

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Clerk	PK	1993		1/11/94	Council - introduction (addendum)
Division Head:				1/25/94	Finance & Personnel/Council
Dept. Head:					
Prosecutor:	DG	2/1/94			
Purchasing/Budget:					
Executive:					

SUBJECT:

Ordinance amending Whatcom County Code Section 2.02, regarding Whatcom County Council operations

ATTACHMENTS:

Ordinance

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO /xx/ YES / / Requested date:
Amount budgeted for this item/project: \$	Is it (or will it be) within budget? YES / / NO / / (Please explain below)
Budget line item number(s):	

This ordinance amends Whatcom County Code Section 2.02 to accomplish the following: Change the status of Clerk of the Council to that of department director, in order to provide a consistent form of office and personnel management; clarify the supervisory responsibilities of the Council Chair; allow the Council to conduct its business according to *Roberts Rules of Order*; and strengthen the function of Council standing committees. Council Members Ken Henderson and Bob Imhof are co-sponsoring this ordinance.

ORIGINATOR'S RECOMMENDED ACTION:

The Clerk recommends the following motion be made: "I move to adopt the ordinance as presented." Amendments may be made after the main motion is made. The Council may approve or deny the ordinance.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1/11/94: Introduction (addendum)

1/25/94: Council approved of the ordinance, with amendments (motion to adopt carried unanimously)

SPONSORED BY: Imhof/Henderson

AB93-426

PROPOSED BY: Council Clerk

AMENDED

INTRODUCTION DATE: 1-11-94

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ORDINANCE NO. 94-007
AMENDING WHATCOM COUNTY CODE SECTION 2.02,
REGARDING WHATCOM COUNTY COUNCIL OPERATIONS

WHEREAS, Whatcom County Code Section 2.02 provides guidelines for the conduct of full Council and Council committee meetings, Council personnel issues, and other Council-related matters; and

WHEREAS, some minor changes were needed to this section of the Code to clarify the rules governing council committee structure, reports, and council agendas; and

WHEREAS, the Clerk proposed that the Council amend this section of the Code to change the clerk's status to that of department head (denoted as department director, in accordance with terminology furnished by the Personnel Department), in order to provide a consistent form of office and personnel management; and

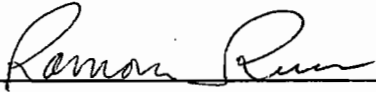
~~WHEREAS, the Council wishes to conduct its business according to *Roberts Rules of Order*, rather than *Sturgis Standard Code of Parliamentary Procedure*, due to the higher availability of resource materials and the increased likelihood of familiarity with the more commonly used *Roberts*;~~ *[Clerk's Note: Council did not vote to amend by deleting this section, but the deletion was implied when Council voted to remove the change to Roberts from Exhibit A.]*

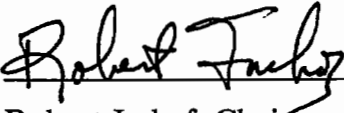
1 NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that
2 Whatcom County Code Section 2.02 is hereby amended as indicated in the document
3 attached as Exhibit A to this ordinance.
4

5 ADOPTED this 25th day of January, 1994.
6

7 WHATCOM COUNTY COUNCIL
8 WHATCOM COUNTY, WASHINGTON

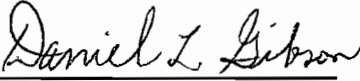
9 ATTEST:

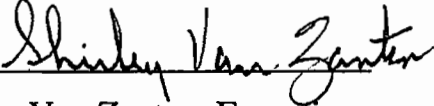
10 
11 _____
12 Ramona Reeves, Council Clerk

13 
14 _____
15 Robert Imhof, Chair

16 APPROVED as to form & content:

17 () Approved () Denied

18 
19 _____
20 Civil Deputy Prosecutor

21 
22 _____
23 Shirley Van Zanten, Executive
24 Date: 1-26-94

WHATCOM COUNTY CODE

CHAPTER 2.02

WHATCOM COUNTY COUNCIL

2.02.010 Meetings - Times.

A. The regular meeting time of the council shall be the first, second and fourth Tuesday of each month at 7:00 p.m. in the Whatcom County Courthouse, unless decided otherwise by the council. Special meetings may be called by the chairperson of the council as required, provided proper public notice and notice to council members is given.

B. Regular committee of the whole items shall be discussed during the council meeting on the first Tuesday of each month, unless decided otherwise by the council. This meeting may be cancelled at the will of the council.

2.02.020 Meetings - Sturgis Standard Code of Parliamentary Procedure.

Council business shall be conducted pursuant to "Sturgis Standard Code of Parliamentary Procedure," latest edition, except when in conflict with the standing rules of the council.

2.02.030 Ordinances and resolutions.

The introduction, publication, consideration and adoption of ordinances shall be governed by the Home Rule Charter for Whatcom County, ordinances and resolutions of the county council or, when not addressed by the above, by general law.

2.02.040 Annual reorganization meeting - Election of officers.

A. The swearing in of newly elected council members shall be at a special meeting on the second Monday of the next January immediately following the November

1 election, or as soon thereafter as possible. This special meeting, or the first council
2 meeting in January following a nonelection year, shall also be the annual
3 reorganizational meeting, at which time the council shall elect, by roll call vote of a
4 majority of the full council, the chair, vice-chair, the executive pro tempore and the
5 members of all standing committees. Prior to each reorganizational meeting, the council
6 chairperson shall ask council members to circulate to each other in writing their requests
7 for committee assignments and other offices. No council member shall hold the position
8 of chair more than two full consecutive terms. The chair of the council shall act as
9 executive pro tempore in the absence of the regular executive pro tempore who was
10 selected pursuant to the above procedure. Terms of office shall begin at the conclusion
11 of the reorganizational meeting.

12 B. In temporary absence of the chairperson, the vice-chairperson shall perform
13 the duties and responsibilities of the chairperson. A temporary chairperson shall be
14 elected should both the chairperson and vice-chairperson be absent and shall serve
15 during such absence.

16
17 2.02.050 Power of chairperson.

18 The chairperson shall have the general direction of council property and supervision of
19 council employees the clerk of the council, the council budget/program analyst, and the
20 hearing examiner's office; provided, however, that such powers shall be exercised at the
21 direction of the council.

22
23 2.02.055 Clerk.

24 A. The county council shall employ and supervise the clerk and deputy clerk of
25 the county council, who shall function as the administrative department director with the
26 responsibility for the operation of the council office and the council clerk's staff. The
27 clerk shall serve at the will of the council and will consult the council on major policy or
28 procedural matters.

29 B. The clerk of the council shall supervise, hire and have full disciplinary
30 authority over assigned staff. An employee may seek review by the council's finance and

1 personnel committee of a disciplinary action taken by the clerk of the council; provided
2 further that such review shall take place in executive session with both the clerk and the
3 employee requesting the review present.

4 C. The clerk will prepare and justify the department budget, monitor all fiscal
5 operations of the department, and approve all departmental expenditures. The clerk will
6 provide planning leadership and direction for assigned staff. The clerk will develop
7 policy recommendations concerning county-wide programs, and will develop and
8 implement departmental policies and procedures.

9 ~~BD.~~ The duties of the clerk and/or deputy clerk of the county council shall
10 include, but not be limited to, those statutory powers, responsibilities and duties specified
11 in RCW 36.22.010(9), 36.22.020, 36.32.135 and 36.32.140.

12 ~~CE.~~ The duties of the clerk and/or deputy clerk of the county council shall be
13 increased or decreased consistent with future enactments of the state legislature.

14 ~~DE.~~ The clerk and/or the deputy clerk of the county council shall file with the
15 county auditor, at such time as they may be microfilmed, all original documents
16 presented to the county council along with a notation of the council's official action
17 securely appended for secure disposition of all such official records.

18
19 2.02.056 Hearing examiner.

20 The position of the hearing examiner established in Chapter 20.92 of the Whatcom
21 County Code shall function as an administrative department director with the direct
22 responsibility for personnel, budget development and fiscal control of such staff, monies,
23 and programs as may be assigned by the county council.

24
25 2.02.057 Budget and program analyst.

26 The position of budget and program analyst shall be employed as an independent staff
27 member reporting to the county council, and shall be responsible for such duties as may
28 be assigned by the county council.

29
30 2.02.060 Quorum.

1 Four members shall constitute a quorum and, unless otherwise required by Charter, a
2 majority vote of the then entire membership of the council shall be necessary for the
3 conduct of council business. There shall be no voting by proxy on any question before
4 the council.

5
6 2.02.070 Signature of documents.

7 All official documents issued by order of the council shall be signed by the chairperson
8 and attested by the clerk of the council, except as otherwise provided by the Charter.

9
10 2.02.080 Order of business.

11 A. Business may include but not be limited to the following order:

- 12 1. Roll call;
- 13 2. Reading and approval of minutes;
- 14 3. Announcements;
- 15 4. Executive items;
- 16 5. Open session;
- 17 6. Special matters;
- 18 7. ~~Consent agenda;~~
- 19 8. Hearings and final consideration of ordinances;
- 20 89. Final consideration of ordinances and resolutions;
- 21 910. Other business;
- 22 1011. Introduction of ordinances and resolutions;
- 23 1112. Reports of committees;
- 24 1213. Reports and other items by council members.

25 B. The chairperson shall prepare the agenda, which, together with supporting
26 documents, shall be provided to all council members no less than three days prior to
27 each regular council meeting and at the earliest possible date prior to any special
28 meeting. The agenda shall also be posted conspicuously within the Whatcom County
29 Courthouse.

30 C. Upon request by any two or more members of the council at any council

1 meeting an item of business shall be placed on the agenda of the next regular meeting.

2 **D.** Consent items may be acted upon en masse; provided, however, that any
3 consent item shall be considered separately if so requested by a council member, by a
4 member of the county administration, or by a member of the public.

5
6 2.02.090 Introduction of ordinances and resolutions - Filing.

7 All ordinances and resolutions shall be introduced in their entirety in writing. The
8 subject of each ordinance shall be clearly and concisely stated in the title, and no
9 ordinance shall contain more than one subject. Proposed ordinances and resolutions shall
10 be filed with the clerk of the council and shall be introduced by a council member or by
11 consent of the full council.

12
13 2.02.100 Introduction of ordinances - By title.

14 The introduction of a proposed ordinance shall be by title only, following which the
15 council may refer the proposal to the appropriate standing or special committee or to the
16 committee of the whole. Upon being reported back from committee, all proposed
17 ordinances and resolutions shall be placed upon the agenda. Except for emergency
18 ordinances, at least 13 days shall pass between introduction and final passage of
19 ordinances. Voting on final passage of all ordinances shall be by roll call vote.

20
21 2.02.110 Introduction of ordinances - Reintroduction.

22 Any ordinance which has been introduced and not acted upon within 120 days of its
23 introduction must be reintroduced, notice of introduction republished, and at least 13
24 days elapsed before it can come up for final consideration; except, if any such ordinance
25 has been under active consideration by any standing committee, special ad hoc
26 committee, or committee of the whole and has appeared at least twice on such
27 committee's published agenda, it is not subject to this requirement.

28
29 2.02.120 Publication of proposed and enacted ordinances.

30 Ordinances or summaries thereof, the place where copies are filed and the times when

1 they are available for inspection shall be published when the ordinances are proposed
2 and again upon enactment.

3
4 2.02.130 Veto message - Overriding.

5 The veto message of the executive which accompanies a proposed ordinance passed by
6 the council shall be distributed to each council member. Within 30 days after being
7 returned to the council, the council may override by enacting the ordinance by a
8 minimum of five affirmative votes.

9
10 2.02.140 Committee of the whole.

11 The council may go into committee of the whole at any time ~~during a public meeting.~~

12
13 2.02.150 Membership on standing committees.

14 A. There shall be three members of all standing committees, membership to be
15 determined by majority roll call vote of the council. The committee members shall be
16 responsible for election of a chairperson and its internal organization.

17 B. The date and time of standing committee meetings shall be determined by the
18 chairperson of such committee and an agenda, including time and place of the meeting,
19 shall be prepared and disseminated at least one day prior to the meeting. The committee
20 meeting agenda shall further be posted conspicuously within the Whatcom County
21 Courthouse.

22 C. The following committees are established:

- 23 1. Finance and personnel;
- 24 2. Planning and development;
- 25 3. Public services and solid waste;
- 26 4. Capital projects;
- 27 5. Health department advisory;
- 28 6. ~~Lake-Whatecom watershed-~~ ~~Water resources.~~

29
30 2.02.160 Committee action.

1 A recommendation of the committee shall be agreed to by a majority of the committee
2 in a regularly called meeting before a proposed ordinance may be is reported out. All
3 actions of a committee pertaining to an ordinance that has been properly introduced, as
4 specified elsewhere in this chapter, will be reported out to the full Council for final
5 consideration. A committee report may contain only that information which is approved
6 by a majority vote of the committee; however, minority reports may be presented to the
7 full council after the committee report is presented. A majority recommendation of the
8 committee may be "do pass," "do pass as amended," "do pass the attached substitute
9 ordinance," "do not pass," "no recommendation," "postpone indefinitely" or "withdraw."
10 Minority reports may also be submitted.

11
12 2.02.170 Membership on required boards, commissions or committees.

13 Membership of council members on those boards, commissions or committees, on which
14 by law members of the legislative body are required to sit, shall be determined by
15 majority roll call vote of the council. Council members who are appointed by the council
16 to any of all other county governmental boards, commissions or committees, other than
17 ad hoc council committees, shall likewise be determined by a majority roll call vote by
18 the council.

19
20 2.02.180 Appointment of non-council members to boards, commissions or
21 committees.

22 Appointments of non-council members to all county or intergovernmental boards,
23 commissions or committees which exercise either an administrative or a legislative
24 function shall be made by the county council in accord with Chapter 2.03 of this code.

25
26 2.02.210 Open meetings.

27 It is the policy of the council that, to the greatest extent possible, meetings will be open
28 to the public. All council and committee meetings shall be held in compliance with the
29 state Open Public Meetings Act (RCW Chapter 42.30). A standing or special committee
30 meeting may be held in executive (closed) session only upon determination to that effect

1 by a majority of the committee in a recorded, roll call vote. A council or committee of
2 the whole meeting may be held in executive session only upon a determination to that
3 effect by a majority vote of the council members present in a recorded, roll call vote.
4

5 2.02.220 Suspension of rules.

6 The rules and procedures set forth in this chapter may be suspended in specific instances
7 by an affirmative roll call vote of at least two-thirds of the members of the council.
8

9 2.02.230 Correspondence requirements.

10 It shall be the responsibility of the council chairperson to respond when appropriate to
11 any correspondence on behalf of the council. Communications requesting council action
12 shall be placed on the appropriate council committee agenda for consideration and
13 recommendation to the full council. A copy of all council-initiated correspondence shall
14 be kept in the council office.
15

16 2.02.240 Recordings or transcripts of council proceedings.

17 The Whatcom County council shall uniformly retain audio recordings or written
18 transcripts of its proceedings for the period of six years, in order to satisfy court
19 requirements for verbatim accounts of the council's proceedings.