



Legislation Text

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Clerk 03/10/2015

AN ORDINANCE relating to council rules and order of business; amending Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035, and Ordinance 11683, Section 15, as amended, and K.C.C. 1.24.145, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY

SECTION 1. Findings:

A. Section 220.40 of the King County Charter 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 and organization.

D. Because the council is reorganizing the council and its committees by motion effective today, including modifying council vice-chair positions, committee chair and vice-chair positions, duties and committee meeting times, this ordinance must be enacted as an emergency ordinance in order to be effective immediately to ensure that the regular meeting times of the council's committees are enacted and effective contemporaneously with the reorganization of the council.

SECTION 2. Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035 are each hereby amended

to read as follows:

1.24.035 Rule 4: Meetings.

A.1.a. The time of regular meetings of the council is 1:30 p.m. on Monday of each week, or Tuesday if Monday is a state or county holiday or is a legislative branch furlough day due to a county emergency budget crisis, unless otherwise ordered by the chair or a majority of the council. However, the regular meetings of the council shall not take place on the first and second Mondays in August and the third and fourth Mondays in December. All regular or special meetings of council committees shall be regular or special council meetings, pursuant to council rule 4.F.

b. Each Wednesday from 1:30 p.m. to 3:00 p.m. shall be reserved for special standing committee meetings and each fourth and fifth Wednesday of each month from 3:00 p.m. to 4:30 p.m. shall be reserved for special regional committee meetings as needed. In order to allow each member sufficient time to review legislation and to meet with constituents, staff and officials of other jurisdictions, no special committee meeting may be called for any other time without the prior written consent of the council chair or the consent of a majority of the members of the committee. If a special meeting for more than one committee is called for the same time and location, the meeting for which the agenda was first filed with the council clerk shall have precedence for use of the meeting location. This subsection A.1.b. does not apply to special meetings of the budget and fiscal management committee for purposes of considering the county executive's annual budget proposal, which shall be called by the chair of the budget and fiscal management committee.

2.a. All regular meetings of the King County council and the council's committees, except for the employment and administration committee, shall be held 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.

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

a. Committee of the whole: ~~(({the}))~~ the first and third Wednesdays of each month at 9:30 a.m. from January 1 through September 25; Monday of each week at 9:30 a.m. from September 28 through November 13; and the first and third Wednesday of each month at 9:30 a.m. ~~((thereafter))~~ from November 14 through December 31;

b. Budget and fiscal management committee: ~~((the first and third Tuesday of each month at 1:30 p.m.))~~ the second and fourth Wednesdays of each month at 9:30 a.m.;

c. Employment and administration committee: the second and fourth Mondays of each month at 9:30 a.m. from January 1 through September 14; thereafter, through December 31 on the first and third Mondays of each month at 3:00 p.m.;

d. Government accountability~~((;))~~ and oversight ~~((and financial performance))~~ committee~~((*))~~: the second and fourth Tuesdays of each month at 9:30 a.m.;

e. Health, housing and human services committee: the first and third Tuesday of each month at 1:30 p.m.;

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

~~((f.))~~ g. Transportation, economy and environment committee: the first and third, and fifth if one occurs, Tuesdays of each month at 9:30 a.m.;

~~((g.))~~ h. Regional policy committee: the second Wednesday of each month at 3:00 p.m.;

((h))i. Regional transit committee: the third Wednesday of each month at 3:00 p.m.; and

((i))j. Regional water quality committee: the first Wednesday of each month at 3:00 p.m.

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

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 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.

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

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

- a. only those members who serve on the committee have the right to exercise parliamentary rights in the meeting, including, but not limited to, raising points of order, making motions and voting;
- b. attendance shall be recorded only for members serving on the committee, and the quorum for the meeting shall be the committee quorum; and
- c. committee meetings shall be chaired by the committee chair.

SECTION 3. 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)) Two 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, 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. Members participating by telephone or other electronic means as allowed under subsection B.4. 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. Members may participate and vote in council meetings by telephone or other electronic means under the following circumstances:

- a. in the event of an emergency, as defined in K.C.C. 12.52.010;
- b. 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. 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. 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

SECTION 4. 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.