



Legislation Text

File #: 2007-0147, **Version:** 2

AN ORDINANCE relating to council rules and order of business; amending Ordinance 11683, Section 3, as amended, and K.C.C. 1.24.025, Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035, Ordinance 11683, Section 7, as amended, and K.C.C. 1.24.065, Ordinance 11683, Section 9, as amended, and K.C.C. 1.24.085, Ordinance 11683, Section 15, as amended, and K.C.C. 1.24.145, Ordinance 11683, Section 24, as amended, and K.C.C. 1.24.235, Ordinance 11683, Section 26, as amended, and K.C.C. 1.24.255 and Ordinance 13982, Section 29, and K.C.C. 1.24.320 and repealing Ordinance 1043, Section 1, as amended, and K.C.C. 1.28.010 and Ordinance 12165, Section 10, and K.C.C. 1.28.020.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings.

A. King County Charter Section 220.40 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, organization and administration.

SECTION 2. Ordinance 11683, Section 3, as amended, and K.C.C. 1.24.025 are each hereby amended

to read as follows:

Rule 3: Powers and duties of the vice-chair - acting chair in absence of chair and vice-chair.

A. There shall be two vice-chairs: the vice-chair of policy and the vice-chair of employment and administration. For the purposes of this chapter, unless the context clearly requires otherwise, "vice-chair" means the vice-chair of policy and, in the absence of the vice-chair of policy, "vice-chair" means the vice-chair of employment and administration.

B. The vice-chair of policy shall exercise the duties, powers and prerogatives of the council chair in the event of the chair's absence.

~~((B-))~~ C. If the chair and the vice-chair of policy are both absent at a meeting of the council, the ~~((operating budget and fiscal management committee chair))~~ vice-chair of employment and administration shall preside as acting chair.

~~((C-))~~ D. If recommended by action of the employment and administration committee, and the chair is the subject of a motion that proposes to censure a councilmember for violating the council's antiharassment policy the vice-chair of employment and administration shall introduce the motion.

SECTION 3. Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035 are each hereby amended to read as follows:

Rule 4: Meetings.

A.1. The time of regular meetings of the council is one-thirty p.m. on Monday of each week, or Tuesday if Monday is a state or county holiday, unless otherwise ordered by the chair or a majority of the council.

2.a. All regular meetings of the King County council~~((, except as otherwise ordered by the chair or a majority of the council))~~ and ~~((except meetings of))~~ the council's committees, except for the employment and administration committee and the external affairs committee, ((must)) shall be held ((at the county seat)) 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. The regular Monday meetings of the external affairs committee shall be held in the southwest conference room on the twelfth floor of the King County Courthouse in Seattle, Washington, and the regular Wednesday meetings of the external affairs committee shall be held in the council chambers on the tenth 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. The times for regular committee meetings (~~(must be set by the chair of the council or by motion. The committee chair shall set the place of committee meetings.)~~) are as follows, unless the council or the committee of the whole is meeting at that time because the preceding Monday was a state or county holiday:

1. Committee of the whole: Monday of each week at 9:30 a.m., or Tuesday at 9:30 a.m. if Monday is a state or county holiday;

2. Capital budget committee: the first and third Wednesdays of each month at 9:30 a.m.;

3. Employment and administration committee: the first and third Tuesdays of each month at 2:00 p.m.;

4. External affairs committee: the second Monday of each month at 8:30 a.m. and the fourth Wednesday of each month at 3:00 p.m.;

5. General government and labor relations committee: the second and fourth Tuesdays of each month at 1:30 p.m.;

6. Growth management and natural resources committee: the second, third and fourth Tuesdays of each month at 9:30 a.m.;

7. Law, justice and human services committee: the first and third Thursdays of each month at 9:30 a.m.;

8. Operating budget, fiscal management and mental health committee: the second and fourth Wednesdays of each month at 9:30 a.m.;

9. Transportation committee: the second and fourth Wednesdays of each month at 1:30 p.m.;

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

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

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

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 ~~((the Open Public Meetings Act of 1971,))~~ 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.

SECTION 4. Ordinance 11683, Section 7, as amended, and K.C.C. 1.24.065 are each hereby amended to read as follows:

Rule 7: Regional committees.

A. Establishment. Three regional, standing committees are established as provided under the King County Charter to develop, recommend and review regional policies and plans for consideration by the council: the regional transit committee, the regional water quality committee and the regional policies committee.

B. Membership.

1. Composition of committees.

a. The regional policies committee and regional transit committee are to each have twelve voting members. Six members of each committee, including the chair of each, must be county councilmembers appointed by the chair of the council and must include councilmembers from districts with unincorporated residents. The chair of the county council shall also appoint the chair and vice-chair of each committee. The remaining members of each committee must be local elected city officials appointed from and in proportion to the relative populations of the city of Seattle and the other cities and towns in the county. Cities and towns other than the city of Seattle may appoint two persons for each of their allocated memberships in each committee, each person with one-half vote.

b. The regional water quality committee is to have twelve voting members. Six members of the committee, including the chair, must be county councilmembers appointed by the chair of the council, and must include councilmembers from districts with unincorporated residents. The chair of the county council shall also appoint the chair and vice-chair of the committee. The remaining members of the committee must be local elected city officials appointed from and in proportion to the relative populations of the city of Seattle and the other cities and towns in the county, and two members from special purpose districts providing sewer service in King County. Cities and towns other than the city of Seattle may appoint two persons for each of their allocated memberships, each person with one-half vote.

2. Alternating memberships. Each appointing authority may alternate members in accordance with the procedures established by the authority. The appointments must be announced at the beginning of each

regional committee meeting to the committee chair or vice-chair and committee secretary by a person authorized by the appointing authority. Each appointing authority shall identify those members to receive mailings and notices of meetings.

C. Quorum, notice and voting. Members representing six and one-half votes constitute a quorum of a regional committee. In the absence of a quorum, the committee may perform all committee functions except for voting on legislation. Notice of all regular and special meetings must be provided as specified in the Open Public Meetings Act of 1971, chapter 42.30 RCW, and notice must be given to members of the committees, including members who at any time during the calendar year have served on the committee or have been designated by their appointing authority to receive notice. All recommendations of a regional committee must be approved by a majority of the members present and voting and must consist of at least three and one-half affirmative votes. All recommendations must be signed only by members who were present and voting on the matter and be made on a committee report form supplied by the council. There may not be voting by proxy.

D.1.a. Referral to the regional transit committee. The chair of the council shall refer to the regional transit committee countywide policies and plans related to the transit services formerly provided by the municipality of metropolitan Seattle. If a standing committee of the council is considering an issue that, upon the standing committee's subsequent review, the standing committee believes should be considered as a countywide policy or plan related to transit, then the standing committee shall so inform the chair of the council. The chair of the council may then determine whether the policy or plan is to be referred to a regional committee.

b. Referral to the regional water quality committee. The chair of the council shall refer to the regional water quality committee countywide policies and plans related to the water quality services formerly provided by the municipality of metropolitan Seattle. If a standing committee of the council is considering an issue that, upon the standing committee's subsequent review, the standing committee believes should be considered as a countywide policy or plan related to water quality, then the standing committee shall so inform

the chair of the council. The chair of the council may then determine whether the policy or plan is to be referred to a regional committee.

2. Regional policies committee work program. The regional policies committee shall establish its subject matter through a work program adopted by ordinance by the council. Once the work program is adopted, all regional policies and plans related to the subject matter must be referred to the committee by the council.

3. Provisions applicable to referrals by chair and rereferrals. Referrals by the chair or rereferrals are subject to the procedures, rights and constraints of Rules 13, 17 and 26, K.C.C. 1.24.125, 1.24.165 and 1.24.255.

4. Proposals and recommendations. If a regional committee develops a proposed countywide policy or plan, or amendment or repeal of a policy or plan, and adopts a recommendation with respect to the policy, plan, amendment or repeal, a county councilmember may introduce the appropriate legislation to adopt the recommended policy or plan.

E. Time for review -- committees. A regional committee shall review legislation referred to it within one hundred twenty days of the legislation's referral or such other time as is jointly established by the council and the committee, which shall be confirmed in the form of a motion adopted by the council. However, the committee may request, and the county council may grant by motion, additional time for review. If the committee fails to act upon the proposed policy or plan within the established time limit, the county council may adopt the proposed policy or plan upon ~~((eight))~~ six affirmative votes.

F. Time for review - council. The council shall amend, adopt or defeat the legislation referred to a regional committee within ninety days after receipt of an initial regional committee recommendation. However, upon receipt of the council chair's written request for an extension of the time limit, the committee may approve the request in writing by a majority vote at a special meeting or the next regular meeting of the committee.

G. Adoption.

1. A proposed policy or plan recommended by a regional committee may be adopted, without amendment, by the county council by five affirmative votes.
2. A proposed policy or plan that differs from the policy or plan recommended by a regional committee may be adopted by the county council by six affirmative votes after the regional committee has had the opportunity to review all county council amendments.

H. Amendments and rereferral.

1. If the county council votes before the final passage to amend a proposed policy or plan that has been reviewed or recommended by a regional committee, the proposed policy or plan, as amended, must be referred to the appropriate regional committee for further review and recommendation.
2. The timeline for the committee's review after rereferral may not be greater than sixty days. However, the committee may request, and the county council may grant by motion, additional time for review. The committee may concur in, dissent from or recommend additional amendments to the policy or plan.
3. The council shall amend, adopt or defeat the legislation within sixty days after receipt of a regional committee recommendation following rereferral by the council.

I. Regional committee consideration of other regional issues. The chair of the council may request that one or more regional committees examine and comment upon other pending issues that are not countywide policies or plans but would benefit from interjurisdictional discussion. The issues may include, but are not limited to, operational, organizational or implementation measures for countywide plans and policies. This type of regional committee analysis and comment is not subject to the mandatory procedural requirements of Section 270.30 of the King County Charter and the county council may need to act on such issues before comment from the regional committee.

J. The regional committee is governed by the King County Charter, the King County Code and, except to the extent expressly provided otherwise, the rules and procedures established for standing and special

committees in this chapter.

K. Role of regional committees.

1. A regional committee shall focus on planning and policy setting in program areas where it has been determined that regional service or facility planning is required and in area where it is agreed the opportunity and need for the planning exist. A regional committee is not responsible for routine review and recommendation on operational and administrative matters such as contracts, budgets, appropriations, and fares and rates, formerly performed by the council of metropolitan Seattle. A regional committee may, however, deal with policies to develop fares and rates within the committee's subject matter area.

2. The regional transit committee shall develop, review and recommend countywide policies and plans related to the transportation services formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, the long-range transit system and capital improvement plans, service design, development and allocation policies, financial policies, fare policies, facility siting policy and major facilities siting process, and review and comment upon Regional Transit Authority plans.

3. The regional water quality committee shall develop, review and recommend countywide policies and plans related to the water pollution control functions formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, water quality comprehensive and long-range capital improvement plans, service area and extension policies, rate policies, and the facility siting policy and major facilities siting process.

4. The regional policies committee shall review and recommend regional policies and plans, other than transit and water quality plans, that are within the subject matter area for the committee. Also, the committee may develop proposed policies and plans on issues of countywide significance but, unless referred to the committee by the county council, the policies and plans are not subject to the procedural requirements of Section 270.30 of the King County Charter. Issues that may be referred to the committee or be the subject of the

committee's policy development include, but are not limited to, public health, human services, open space, housing, solid waste management, regional services financial policies, criminal justice, jails and district court services, and regional facilities siting. In addition, the regional policies committee may consider major regional governance transition and consolidation issues, particularly those involving potential changes in organization and responsibilities with other county, city or regional organizations.

L. To assist each regional committee in evaluating countywide policies and plans, the committee may conduct public meetings and hearings and request briefings and other information from citizens, county, state and local agencies, business entities and other organizations.

SECTION 5. Ordinance 11683, Section 9, as amended, and K.C.C. 1.24.085 are each hereby amended to read as follows:

Rule 9: Introduction and initial consideration of proposed legislation.

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

B. Upon signature of at least one member of the council and filing with the clerk of the council, or upon receipt by the council of a proposed ordinance submitted as an institutional initiative under Section 230.50.10 of the King County Charter, the proposed legislation is introduced and must be placed on the agenda for first reading and referral. Legislation may be introduced with the title only, but the legislation must be filed with the clerk by first reading. The chair of the council shall refer both the title and the subsequently filed legislation to committee if the legislation was introduced with the title only. If the legislation is not timely filed, the legislation is to be removed from the agenda and is not to be referred to committee.

C. A member may add his or her name to sponsorship of legislation at any time before passage of the

legislation by informing the clerk of the council in writing. The first member listed on the first introduction slip filed for legislation may not remove his or her name from sponsorship of the legislation. However, any other sponsor of legislation may remove his or her own name from sponsorship of the legislation by informing the clerk of the council in writing.

D. First reading of legislation shall consist of either:

1. Printing the number and title of the proposed legislation on the published agenda; or
2. Adding the proposed legislation to the agenda under Rule 5, K.C.C. 1.24.045.B.2. or 3. and

including this information in the council's minutes.

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

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

SECTION 6. Ordinance 11683, Section 15, as amended, and K.C.C. 1.24.145 are each hereby amended to read as follows:

Rule 15: Quorum and voting - standard, emergencies.

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 at 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, then those councilmembers 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 available shall be sufficient. As soon as practicable thereafter, the available councilmembers shall act in accordance with the charter and state law to fill existing vacancies on the council.

3. In the event of an emergency, as defined in K.C.C. 12.52.010, members may participate and vote in council meetings by telephone or other electronic means. Members participating by telephone or other electronic means 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.

C. There may not be voting by proxy on a question before the council. A member who is in the council chambers 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. 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 ~~((three))~~ one member~~((s))~~. 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.

SECTION 7. Ordinance 11683, Section 24, as amended, and K.C.C. 1.24.235 are each hereby amended to read as follows:

Rule 24: Public record of council meeting.

A. The verbatim public record required by Section 220.40 of the King County Charter must be kept by means of electronic recording of matters occurring at the open sessions of public meetings of the county council. The proceedings of all council and committee meetings must be taken by means of electronic recording. The electronic recordings of ~~((the))~~ council meetings must be retained in the office of the clerk of the council for ~~((five))~~ two years, after which the recordings must be transferred to the ~~((records, elections and licensing services division))~~ county archivist, ~~((which))~~ who shall permanently retain the recordings. The electronic recordings of committee meetings must be retained in the office of the clerk of the council for two years, after which the recordings must be transferred to the county archivist, who shall determine whether the recordings should be retained permanently.

B. The clerk of the council or of the committee shall produce minutes, in the form of proceedings, of a meeting according to state law.

SECTION 8. Ordinance 11683, Section 26, as amended, and K.C.C. 1.24.255 are each hereby amended to read as follows:

Rule 26: Appeal from decision of chair. A parliamentary decision of the chair may be appealed by ~~((a))~~ two members. A member may not speak on the appeal more than once unless permitted by the council.

The chair's act of adding to, removing from or taking out of order an item on a distributed and posted agenda may be appealed to the full body by any two members under Rule 5C, K.C.C. 1.24.045.C.

SECTION 9. Ordinance 13982, Section 29, and K.C.C. 1.24.320 are each hereby amended to read as

follows:

Rule 32: Organizational motions - compilation and amendment. The clerk of the council shall compile and organize current motions organizing and administering the legislative branch as a single master document with separate sections, and shall post the compilation on the Internet. The council may amend an organizational motion by amending a section of the master document as compiled and organized.

SECTION 10. Ordinance 1043, Section 1, as amended, and K.C.C. 1.28.010 and Ordinance 12163, Section 10, and K.C.C. 1.28.020 are each hereby repealed.