



Legislation Details (With Text)

File #: 2009-0085 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 2/2/2009 **In control:** Committee of the Whole
On agenda: **Final action:** 2/9/2009
Enactment date: **Enactment #:** 16362

Title: AN ORDINANCE relating to council rules; and amending Ordinance 11683, Section 2, as amended, and K.C.C. 1.24.015, Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035, Ordinance 11683, Section 5, as amended, and K.C.C. 1.24.045, Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.055, Ordinance 11683, Section 16, as amended, and K.C.C. 1.24.155 and Ordinance 11683, Section 31, as amended, and K.C.C. 1.24.305 adding a new section to K.C.C. chapter 1.24, and declaring an emergency.

Sponsors: Dow Constantine

Indexes: Council

Code sections: 1.24 -, 1.24.015 -, 1.24.035 -, 1.24.045 -, 1.24.055 -, 1.24.155 -, 1.24.305 -

Attachments: 1. Ordinance 16362.pdf

Date	Ver.	Action By	Action	Result
2/9/2009	1	Metropolitan King County Council	Hearing Held	
2/9/2009	1	Metropolitan King County Council	Passed as Amended	Pass
2/2/2009	1	Metropolitan King County Council	Introduced and Referred	

Clerk 02/10/2009

AN ORDINANCE relating to council rules; and amending Ordinance 11683, Section 2, as amended, and K.C.C. 1.24.015, Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035, Ordinance 11683, Section 5, as amended, and K.C.C. 1.24.045, Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.055, Ordinance 11683, Section 16, as amended, and K.C.C. 1.24.155 and Ordinance 11683, Section 31, as amended, and K.C.C. 1.24.305 adding a new section to K.C.C. chapter 1.24, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Finding: The council finds that because it is reorganizing its committees effective today, including eliminating some committees and establishing new committees, this ordinance must be effective

immediately to ensure that the regular meeting times of the council and its committees are enacted and effective contemporaneously with the reorganization of the council.

SECTION 2. Ordinance 11683, Section 2, as amended, and K.C.C. 1.24.015 are each hereby amended to read 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)~~D, K.C.C.

1.24.045.~~(C)~~D. 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. There is hereby added to K.C.C. chapter 1.24 a new section to read as follows:

In the event of the inability of the council chair to serve in that capacity, the following order of succession shall be observed:

A. Vice chair of policy;

B. Vice chair of administration and finance;

C. Remaining councilmembers in order of their seniority of service cumulatively in county elective office and state legislative office.

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

A.1.a. The time of regular meetings of the council is 11:00 a.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.

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.

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. The times for regular 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: Wednesday of each week at 9:30 a.m.;

2. Budget and fiscal management committee: the first and third Tuesdays of each month at 1:30 p.m.;
3. Employment and administration committee: the first and third Mondays of each month at 9:30 a.m.;
4. Government accountability and oversight committee: the first and third Tuesdays of each month at 9:30 a. m.;
5. Law, justice, health and human services committee: the second and fourth, and fifth if one occurs, Tuesdays of each month at 1:30 p.m.;
6. Physical environment committee: the second and fourth, and fifth if one occurs, Tuesdays of each month at 9:30 a.m.;
7. Regional policy committee: the second Wednesday of each month at 3:00 p.m.;
8. Regional transit committee: the third Wednesday of each month at 3:00 p.m.; and
9. 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 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 5. Ordinance 11683, Section 5, as amended, and K.C.C. 1.24.045 are each hereby amended

to read 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))~~D, K.C.C. 1.24.045.~~((C))~~D:

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. Additions to the council agenda;
5. Special items;
- ~~((5-))~~ 6. Reports from members serving on special and outside committees;
- ~~((6-))~~ 7. 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~~;
- ~~expndtw-212. 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-))~~ 8. Motions, from standing committees and regional committees, for council action;
9. First reading of and action on motions without referral to committee;
10. Consent agenda on reappointments to boards and commissions;
11. Consent agenda on reports and recommended actions from the employment and administration

committee;

12. Other reports and recommended actions from the employment and administration committee;

13. Consent agenda on hearing examiner recommendations;

14. First reading and referral of ordinances;

~~((16-))~~ 15. First reading and referral of motions;

16. Recess;

17. Hearings and second reading of ordinances from standing committees and regional committees;

18. First reading of and action on emergency ordinances without referral to committee;

~~((17-))~~ 19. Extra items;

~~((18-))~~ 20. Messages from the county executive and other county officials, the judiciary, the regional committees and other agencies;

~~((19-))~~ 21. Other business; and

~~((20-))~~ 22. Adjournment.

B. Required public hearings and second readings of ordinances on the council's agenda shall begin at 1:30 p.m., unless notice of a different hearing time has been given;

C. 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-))~~ 2. 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))~~ a regularly scheduled council meeting~~((s))~~. 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))~~ council meeting. ~~((An))~~ The 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-))~~ D. 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 6. Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.055 are each hereby amended to read as follows:

The standing committees shall operate as follows:

A. A majority of a committee constitutes a quorum except for a committee with an even number of members, in which case one half of the committee constitutes a quorum. A committee is considered to have a quorum present unless the question is raised by a member of the committee. If a member objects to proceeding because of the lack of a quorum, the committee may not conduct official business, except to conduct a hearing. The appointment or use of alternate members is not allowed for a standing committee.

B. During its consideration of a vote on legislation, the deliberations of a committee must be open to the public.

C. A vote to report legislation out of committee must be taken by the "ayes" and "nos," with the

committee clerk recording the names of the members voting for and against, as well as the names of the members absent. On any matter, including but not limited to an amendment, a vote must be taken by oral roll call if requested by a member of the committee. A standing committee may not vote by secret ballot on an issue. Except for a regional committee, legislation may be reported out of committee by less than a quorum of the committee, subject to signature by a majority of the members of the committee, unless a member present requests a vote on the recommendation by a quorum of the committee. If a member so requests, the legislation may not be reported out of the committee at that meeting without an affirmative vote by a majority of the quorum of the committee. The committee's recommendation on legislation reported out of committee subject to signature by a majority of the members of the committee is not effective unless signed by a majority of the committee and delivered to the clerk by the close of the second business day after the committee action. A vote in a committee must be recorded and the vote must be preserved as prescribed by the clerk of the council.

D. ~~((With the exception of legislation referred to committee of the whole, I))~~ Legislation reported to the council from a standing committee must have a majority recommendation report, which must be prepared upon a printed standing committee report form and must be signed by a majority of the committee with one of the following recommendations:

1. Do pass;
2. Do pass -- consent;
3. Do pass substitute;
4. Do pass substitute -- consent;
5. Do not pass;
6. Postpone indefinitely;
7. Pass out of committee with no recommendation; or
8. Refer to another committee.

E. The rules and procedures contained in this chapter must be observed, when applicable, in all

proceedings of a standing or special committee of the council.

F. The chair of the committee shall set the agenda for the committee, including whether and when to include on a specific agenda for action proposed legislation referred to the committee by the council chair. A change to the last distributed and posted agenda made at a meeting must be announced by the chair and is subject to appeal to the full committee present by any two members of the committee. A majority of the members present shall decide an appeal under this subsection.

G. Notice of a special meeting must be made in compliance with the Open Public Meetings Act of 1971, chapter 42.30 RCW. The committee chair may call up to six special meetings per calendar year. An additional special meeting may be called only upon the request of the chair and the written consent of either the vice-chair of the committee or the chair of the council before the meeting. A special meeting may be called only when:

1. There is time-sensitive legislation or information that cannot be presented and considered in the ordinary committee meeting schedule;
2. A joint meeting of two or more committees is necessary to consider a matter; or
3. An unusual and extreme workload of a committee does not allow its full consideration during the ordinary committee meeting schedule.

H. A committee may not recess a meeting for longer than eight hours unless consent is given consistent with Rule 6.G, K.C.C. 1.24.055.G. Such a recess constitutes a special meeting solely for the purpose of counting the six discretionary special meetings provided for in this rule. If recess is until the next day but less than twenty-four hours, then the maximum possible notice must be given. If recess is for greater than twenty-four hours, then at least twenty-four hours' notice must be given.

SECTION 7. Ordinance 11683, Section 16, as amended, and K.C.C. 1.24.155 are each hereby amended to read as follows:

A member may offer amendments to proposed legislation for consideration by the council or a standing

committee, in accordance with the following:

A. The clerk of the council shall establish the proper form for an amendment. Except as provided in subsection F of this rule, an amendment must:

1. Be in writing;
2. Bear the ~~((name))~~ signature of the member who offers it as well as the page and line number of the proposed legislation to be amended; and
3. Be distributed to each member at the time the legislation is before the council or standing committee.

B. As a courtesy to the clerk, amendments should be filed one-half hour before the beginning of the council meeting.

C. An amendment to proposed legislation may not change the scope and object of the proposed legislation. An amendment must be germane and must embrace the single subject contained within the proposed legislation.

~~((C.))~~ D.1. For the purposes of this subsection ~~((C.))~~ D:

a. "line amendment" means an amendment that either adds or deletes, or both, material in a specified portion of legislation. A "specified portion of legislation" includes either or both the legislation's body and any substantive attachment incorporated as part of the legislation; and

b. "striking amendment" means an amendment that deletes the entire text of legislation and inserts new language.

2. Striking amendments should be considered before any line amendments. If a striking amendment is moved, all line amendments to the striking amendment, including amendments to the attachment, must be approved or rejected before the striking amendment is approved or rejected.

3. Line amendments should be considered section by section with perfecting amendments considered first.

4. Only one amendment and one amendment to the amendment are permitted at a time, but any number of each may be offered in succession if a question already decided is not raised again.

5. Title amendments must be considered after the amendments to the proposed legislation.

~~((D-))~~ E.1. Substitute legislation may only come before the council after consideration by a standing committee. A member may demand a vote on the question of whether the committee substitute is to be substituted for the original proposed legislation. A substitute ordinance must be within the scope and object of the original proposed ordinance.

2. A member may offer proposed substitute legislation for a standing committee's consideration, but a member may demand a vote on the question of whether the standing committee is to consider the original legislation rather than the proposed substitute legislation. A proposed substitute ordinance must be within the scope and object of the original proposed ordinance.

~~((E-))~~ F. In accordance with Rule 14.A, K.C.C. 1.24.135.A, proposed legislation on the consent agenda is not subject to amendment except as recommended in the committee report.

~~((F-))~~ G. To promote efficiency, the council chair, or the chair of a standing committee at the committee's meeting, may accept for consideration an oral amendment that is easily understood.

SECTION 8. Ordinance 11683, Section 31, as amended, and K.C.C. 1.24.305 are each hereby amended to read as follows:

An official document issued by order of the council must be signed by the chair or in his or her absence the vice-chairs as provided in Rule 3, K.C.C. 1.24.025, and attested by the clerk of the council or acting clerk of the council, except as otherwise provided by the King County Charter.

SECTION 9. The county council finds as a fact and declares that an emergency

exists and that this ordinance is necessary for the support of county government and its existing public institutions.