



Legislation Details (With Text)

File #: 2006-0598 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 12/11/2006 **In control:** Metropolitan King County Council

On agenda: **Final action:** 12/11/2006

Enactment date: **Enactment #:** 15668

Title: AN ORDINANCE relating to council rules and order of business; amending Ordinance 11683, Section 2, as amended, and K.C.C. 1.24.015, Ordinance 11683, Section 3, as amended, and K.C.C. 1.24.025, Ordinance 11683, Section 5, as amended, and K.C.C. 1.24.045, Ordinance 11683, Section 14, as amended, and K.C.C. 1.24.135, Ordinance 11683, Section 15, as amended, and K.C.C. 1.24.145 and Ordinance 11683, Section 22, as amended, and K.C.C. 1.24.215, and declaring an emergency.

Sponsors: Larry Gossett

Indexes: Council

Code sections: 1.24.015 -, 1.24.025 -, 1.24.035 -, 1.24.045 -, 1.24.135 -, 1.24.145 -, 1.24.215 -

Attachments: 1. 15668.pdf

Date	Ver.	Action By	Action	Result
12/11/2006	1	Metropolitan King County Council	Hearing Held	
12/11/2006	1	Metropolitan King County Council	Passed as Amended	Pass

AN ORDINANCE relating to council rules and order of business; amending Ordinance 11683, Section 2, as amended, and K.C.C. 1.24.015, Ordinance 11683, Section 3, as amended, and K.C.C. 1.24.025, Ordinance 11683, Section 5, as amended, and K.C.C. 1.24.045, Ordinance 11683, Section 14, as amended, and K.C.C. 1.24.135, Ordinance 11683, Section 15, as amended, and K.C.C. 1.24.145 and Ordinance 11683, Section 22, as amended, and K.C.C. 1.24.215, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

The annual reorganization of the council includes selection of the council chair and vice-chairs, and designation of council committees, and their chairs, vice-chairs, memberships and meeting times. These changes are made by adoption of one or more council motions, collected as the council’s organizational

compilation. Changes to the names or duties of some committees made in those motions also require certain parallel changes to the council's rules ordinance. It is not possible to identify and draft those changes until committee structure changes, if any, have been proposed. The process of developing such changes has not allowed the drafting and introduction of a proposed ordinance containing necessary rules changes within the time period that would allow a non-emergency ordinance to be considered and acted upon in a timely manner. As a result, to be able to have the council rules accurately reflect any changes to the council's organizational structure when the council convenes in January 2007, it is necessary to consider and act upon this ordinance as an emergency ordinance.

SECTION 2. Ordinance 11683, Section 2, as amended, and K.C.C. 1.24.015 are each hereby amended as follows:

The chair of the council has the following powers and duties:

A. The chair shall:

1. Call the council to order at the hour appointed for meeting and, if a quorum is present, shall cause the minutes of the previous meeting to be approved;

2. Proceed with the order of business; and

3. Adjourn the council upon a motion to adjourn approved by a majority of members present;

B. The chair shall preserve order and decorum and in the interest of efficiency may impose time and subject matter limits for testimony and comment given by the public and members of the council;

C. The chair shall promote efficient operation of the council, which shall include setting the agenda and expediting parliamentary debate or, if there is no objection from any other member, expediting the passage of routine motions. 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 5.C, K.C.C. 1.24.045.C. The chair shall discourage activities that are dilatory or disruptive. The chair shall endeavor to facilitate the will of the majority of members present at all times;

D. The chair may speak to points of order, inquiry or information in preference to other members.

Upon a ruling of the chair on a point of order, the chair shall allow any two members to immediately request that the decision be placed before the body. If a majority of members present agree to the ruling of the chair, the business of the council must proceed without further debate. If a majority of the members present do not support the ruling of the chair, the chair shall immediately allow a procedural motion to dispense with the issue in question, proceeding until a decision of the council is secured and the business of the council is allowed to proceed;

E. The chair shall refer legislation to committees unless there is an objection to a referral. If there is an objection by a member, the chair's referral will stand unless a majority of the members present vote to support the objection. If the objection is sustained, the chair shall refer the legislation to another committee, unless there is an objection to the referral.

F. Any motion that proposes to censure a councilmember for violating the council's antiharassment policy shall be referred to the employment and administration committee;

G. The chair shall introduce all legislation relating to land use appeals, road vacations, plat applications, current use assessments and other similar land use decisions. If recommended by action of the employment and administration committee, the chair shall introduce any motion that proposes to censure a councilmember for violating the council's antiharassment policy, unless the chair is the subject of the motion; and

H. The chair shall provide copies to all councilmembers of all official communications and requests for council action addressed to the chair from the executive, the sheriff, the assessor, the presiding judge of the district or superior court or the prosecuting attorney.

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

A. The vice-chair shall exercise the duties, powers and prerogatives of the council chair in the event of

the chair's absence.

B. If the chair and the vice-chair are both absent at a meeting of the council, the operating budget and fiscal management committee chair shall preside as acting chair.

C. 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 shall introduce the motion.

SECTION 4. Ordinance 11683, Section 5, as amended, and K.C.C. 1.24.045 are each hereby amended as follows:

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

1. Roll call;
2. Flag salute and Pledge of Allegiance, the leading of which must be offered by a member of the council and which must rotate among all members of the council;
3. Approval of minutes;
4. Special items;
5. Reports from members serving on special and outside committees;
6. Plat tracings;
7. Hearings and second reading of ordinances from standing committees and regional committees;
8. First reading of and action on emergency ordinances without referral to committee;
9. Motions, from standing committees and regional committees, for council action;
10. First reading of and action on motions without referral to committee;
11. Consent agenda on reappointments to boards and commissions;
12. Consent agenda on reports and recommended actions from employment and administration committee;

13. Other reports and recommended actions from the employment and administration committee;
14. Consent agenda on hearing examiner recommendations;
15. First reading and referral of ordinances;
16. First reading and referral of motions;
17. Extra items;
18. Messages from the county executive and other county officials, the judiciary, the regional committees and other agencies;
19. Other business; and
20. Adjournment.

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

1. If directed by the chair, the clerk may place an item on the council agenda with a note that the item is contingent on being voted out of committee before the council meeting;
2. Legislation or other items for referral to committee may be added at committee-of-the-whole or regularly scheduled council meetings at the discretion of the chair of the council; and
3. Legislation or other items needing action by the full council may be added at the discretion of the chair of the council at committee-of-the whole or regularly scheduled council meetings. The chair shall apply the following criteria for the additions:
 - a. the legislation is particularly time-sensitive and delay in action either:
 - (1) might impair the effectiveness of the county's responses to emergencies such as natural or human-made disasters, or other circumstances seriously affecting the public health, safety or welfare or the support of county government and its existing public institutions; or
 - (2) might impair timely performance under deadlines of a statute, ordinance, contract, interlocal agreement, real property instrument or other provision requiring immediate action;

b. legislation should be delivered to the chair and the clerk before the beginning of the committee-of-the-whole meeting. An original and twenty copies should be provided to the clerk, together with an introduction slip from the sponsor; and

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

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

SECTION 5. Ordinance 11683, Section 14, as amended, and K.C.C. 1.24.135 are each hereby amended as follows:

A. Consent agendas may be established by the chair of the council or a committee. Proposed legislation may be placed on a consent agenda at a council meeting upon recommendation by the committee that considered the legislation. If a member objects to the placement of proposed legislation on a consent agenda, the proposed legislation must be removed from the consent agenda. Proposed legislation on the consent agenda at a council meeting is not subject to amendment except as recommended in the committee report. All items on a consent agenda, whether committee recommendations or final council action, may be adopted in one motion by oral roll call vote.

B. Employment and administration committee recommendations shall be contained in a written recommendation report that shall be sent to the full council in the manner set forth in the council's organizational motion. The council shall consider the recommendation reports from the committee on an employment and administration committee consent agenda. However, in the event the employment and administration committee forwards two recommendations to the council on the same matter, the two recommendations shall be considered separately from the consent agenda. Upon the request of any member present before the full council, any specific recommendation from the employment and administration committee shall be removed from the consent agenda and considered separately by the council after adoption of

the employment and administration committee consent agenda.

C. A consent agenda on hearing examiner recommendations may be established by the chair of the council. A hearing examiner recommendation may be placed on the agenda on hearing examiner recommendations if a hearing was previously held on the measure and if a council member does not object to the placement. If a member objects to the placement of a hearing examiner recommendation on the consent agenda on hearing examiner recommendations, the recommendation must be removed from the consent agenda on hearing examiner recommendations. All items on the consent agenda on hearing examiner recommendations may be adopted in one motion by oral roll call vote.

D. A consent agenda on motions confirming reappointments to boards and commissions may be established by the chair of the council. If a member objects to the placement of a confirmation motion on the consent agenda, the motion must be removed from the consent agenda and considered separately before adoption of the confirmation consent agenda. Confirmation motions referred to the consent agenda may be adopted in one motion by oral roll call vote.

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

B. ((Seven)) Five members constitute a quorum of the county council. 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.

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 members. 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 22, as amended, and K.C.C. 1.24.215 are each hereby amended as follows:

A. As provided in the King County Charter, the executive may not veto a motion, an emergency ordinance except for an appropriation ordinance, an ordinance proposing an amendment to the charter or an ordinance providing for collective bargaining by the county with county employees covered by the personnel system.

B. If the executive vetoes an ordinance or an object of expense of an appropriation ordinance, a copy of the executive's veto message, together with the proposed ordinance vetoed or partially vetoed, must be distributed to each member. Within thirty days after an ordinance is vetoed and returned or partially vetoed and returned, the council may override the veto by enacting the ordinance by a minimum of (~~nine~~) six affirmative votes. Upon a member's request, the chair of the council shall place the question of override of the veto upon the agenda for the next council meeting after receipt of the request. A special council meeting may be called for the purpose of considering the override of the veto. Notice of the meeting must be given as required by state law.

SECTION 8. 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.