



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 12, 2016

Ordinance 18315

Proposed No. 2014-0320.3

Sponsors Lambert

1 AN ORDINANCE relating to telephone or electronic
2 attendance at council and standing committee meetings;
3 and amending Ordinance 11683, Section 15, as amended,
4 and K.C.C. 1.24.145.

5 **PREAMBLE:**

6 Councilmembers' participation in council meetings ensures that the
7 interests of their constituents will be represented when important decisions
8 are made. Councilmembers' participation is also vital in some
9 circumstances for the creation of a quorum, and events that delay creation
10 of a quorum reduce government productivity.

11 Many of the largest counties and cities in Washington state have meeting
12 rules that allow their councilmembers or commissioners to attend
13 meetings telephonically or electronically, such as Snohomish county and
14 the city of Tacoma. In 2011, Snohomish county expanded its rule on
15 telephonic participation by councilmembers to include committee
16 meetings in addition to council meetings, and also expanded the limit from
17 two to six times per year.

18 In 2010, Ordinance 16991 permitted councilmembers to participate in
19 meetings telephonically or electronically in certain circumstances,

20 including in emergency situations that would prevent a councilmember
21 from attending in person. Those provisions for telephonic or electronic
22 participation have been implemented successfully.

23 Telephonic or electronic participation can make it possible for
24 councilmembers to attend meetings that they would otherwise miss due to
25 legitimate emergencies. It promotes the democratic process by letting a
26 councilmember's vote be heard on issues of importance to the elected
27 official's constituents. It supports the efficient functioning of county
28 government by allowing electronic participation in meetings by
29 councilmembers under limited, legitimate circumstances. It recognizes the
30 growing role that technology can play in facilitating an efficient, effective
31 governing body in the 21st century.

32 Like council meetings, committee meetings are an integral part of county
33 governance. The ability to participate telephonically or electronically in
34 committee meetings due to urgent circumstances helps ensure that voices
35 in the county do not go unrepresented.

36 Additionally, if a councilmember experiences a greater number of urgent
37 circumstances in a year for a council meeting or for a standing committee,
38 that does not make the member's voice any less important. Telephonic or
39 electronic participation by councilmembers under those circumstances still
40 serves the public interest.

41 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

42 SECTION 1. Ordinance 11683, Section 15, as amended, and K.C.C. 1.24.145 are
43 each hereby amended to read as follows:

44 A. The requirements for a quorum of a standing committee are prescribed in Rule
45 6A, K.C.C. 1.24.055.A. The requirements for a quorum of a regional committee are
46 prescribed in Rule 7, K.C.C. 1.24.065. Three members constitute a quorum of the
47 employment and administration committee.

48 B.1. Five members constitute a quorum of the county council, except as provided
49 in subsection B.2. of this section. If there is a lack of a quorum, the chair shall request
50 the clerk of the council to call members so as to constitute a quorum. Unless otherwise
51 required by the King County Charter, a vote of the majority of those present is necessary
52 for the conduct of council business.

53 2. In the event that an emergency, as defined in K.C.C. 12.52.010, reduces the
54 number of ~~((councilmembers))~~ members, then those ~~((councilmembers))~~ members
55 available and present for duty have full authority to act in all matters as the county
56 council. Quorum requirements for the council shall be suspended for the period of the
57 emergency, and where the affirmative vote of a specified proportion of the council is
58 required for approval of an ordinance or other action, the same proportion of those
59 ~~((councilmembers))~~ members available shall be sufficient. As soon as practicable
60 thereafter, the available ~~((councilmembers))~~ members shall act in accordance with the
61 charter and state law to fill existing vacancies on the council.

62 3. Members participating by telephone or other electronic means as allowed
63 under subsection ~~((B.4.))~~ C. of this section are present for quorum purposes. The clerk of
64 the council, in consultation with the chair, shall establish authentication and operating

65 procedures, which must comply with all state and county laws regarding open public
66 meetings. It shall be noted in the minutes when members participate by telephone or
67 other electronic means.

68 ~~((4.))~~ C.1. Members may participate and vote in meetings of standing
69 committees of which they are members and in meetings of the full council ~~((meetings))~~
70 by telephone or other electronic means under the following circumstances:

71 a. ~~((in the event of))~~ under any circumstances up to five times per calendar
72 year per councilmember; and

73 b. under circumstances constituting good cause, which include:

74 i. an emergency, as defined in K.C.C. 12.52.010;

75 ~~((b. in))~~ ii. special meetings convened during the council's summer or winter
76 recess; or

77 ~~((c. if a member declares orally or in writing to the chair of the council before~~
78 ~~or during a meeting that he or she is unable to attend in person because of urgent~~
79 ~~circumstances as defined in this subsection. A declaration of urgent circumstances may~~
80 ~~not be made more than three times within a calendar year. For the purpose of this~~
81 ~~subsection B.4.c., "urgent circumstances" means when a councilmember experiences one~~
82 ~~or more of the following:~~

83 ~~(1) inclement weather that poses an immediate life, health or safety risk to~~
84 ~~the member if the member were to travel to the meeting, such as a flood alert in the~~
85 ~~member's district or snow in the member's district or in an area through which the~~
86 ~~member must travel to get to the meeting; and~~

87 ~~(2) the member or an immediate family member, including spouse or~~
88 ~~domestic partner, child, child of spouse or domestic partner, parent, parent of spouse or~~
89 ~~domestic partner, grandparent or grandparent of spouse or domestic partner, has a~~
90 ~~medically related emergency or urgent need for assistance that makes the member unable~~
91 ~~to attend the meeting.~~

92 ~~€.)~~ iii. urgent circumstances as defined in subsection C.5. of this section, if the
93 member's attendance is approved in accordance with subsection C.2. of this section.

94 2. A member wishing to participate and vote in a full council or standing
95 committee meeting by telephone or other electronic means under subsection C.1.b.iii. of
96 this section shall use the following process:

97 a. The member shall declare orally or in writing to the chair of the meeting that
98 the member requests to participate and vote by telephone or other electronic means
99 because of urgent circumstances;

100 b. After receiving the request from the member, the chair shall promptly
101 approve or deny the request and so inform the member, who may accept the chair's ruling
102 or appeal the chair's ruling to the members present at the meeting; and

103 c. Reversal of the chair's ruling requires an affirmative vote of a two-thirds
104 majority of the members present at the meeting. For a full council meeting, reversal of
105 the chair's ruling also requires that a quorum be present.

106 3. In notifying the meeting chair of the member's intent or request to participate
107 and vote by telephone or other electronic means under this subsection C., the member
108 shall specify the specific provision of the subsection C on which the member is relying.

109 4. To facilitate connection to the broadcasting system, notices or requests for
110 participation by telephone or other electronic means should be made half an hour in
111 advance of the meeting when possible, and the member should promptly inform the clerk
112 of the meeting of the notice or request. When participating by telephone or other
113 electronic means, the member shall speak audibly so that the public can hear the
114 discussion and voting process.

115 5. For the purposes of this subsection C., "urgent circumstances" means when a
116 member experiences one or more of the following:

117 a. inclement weather, such as a flood alert or snow in the member's district,
118 that results in circumstances that make it unsafe for the member to attend the meeting;
119 and

120 b. the member or an immediate family member, as "immediate family" is
121 defined in K.C.C. 3.12.010, has a medically-related issue or other urgent need for
122 assistance, including without limitation the death of an immediate family member, that
123 makes it difficult for the member to attend the meeting.

124 D. There may not be voting by proxy on a question before the council. A
125 member who is in the council chambers or present via telephone or other electronic
126 means when the question is put shall vote unless excused by the council for special
127 reasons. A motion to excuse a member must be made before the call for "ayes" and "nos"
128 is commenced.

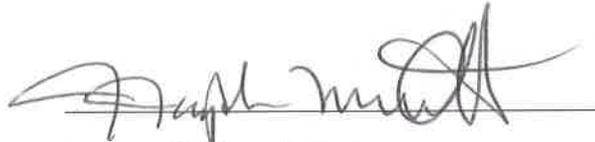
129 ~~((D-))~~ E. A vote before the council must be recorded as to the "ayes" and "nos."
130 Upon the final passage of legislation before the council, the vote must be taken by oral
131 roll call. On any other matter, the vote must be taken by oral roll call if requested by at

132 least one member. When once begun, the roll call may not be interrupted. The order of
133 names on the roll call must be alphabetical by last name except for the chair, who votes
134 last when the "ayes" and "nos" are called.
135

Ordinance 18315 was introduced on 7/28/2014 and passed as amended by the Metropolitan King County Council on 7/11/2016, by the following vote:

Yes: 7 - Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski,
Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci
No: 2 - Mr. von Reichbauer and Mr. Gossett
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 15TH day of July, 2016



Dow Constantine, County Executive

Attachments: None

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CLERK
KING COUNTY COUNCIL