or for the support of county government and its existing public institutions."

235 **EFFECT: changes the regular meeting times of the Council, Committee of the**  
236 **Whole and Employment and Administration Committee; changes the order of the**  
237 **agenda; responds to AGO on the Open Public Meetings Act; and permits electronic**  
238 **introduction of legislation**

1/31/2011

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jb/bar

Sponsor: Kathy Lambert

Proposed No.: 2011-0045

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2011-0045, VERSION 1**

3 On page 2, after line 18, insert:

4 "E. The council intends within eighteen months to reevaluate Rule 4 and consider  
5 possible changes in response to further discussion and analysis of the relationship  
6 between council and committee meetings."

A+F

7

8 **EFFECT:** Includes a new finding E that expresses the council's intent to, within eighteen  
9 months, reevaluate Rule 4 and consider possible changes in response to further discussion  
10 and analysis of the relationship between council and committee meetings.

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7-11-10 No

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1/31/2011

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Sponsor: Kathy Lambert

Proposed No.: 2011-0045

1 AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE

2 2011-0045, VERSION 1

3 On page 9, after line 184, insert:

4 "SECTION 4. Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.065 are  
5 each hereby amended to read as follows:

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6 **Rule 6: Standing committees.** The standing committees shall operate as follows:

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

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

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

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

- 37 1. Do pass;
- 38 2. Do pass -- consent;
- 39 3. Do pass substitute;
- 40 4. Do pass substitute -- consent;

- 41           5. Do not pass;
- 42           6. Postpone indefinitely;
- 43           7. Pass out of committee with no recommendation; or
- 44           8. Refer to another committee.

45           E. The rules and procedures contained in this chapter must be observed, when  
46 applicable, in all proceedings of a standing or special committee of the council.

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

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

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

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

69 Renumber the remaining sections consecutively and correct any internal references  
70 accordingly.

71

72 **EFFECT:** Includes Council Rule 6, K.C.C. 1.24.065, which is about standing committees,  
73 that any member of the council may attend and participate in any committee meeting by  
74 asking questions and offering comments on any matter before the committee, but that only  
75 members of the committee may exercise parliamentary rights in the committee, including,  
76 but not limited to, raising points of order, making motions and voting.



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Sponsor: Kathy Lambert

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Proposed No.: 2011-0045

1 **TITLE AMENDMENT TO PROPOSED ORDINANCE 2011-0045, VERSION 1**

2 On page 1, beginning on line 1, delete"

3 "AN ORDINANCE relating to council rules and order of

4 business; and amending Ordinance 11683, Section 4, as

5 amended, and K.C.C. 1.24.035, Ordinance 11683, Section

6 5, as amended, and K.C.C. 1.24.045, Ordinance 11683,

7 Section 6, as amended, and K.C.C. 1.24.065 and Ordinance

8 11683, Section 9, as amended, and K.C.C. 1.24.085; and

9 declaring an emergency."

10

17023

11 **EFFECT:** Amends the title to reflect Amendment 2.