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

Sponsors: Kathy Lambert

Indexes:

Code sections: 1.24.145 -

Attachments: 1. Ordinance 18315.pdf, 2. 2014-0320_SR_Remote_Attendance_at_Meetings.docx, 3. 2014-0320_ATT1_Proposed_Ordinance.pdf, 4. 2014-0320_ATT2_AMD1_Amendment_1.docx, 5. 2014-0320_ATT3_AMD2_Amendment_2.docx, 6. 2014-0320_ATT4_AMD3_Amendment_3.docx, 7. 2014-0320_ATT5_KCC 1.24.145 - as of 2016-03-08.docx, 8. 2014-0320_ATT6_Comparison table.pdf, 9. email re audio-visual cost estimate.docx, 10. Re Audio-visual equipment cost estimate.msg, 11. 2014-0320_SR_Remote_Attendance_at_Meetings - 2016-06-29.docx, 12. 2014-0320_ATT1_Proposed_Ordinance.pdf, 13. 2014-0320_ATT2_AMD4_Amendment_4.docx, 14. 2014-0320_ATT3_Redline_of_Amendment_4_against_original_ordinance.docx, 15. 2014-0320_ATT4_KCC_1.24.145.docx, 16. 2014-0320_ATT5_KCC_3.12.010.GG.pdf, 17. 2014-0320_ATT6_Comparison table.pdf, 18. 2014-0320_AMD5_Amendment_5.docx, 19. 2014-0320_Revised_SR_Remote_Attendance_at_Meetings.docx

Date	Ver.	Action By	Action	Result
7/11/2016	2	Metropolitan King County Council	Hearing Held	
7/11/2016	2	Metropolitan King County Council	Passed as Amended	Pass
6/29/2016	1	Committee of the Whole	Recommended Do Pass Substitute	Pass
6/15/2016	1	Committee of the Whole	Deferred	
1/11/2016	1	Metropolitan King County Council	Reintroduced	
1/20/2015	1	Metropolitan King County Council	Reintroduced	
7/28/2014	1	Metropolitan King County Council	Introduced and Referred	

Clerk 07/06/2016

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

PREAMBLE:

Councilmembers' participation in council meetings ensures that the interests of their constituents

will be represented when important decisions are made. Councilmembers' participation is also vital in some circumstances for the creation of a quorum, and events that delay creation of a quorum reduce government productivity.

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

In 2010, Ordinance 16991 permitted councilmembers to participate in meetings telephonically or electronically in certain circumstances, including in emergency situations that would prevent a councilmember from attending in person. Those provisions for telephonic or electronic participation have been implemented successfully.

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

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

Additionally, if a councilmember experiences a greater number of urgent circumstances in a year for a council meeting or for a standing committee, that does not make the member's voice any

less important. Telephonic or electronic participation by councilmembers under those circumstances still serves the public interest.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

A. The requirements for a quorum of a standing committee are prescribed in Rule 6A, K.C.C.

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

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

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

3. Members participating by telephone or other electronic means as allowed under subsection ((~~B.4.~~)) C. of this section are present for quorum purposes. The clerk of the council, in consultation with the chair, shall establish authentication and operating procedures, which must comply with all state and county laws regarding open public meetings. It shall be noted in the minutes when members participate by telephone or other electronic means.

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

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

and

b. under circumstances constituting good cause, which include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D. There may not be voting by proxy on a question before the council. A member who is in the council

chambers or present via telephone or other electronic means when the question is put shall vote unless excused by the council for special reasons. A motion to excuse a member must be made before the call for "ayes" and "nos" is commenced.

~~((D-))~~ E. A vote before the council must be recorded as to the "ayes" and "nos." Upon the final passage of legislation before the council, the vote must be taken by oral roll call. On any other matter, the vote must be taken by oral roll call if requested by at least one member. When once begun, the roll call may not be interrupted. The order of names on the roll call must be alphabetical by last name except for the chair, who votes last when the "ayes" and "nos" are called.