



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

June 22, 2016

Ordinance

Proposed No. 2014-0320.1

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 a member and of the council (~~(meetings)~~) by telephone or
70 other electronic means, under the following circumstances:

- 71 a. in the event of an emergency, as defined in K.C.C. 12.52.010;
- 72 b. in special meetings convened during the council's summer or winter recess;
- 73 or
- 74 c. in the event of urgent circumstances declared by the member in accordance
75 with the process in subsection C.2. of this section or approved in accordance with the
76 process in subsection C.3. of this section.

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

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

88 ~~(2) the member or an immediate family member, including spouse or~~
89 ~~domestic partner, child, child of spouse or domestic partner, parent, parent of spouse or~~
90 ~~domestic partner, grandparent or grandparent of spouse or domestic partner, has a~~
91 ~~medically related emergency or urgent need for assistance that makes the member unable~~
92 ~~to attend the meeting.)) A member may utilize this provision for a maximum of three
93 council meetings and three meetings of each standing committee within a calendar year.~~

94 3. If a member has exhausted the number of times a member can participate and
95 vote by telephone or other electronic means under subsection C.2. of this section, the
96 member may request to participate and vote in a subsequent council or standing
97 committee meeting, respectively, by such means, using the following process:

98 a. The member must declare orally or in writing to the chair of the meeting that
99 the member is unable to attend in person because of urgent circumstances and request to
100 participate and vote by telephone or other electronic means;

101 b. After receipt of the request by the member, the chair shall promptly place
102 before the council or the standing committee, respectively, the question of whether to
103 approve the request; and

104 c. Approval of a request requires an affirmative vote of a majority of the
105 members present at the meeting. For a council meeting, approval of the request also
106 requires that a quorum be present.

107 4. To facilitate connection to the broadcasting system, requests for participation
108 by telephone or other electronic means should be made half an hour in advance of the
109 meeting when possible. When participating by telephone or other electronic means, the

110 member must have their voice audible so that the public can hear the discussion and
111 voting process.

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

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

117 b. the member or an immediate family member, including spouse or domestic
118 partner, child, child of spouse or domestic partner, parent, parent of spouse or domestic
119 partner, grandparent or grandparent of spouse or domestic partner, has a medically-
120 related issue or other urgent need for assistance that makes it difficult for the member to
121 attend the meeting.

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

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

133

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None