

SNOHOMISH COUNTY COUNCIL Snohomish County, Washington

ORDINANCE NO. 11-017

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RELATING TO THE SNOHOMISH COUNTY COUNCIL, REVISING COUNTY CODE PROVISIONS GOVERNING COUNCIL AND COUNCIL COMMITTEE MEETINGS, REVISING AND CLARIFYING COUNCIL PROCEDURES, ADDING A NEW SECTION, AND AMENDING SCC 2.48.010, 2.48.020, 2.48.030, 2.48.035, 2.48.040, 2.48.050, 2.48.060, 2.48.070, 2.48.110, 2.48.115, 2.48.118, 2.48.122, 2.48.124, 2.48.150, 2.48.170, 2.48.172, AND 2.48.175

Section 1. Snohomish County Code Section 2.48.010, last amended by Amended Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.010 Places for meetings.

Regular meetings of the county council shall be held in the ((County Administration)) Henry M. Jackson Board Room, Robert J. Drewel Building, ((Pacific and)) eighth floor, 3000 Rockefeller Avenue, Everett, Washington. The place of special meetings or adjourned regular or special meetings shall be as specified in SCC 2.48.030 or 2.48.050. If by reason of fire, flood, earthquake or other emergency, there is a need for expedited action of the county council to meet the emergency, the council chairperson may provide for a meeting site other than the regular meeting site and the notice requirements of SCC 2.48.030 through 2.48.070 shall be suspended during such emergency.

Section 2. Snohomish County Code Section 2.48.020, last amended by Ordinance No. 08-106 on September 3, 2008, is amended to read:

2.48.020 Regular meetings.

- (1) Regular meetings of the council shall be held on Monday((,)) and Wednesday((, and Thursday)) of each week, beginning at 9:00 a.m. and adjourning at such time as the chairperson or a majority of the council shall determine. The Monday meeting shall include an administrative session and the Wednesday meeting shall include a general legislative session, provided that such sessions shall not limit council action at other council meetings. If any regular meeting falls on a holiday, such regular meeting shall be held on the next business day unless cancelled by the chairperson or a majority of the council.
- (2) Regular meetings of council committees shall be held in accordance with SCC 2.48.170 or 2.48.172. Regular meetings of council standing

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committees composed of three or more council members shall also constitute regular council meetings at the times stated in SCC 2.48.170, provided that the meetings shall be conducted as committee meetings and council action shall be limited as set out in SCC 2.48.170.

Section 3. Snohomish County Code Section 2.48.030, last amended by Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.030 Special meetings.

- (1) A special meeting of the council or a council committee may be called at any time by the chairperson or by a majority of the council or council committee by delivering written notice personally or by mail to each member of the council or council committee and to each local newspaper of general circulation and to each local radio or television station which has on file with the council a written request to be notified of such special meeting or of all special meetings. Special meetings of council committees composed of three or more council members and regular meetings of ad hoc committees composed of three or more council members shall also be noticed as special council meetings when council action may be taken within the meaning of RCW 42.30.020(3), provided that the meetings shall be conducted as committee meetings and council action shall be limited as set out in SCC 2.48.170 or 2.48.172.
- (2) Such notice must be delivered at least twenty-four hours before the time of the meeting specified in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken at such meeting on any matter other than as stated in the notice. Written notice may be dispensed with as to any member who prior to the time of meeting files with the clerk of the council written waiver of notice, or as to any member actually present at the meeting at the time it convenes. The council or council committee may dispense with notice of a special meeting called to deal with an emergency involving injury to persons or property or the likelihood of such injury or damage when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

Section 4. Snohomish County Code Section 2.48.035, adopted by Ordinance No. 07-114 on November 5, 2007, is amended to read:

2.48.035 Attendance by telephonic means.

(1) A member of the council may attend and participate in all or part of a council <u>or council committee</u> meeting by speakerphone or other form of telephonic communication by means of which the member can hear what is said at the meeting and be heard by other persons attending the meeting. Participation may include voting on any matter before the council <u>or committee</u>. A member who is physically present must preside over the meeting.

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- (2) This section shall not apply to
- (a) a meeting at which a quorum ((ef council members)) is not physically present at the meeting, or
 - (b) a closed record appeal hearing conducted under SCC 30.72.110.
- (3) A member may attend no more than ((two-council)) six meetings by telephonic means per calendar year. A member who plans to attend a meeting by telephonic means is requested to provide notice at a regular meeting prior to the meeting to be attended by telephonic means. If such notice is not provided the member shall provide reasonable notice to the clerk of the council, who shall be responsible for making necessary arrangements.

Section 5. Snohomish County Code Section 2.48.040, last amended by Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.040 Recesses.

Any meeting may be recessed at any time by the chairperson or a majority of the council <u>or council committee</u>.

Section 6. Snohomish County Code Section 2.48.050, last amended by Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.050 Adjournments.

The council <u>or a council committee</u> may adjourn any meeting to a time and place stated by the chairperson in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from a regular or adjourned regular meeting, the clerk of the council may declare the meeting adjourned to a stated time and place. The clerk shall cause written notice of an adjournment to be given as provided in SCC 2.48.030 except that the adjournment may be for less than twenty-four hours, unless such notice is waived as provided in that section. The clerk shall cause written notice of any adjournment to be conspicuously posted immediately after the time of adjournment on or near the door of the place where the meeting adjourned was held. Any adjourned meeting of a regular or adjournment fails to state the time at which the adjourned meeting is to be held, it shall be held at the hour specified for the next regular meeting.

Section 7. Snohomish County Code Section 2.48.060, last amended by Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.060 Continuances.

Any hearing being held, noticed or ordered to be held by the council <u>or a council committee</u> may be continued or recontinued to a subsequent meeting.

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Section 8. Snohomish County Code Section 2.48.070, last amended by Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.070 Meetings open to the public.

All meetings of the council <u>and council committees</u> shall be open to the public, and all persons shall be permitted to attend such meetings, except that this section shall not apply to executive sessions as authorized by the laws of the state of Washington. The council shall not adopt any ordinance, resolution, or motion except at a meeting open to the public and held according to the provisions of this chapter. This section shall not apply to the proceedings described in RCW 42.30.140.

Section 9. Snohomish County Code Section 2.48.110, last amended by Amended Ordinance No. 07-012 on February 21, 2007, is amended to read:

2.48.110 Agenda.

- (1) No later than 3:00 p.m. on the work day immediately preceding each regular council meeting other than a council committee meeting the clerk shall prepare and deliver the agenda for such regular council meeting to the offices of each council member and the county executive, and shall post the agenda in a prominent location near the entrance to the council chambers. The clerk shall likewise prepare and deliver a preliminary agenda for each Wednesday general legislative session by the close of business the preceding Friday. Changes to the agenda, other than the preliminary agenda, must be approved by the chairperson or a majority of the council.
- (2) The agenda for a Wednesday general legislative session may include a consent agenda and council action by motion on scheduling or other administrative matters, which motion shall be prepared by the clerk. Proposed legislation may be placed on the consent agenda at the request of a ((council)) committee chairperson if a hearing is not required. If a council member objects to placement of proposed legislation on the consent agenda, the proposed legislation shall be removed from the consent agenda and considered separately by the council. Proposed legislation on the consent agenda is not subject to amendment. All items on the consent agenda may be adopted in one motion.
- (3) Except as directed by the chairperson or a majority of the council, the agenda for the Monday administrative session shall be substantially as follows:
 - (a) Call to order;
 - (b) Special reports;
 - (c) Approval of minutes;
 - (d) Public comment;
 - (e) Introduction and assignment of legislation to committees;

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ı	(i) Clerk's report on pending legislation,
2	(g) Reports of council committees:
3	(i) Finance and economic development,
4	(ii) Law and justice/human services,
5	(iii) Operations,
6	(iv) Planning and community development,
7	(v) Public works,
8	(vi) Committee of the whole;
9	(h) Reports of outside committees;
10	(i) Chairperson's report;
11	(j) Chief of staff's report;
12	(k) Action on items from committee of the whole;
13	(I) Other business;
14	(m) Executive session (as needed).
15	(4) Except as directed by the chair or a majority of the council, the agenda
16	for the Wednesday general legislative session shall be substantially as follows:
17	(a) Call to order;
18	(b) Pledge of allegiance;
19	(c) Approval of minutes;
20	(d) Public comment;
21	(e) Committee of the whole;
22	(f) Resolutions;
23	(g) Consent agenda;
24	(h) Administrative matters;
25	(i) Action on items from committee:
26	(i) Finance and economic development,
27	(ii) Law and justice/human services,
28	(iii) Operations,
29	(iv) Planning and community development,
30	(v) Public works,
31	(vi) Committee of the whole;
32	(j) Other business;
33	(k) Executive session (as needed);
34	(I) ((Hearings)) Public meetings/hearings.
35	(((5) Except as directed by the chairperson or a majority of the council,
36	the agenda for the regular Thursday council meeting shall be substantially as
37	follows:
38	(a) Call to order;
39	(b) Special reports;
40	(c) Administrative matters;
4 1	(d)-Continued matters;
42	(o) Now business;
43	(f) Executive session (as needed);

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Section 10. Snohomish County Code Section 2.48.115, last amended by Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.115 Minutes - records.

- (1) Minutes of all regular and special council meetings, except executive sessions, shall promptly be prepared by the clerk of the council. Minutes of all regular and special council committee meetings, except executive sessions, shall be prepared as directed by the chief of staff. Tapes or other electronic recordings shall be taken of all ((regular)) council and council committee meetings ((, hearings before the council,)) and such other sessions as the ((chairperson or a majority of the council)) chief of staff may require.
- (2) If any person or organization not acting on behalf of the county requests a copy of a tape or other recording of a council <u>or council committee</u> proceeding, a copy shall be provided by the clerk at the expense of the requesting person or organization. The clerk shall be under no obligation to transcribe any tape or other recording, and all responsibilities and costs with respect to the preparation of a transcript shall be borne by such person or organization. ((The clerk shall provide copies of other non-privileged council records upon payment of such fees as the council chief of staff deems appropriate to reimburse the county for the cost of such records)) Disclosure of public records is governed by chapter 2.51 SCC.

Section 11. Snohomish County Code Section 2.48.118, adopted by Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.118 Executive/council approval form.

- (1) The chairperson, after consultation with the county executive, shall adopt a standard transmittal form for proposed council action, to be known as the executive/council approval form or ECAF. The standard transmittal form shall contain blanks to be completed by or on behalf of the county ((executive or council member)) officer proposing or reviewing proposed council action. It shall be directed to the chairperson and filed with the clerk of the council. In addition to other matters required by the chairperson, the ECAF shall include blanks in which to identify the type of action proposed; describe its background and -36 purpose; estimate its fiscal impact on the county for the current year and at least five years thereafter; indicate departmental reviews, if any; and make recommendations to the council.
 - (2) ECAFs and related documents for council action proposed by a county officer other than a county council member must be routed through the county executive's office. Following receipt of an ECAF and related documents

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the executive shall consider the proposed action, indicate any recommendation on the ECAF, and file the ECAF and related documents with the clerk of the council.

Section 12. Snohomish County Code Section 2.48.122, adopted by Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.122 Introduction and referral of ordinances ((and motions)).

- (1) Proposed ordinances may be introduced by any council member, initiative, or mini-initiative. ((Proposed motions may be introduced by any council member.)) Proposed ordinances ((and motions)) shall be introduced in their entirety in writing.
- (2) Upon filing with the clerk of the council with the signature of at least one council member on an introduction form approved by the clerk, or upon receipt by the council of a proposed ordinance submitted as an initiative or minimitiative under Article 5 of the Snohomish County Charter, the clerk shall assign the proposed ordinance ((or motion)) a number and place it on the agenda of the next Monday administrative session for ((introduction and)) referral to a council committee, provided that the chairperson or a majority of the council may direct that it be placed on the agenda of an earlier council meeting. The agenda shall identify the proposed ordinance ((or motion)) by number and title, and name the committee or committees to which it will be referred ((by the chairperson.
- (3) A proposed ordinance or motion that has been placed on the agenda of the next Monday administrative session or earlier a council meeting shall be deemed introduced at the session or earlier meeting, and the chairperson shall refer it to committee)). If a council member objects to a committee referral, the referral shall be made by a majority of the council.
- ((introduce)) obtain committee referral of a proposed ordinance ((or motion)) that has not been placed on the agenda, the council member shall file the proposed ordinance ((or motion)) with the clerk along with a signed introduction form. The clerk shall ((then introduce the proposed ordinance or motion by reading)) read the title and assign a number to the proposed ordinance, and the chairperson or council shall refer the ordinance ((or motion)) to one or more council committees.
- (4) A proposed ordinance ((or motion)) referred to more than one committee shall be considered by the committees in the order specified in the referral.
- (((4))) (5) At least once each week the clerk of the council shall deliver to council members and the chief of staff a list of ordinances ((and motions proposed by)) received from the county executive that have not been introduced, along with the tracking number of corresponding ECAFs. If an ordinance ((er motion proposed by)) received from the county executive is not introduced by a council member within thirty days after the proposed ordinance ((er motion)) and

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corresponding ECAF are filed with the clerk of the council, the clerk shall place the matter on the agenda of the next Monday administrative session under special reports. At that session the ((county executive or the executive's designee)) county officers identified in the ECAF shall be given an opportunity to address the council on the proposed legislation.

Section 13. A new section is added to Chapter 2.48 of the Snohomish County Code to read:

2.48.123 Presentation and referral of motions.

- (1) Proposed motions may be presented for council consideration by filing the proposed motion with the clerk of the council with an ECAF signed by a county officer, provided that any motion not proposed by a council member must be routed through the county executive's office pursuant to SCC 2.48.118. Proposed motions shall be presented in their entirety in writing.
- (2) Upon the filing of a proposed motion and ECAF, the clerk shall assign the motion a number and place it on the agenda of the next Monday administrative session for referral to a council committee, provided that the chairperson or a majority of the council may direct that it be placed on the agenda of an earlier council meeting. The agenda shall identify the proposed motion by number and title and name the committee or committees to which it will be referred. If a council member objects to a committee referral, the referral shall be made by a majority of the council.
- (3) If at a regular council meeting a council member wishes to obtain committee referral of a proposed motion that has not been placed on the agenda, the council member shall file the proposed motion with the clerk along with a signed ECAF. The clerk shall read the title and assign a number to the proposed motion, and the chairperson or council shall refer the motion to one or more council committees.
- (4) A proposed motion referred to more than one committee shall be considered by the committees in the order specified in the referral.

Section 14. Snohomish County Code Section 2.48.124, last amended by Ordinance No. 08-106 on September 3, 2008, is amended to read:

2.48.124 Committee action on proposed ordinances and motions.

- (1) All proposed ordinances and motions shall be referred to a council committee prior to adoption by the council, except emergency ordinances. A proposed ordinance or motion may be referred to the committee of the whole or to an ad hoc committee appointed under SCC 2.48.172 in lieu of a standing committee.
- (2) Except for the committee of the whole or an ad hoc committee appointed under SCC 2.48.172, committee recommendations on proposed

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 ordinances and motions shall be filed with the clerk of the council on a standard committee recommendation form approved by the clerk. The committee recommendation form shall include, in addition to other matters required by the clerk or SCC 2.48.170, blanks in which to indicate the number and title of the ordinance or motion ((, a record of committee votes including yeas and nays,)) and the date of the committee action, and ((whether the clerk should)) to request that the clerk place the matter on the consent agenda or prepare a motion on scheduling or other administrative matters pursuant to SCC 2.48.110(2). Upon receipt of a committee recommendation, the clerk shall place the ordinance or motion on the agenda of the next Wednesday general legislative session for scheduling a public hearing or other action, unless otherwise requested by the committee chairperson and approved by the chairperson.

(3) Not less than forty-five days after a proposed ordinance or motion is referred to a council committee, two members of the council may by written notice to the chairperson, filed with the clerk of the council, recall the proposed ordinance or motion from committee for consideration by the council, regardless of prior committee action, except that a proposed ordinance or motion may be recalled only once; and further provided that less than forty-five days may have passed if the purpose of the recall is to place the matter before the council for consideration in conjunction with the budget. Upon the filing of such notice the clerk shall place the matter on the next council agenda for scheduling a public hearing on a proposed ordinance or for action on a proposed motion.

Section 15. Snohomish County Code Section 2.48.150, last amended by Amended Ordinance No. 02-047 on October 16, 2002, is amended to read:

2.48.150 Emergency ordinances.

Any proposed ordinance may be enacted as an emergency ordinance if the council finds as a fact, and states in the ordinance, that the ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government ((ef)) and its existing public institutions. A minimum of four affirmative votes shall be required to enact an emergency ordinance. Emergency ordinances shall not be subject to veto by the county executive. Emergency ordinances shall be effective upon passage by the council.

Section 16. Snohomish County Code Section 2.48.170, last amended by Amended Ordinance No. 07-012 on February 21, 2007, is amended to read:

2.48.170 Council standing committees.

(1) The chairperson shall appoint the members of council standing committees, and for each committee shall designate a committee chairperson. Standing committees are advisory bodies and cannot take final council action

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1	((en behalf of the council)) within the meaning of RCW 42.30.020(3). Any council
2 .	member may attend and participate in meetings of standing committees so long
3	as written notice of a special council meeting is given for any special committee
4	meeting attended by three or more council members when council action is taken
5	within the meaning of RCW 42.30.020(3) and written notice of the meeting is
6	required by SCC 2.48.030.
7	(2) Meetings of standing committees shall be subject to the requirements
8	of SCC 2.48.030 through 2.48.070, to the extent applicable, provided that ((the
9	council shall by motion provide a schedule for holding regular committee
10	meetings,)) any regular meeting may be cancelled by the committee chairperson
11	((,)) and the committee chairperson or a majority of the committee may call a
12	special meeting. Regular meetings of standing committees shall be held twice
13	monthly in the ((County Administration)) Henry M. Jackson Board Room, Robert
14	J. Drewel Building ((East)), ((Pacific and)) eighth floor, 3000 Rockefeller Avenue,
15	Everett, Washington, at the times stated in subsection (3), except that if any
16	regular meeting falls on a holiday such regular meeting shall be held on the next
17	business day unless cancelled by the committee chairperson or a majority of the
18	committee.
19	(((2)) (3) The following standing committees ((of the council)) and regular
20	meeting times are established:
21	(a) Finance and economic development - first and third Tuesday at 10:30
22	<u>a.m.</u> ;
23	(b) Law and justice/human services <u>- second and fourth Monday at 1:30</u>
24	<u>p.m.;</u>
25	(c) Operations - first and third Monday at 1:30 p.m.;
26	(d) Planning and community development - second and fourth Tuesday at
27	9:00 a.m.;
28	(e) Public works - first and third Tuesday at 9:00 a.m.
29	(((3))) (4) Any recommendation of a council standing committee ((to the
30	council)) shall be ((adopted by a majority of the committee,)) reduced to writing
31	((,)) and signed by the committee ((chair)) chairperson. Written majority or
32	minority reports may be filed by members of the committee.
33	(((4) The recommendation of a council standing committee on a proposed
34	ordinance shall recommend one of the following actions:
35	(a) Move to council for scheduling a public hearing on a date specified by
36	the council;
37	(b) Move to council with recommended amendment for scheduling a
38	public hearing on a date specified by the council; or
39	(c) Move to council with no recommendation.
1 0	(5) The recommendation of a council standing committee on a proposed
1 1	motion shall recommend one of the following actions:
12	(a) Move to council for action;
12	(b) Mayo to council for action on a data anacified by the committee:

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appointed under this section.))

Rockefeller Avenue, Everett, Washington.

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42 43 otherwise specified, regular meetings shall be held in the Henry M. Jackson

(((3) In this chapter, the term "committee" may include ad hoc committees

Board Room, Robert J. Drewel Building, ((Pacific and)) eighth floor, 3000

2 3 4	Section 18. Snohomish County Code Section 2.48.175, adopted by Ordinance No. 02-047 on October 16, 2002, is amended to read:
5 6 7 8 9 10 11 12 13	2.48.175 Lapse and reintroduction of ordinances ((and motions)). A proposed ordinance ((or motion)) that is not passed by the council by the end of the calendar year in which it is introduced lapses if not reintroduced, passed, or defeated by February 1 of the following year. A proposed ordinance ((or motion)) is reintroduced upon filing with the clerk of the council with the signature of at least one council member on a reintroduction form approved by the clerk. A proposed ordinance ((or motion)) that is reintroduced retains the number originally assigned by the clerk.
14 15 16 17	PASSED this day of, 2011. SNOHOMISH COUNTY COUNCIL Specion is h County, Washington
18 19 20 21 22	ATTEST:
23 24 25 26	Clerk of the Council (YAPPROVED
27 28 29	() EMERGENCY
30 31 32	() VETOED DATE: 5/17/11
33 34 35	County Executive
36 37 38	ATTEST: GARY HAAKENSON Deputy County Executive
39 40 41 42	Approved as to form only:
43	Deputy Prosecuting Attorney
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