



Signature Report

Ordinance 19088

Proposed No. 2020-0168.2

Sponsors Balducci

1 AN ORDINANCE amending the King County council
2 rules in response to an emergency declaration issued by the
3 King County executive; amending Ordinance 11683,
4 Section 6, as amended, and K.C.C. 1.24.055, Ordinance
5 11683, Section 22, as amended, and K.C.C. 1.24.215 and
6 Ordinance 11683, Section 31, as amended, and K.C.C.
7 1.24.305; and declaring an emergency.

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 **SECTION 1. Findings:**

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

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

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

17 D. On March 16, 2020, Governor Jay Inslee issued Proclamation 20-14
18 prohibiting gatherings of fewer than fifty people unless organizers comply with social
19 distancing and sanitation measures established by the United States Centers for Disease

20 Control and Prevention or the Washington State Department of Health guidelines.

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

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

31 G. The King County council has temporarily suspended most standing and regional
32 committee meetings, is scheduling meetings only to address routine and necessary matters
33 and to address matters related to the COVID-19 response and recovery efforts, consistent
34 with the Updated Open Public Meetings Act General Guidance from the Office of the
35 Attorney General Regarding the Coronavirus Disease (COVID-19) Event dated March 26,
36 2020.

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

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

43 A. A majority of a committee constitutes a quorum. A committee is considered to
44 have a quorum present unless the question is raised by a member of the committee. If a
45 member objects to proceeding because of the lack of a quorum, the committee may not
46 conduct official business, except to conduct a hearing. The appointment or use of alternate
47 members is not allowed for a standing committee. Any member of the council may attend
48 and participate in any committee meeting by asking questions and offering comments on
49 any matter before the committee. Only members of the committee may exercise
50 parliamentary rights in the committee, including, but not limited to, raising points of order,
51 making motions and voting.

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

54 C. A vote to report legislation out of committee must be taken by the "ayes" and
55 "nos," with the committee clerk recording the names of the members voting for and against,
56 as well as the names of the members absent. On any matter, including but not limited to an
57 amendment, a vote must be taken by oral roll call if requested by a member of the
58 committee. A standing committee may not vote by secret ballot on an issue. Except as
59 otherwise provided in subsection E. of this section and also except for a regional
60 committee, legislation may be reported out of committee by less than a quorum of the
61 committee, subject to signature by a majority of the members of the committee, unless a
62 member present requests a vote on the recommendation by a quorum of the committee. If
63 a member so requests, the legislation may not be reported out of the committee at that
64 meeting without an affirmative vote by a majority of the quorum of the committee. The
65 committee's recommendation on legislation reported out of committee subject to signature

66 by a majority of the members of the committee is not effective unless signed by a majority
67 of the committee and delivered to the clerk by the close of the second business day after the
68 committee action. A vote in a committee must be recorded and the vote must be preserved
69 as prescribed by the clerk of the council.

70 D. Except as otherwise provided in subsection E. of this section, (~~F~~) legislation
71 reported to the council from a standing committee must have a majority recommendation
72 report, which must be prepared upon a printed standing committee report form and must be
73 signed by a majority of the committee with one of the following recommendations:

- 74 1. Do pass;
- 75 2. Do pass -- consent;
- 76 3. Do pass substitute;
- 77 4. Do pass substitute -- consent;
- 78 5. Do not pass;
- 79 6. Postpone indefinitely;
- 80 7. Pass out of committee with no recommendation; or
- 81 8. Refer to another committee.

82 E. During a period of an emergency proclaimed by the executive and as directed
83 by the chair of the council in writing:

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

86 2. For each piece of legislation voted on in committee, the committee clerk shall
87 prepare a vote roll call form that shall record the recommendation of the committee, and
88 shall include the type and number of the legislation, the version of the legislation, number

89 of the "ayes" and "nos," and the names of the members voting for and against, as well as
90 the names of the members absent;

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

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

100 F. The rules and procedures contained in this chapter must be observed, when
101 applicable, in all proceedings of a standing or special committee of the council.

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

108 ~~((G-))~~ H. Notice of a special meeting must be made in compliance with the Open
109 Public Meetings Act of 1971, chapter 42.30 RCW. The committee chair may call up to six
110 special meetings per calendar year. An additional special meeting may be called only upon
111 the request of the chair and the written consent of either the vice-chair of the committee or

112 the chair of the council before the meeting. A special meeting may be called only when:

113 1. There is time-sensitive legislation or information that cannot be presented and
114 considered in the ordinary committee meeting schedule;

115 2. A joint meeting of two or more committees is necessary to consider a matter; or

116 3. An unusual and extreme workload of a committee does not allow its full
117 consideration during the ordinary committee meeting schedule.

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

124 SECTION 3. Ordinance 11683, Section 22, as amended, and K.C.C. 1.24.215 are
125 hereby amended to read as follows:

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

130 B. In accordance with the King County charter, within ten days after its
131 presentation, the county executive shall either sign the ordinance and return it to the county
132 council, veto the ordinance and return it to the county council with a written and signed
133 statement of the reasons for the veto or sign and partially veto an appropriation ordinance
134 and return it to the county council with a written and signed statement of the reasons for the

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

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

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

150 A. An official document issued by order of the council must be signed by the chair
151 or in the chair's absence the vice-chair as provided in Rule 3, K.C.C. 1.24.025, and attested
152 by the clerk of the council or acting clerk of the council, except as otherwise provided by
153 the King County Charter and subsection B. of this section.

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

156 a. the signature required by subsection A. of this section may be by electronic
157 signature; and

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

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

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

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

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

170 immediate preservation of public peace, health or safety or for the support of county
171 government and its existing public institutions.
172

Ordinance 19088 was introduced on 4/14/2020 and passed as amended by the Metropolitan King County Council on 4/14/2020, by the following vote:

Yes: 9 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles, Ms. Balducci and Mr. Zahilay



KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Claudia Balducci, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

Attachments: None