



Legislation Text

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AN ORDINANCE amending the King County council rules in response to an emergency declaration issued by the King County executive; amending Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.055, Ordinance 11683, Section 22, as amended, and K.C.C. 1.24.215 and Ordinance 11683, Section 31, as amended, and K.C.C. 1.24.305; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. On February 29, 2020, public health - Seattle & King County confirmed the first cases of the novel coronavirus ("COVID-19"), including one death, in the county.

B. COVID-19 is a respiratory disease that can result in serious illness or death and can easily spread from person to person.

C. On March 1, 2020, King County executive Dow Constantine signed a proclamation of emergency in response to COVID-19, enabling "extraordinary measures" to fight the outbreak.

D. On March 16, 2020, Governor Jay Inslee issued Proclamation 20-14 prohibiting gatherings of fewer than fifty people unless organizers comply with social distancing and sanitation measures established by the United States Centers for Disease Control and Prevention or the Washington State Department of Health guidelines.

E. On March 16, 2020, Dr. Jeff Duchin, local health officer for public health - Seattle & King County, issued a parallel order for King County prohibiting gatherings of fewer than fifty people unless social distancing and sanitation measures can be maintained.

F. On March 24, 2020, Governor Jay Inslee issued Proclamation 20-28 regarding the Open Public Meetings Act and Public Records Act, which prohibited public agencies subject to chapter 42.30 RCW from conducting any meeting unless the meeting is not conducted in person and instead provides an option or options for the public to attend the proceedings through, at minimum, telephonic access, and provides the ability for all persons attending the meeting to hear each other at the same time.

G. The King County council has temporarily suspended most standing and regional committee meetings, is scheduling meetings only to address routine and necessary matters and to address matters related to the COVID-19 response and recovery efforts, consistent with the Updated Open Public Meetings Act General Guidance from the Office of the Attorney General Regarding the Coronavirus Disease (COVID-19) Event dated March 26, 2020.

H. As the duration and impact of the emergency cannot be foreseen, the council desires to make formal provisions for how to effectively proceed with conducting the people's business, while complying with the governor's proclamations and local health officer's orders.

SECTION 2. Ordinance 11683, Section 6, as amended, and K.C.C. 1.24.055 are hereby amended to read as follows:

A. A majority of a 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. Any member of the council may attend and participate in any committee meeting by asking questions and offering comments on any matter before the committee. Only members of the committee may exercise parliamentary rights in the committee, including, but not limited to, raising points of order, making motions and voting.

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 as otherwise provided in subsection E. of this section and also 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. Except as otherwise provided in subsection E. of this section, ((L)) 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. During a period of an emergency proclaimed by the executive and as directed by the chair of the council in writing:

1. Legislation may not be reported out of committee by less than a quorum of the committee present;

2. For each piece of legislation voted on in committee, the committee clerk shall prepare a vote roll call form that shall record the recommendation of the committee, and shall include the type and number of the legislation, the version of the legislation, number of the "ayes" and "nos," and the names of the members voting for and against, as well as the names of the members absent;

3. If a member is absent from a vote on a piece of legislation and as a result of the roll call vote at the meeting, the piece of legislation received a majority recommendation, the member shall have until the end of the day of the meeting to email the committee clerk with the member's vote in support of the majority recommendation and the committee clerk shall record that member's affirmative vote on the vote roll call form for that piece of legislation and attach a copy of the email to the vote roll call form; and

4. The vote roll call form shall act as the majority recommendation report by which legislation shall be reported to the council no earlier than the next day after the committee meeting.

F. 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-))~~ G. 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-))~~ H. 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.))~~ I. 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 3. Ordinance 11683, Section 22, as amended, and K.C.C. 1.24.215 are hereby amended to read 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. In accordance with the King County charter, within ten days after its presentation, the county executive shall either sign the ordinance and return it to the county council, veto the ordinance and return it to the county council with a written and signed statement of the reasons for the veto or sign and partially veto an appropriation ordinance and return it to the county council with a written and signed statement of the reasons for the partial veto. 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 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.

C. During a period of an emergency proclaimed by the executive and as directed by the chair of the council in writing, ordinances signed by the executive may use an electronic signature on ordinances as long as the electronic signature authentication and operating procedures required by Rule 31, K.C.C. 1.24.305, have been met.

SECTION 4. Ordinance 11683, Section 31, as amended, and K.C.C. 1.24.305 are hereby amended to read as follows:

A. An official document issued by order of the council must be signed by the chair or in the chair's absence the vice-chair 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 and subsection B. of this section.

B.1. During a period of an emergency proclaimed by the executive and as directed by the chair of the council in writing:

a. the signature required by subsection A. of this section may be by electronic signature; and
b. the clerk's attestation required by subsection A. of this section may be by electronic signature and shall mean for each official document that it has been authenticated and the clerk has been directed by the chair to accept electronic signatures for the official document.

2. The clerk, in consultation with the chair, shall establish electronic signature authentication and operating procedures that comply with state and county laws.

SECTION 5. All actions up to the effective date of this ordinance taken by county officials, agents and employees, consistent with the terms and purposes of the ordinance are hereby ratified, confirmed and approved.

SECTION 6. Sections 4 and 5 of this ordinance expire June 11, 2020.

SECTION 7. The council finds as a fact and declares that an emergency exists and that the enactment of this ordinance as an emergency 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.