

Chapter 463-18 WAC

COUNCIL MEETINGS AND PROCEEDINGS

WAC

463-18-010	Purpose.
463-18-020	Governing procedure.
463-18-050	Open Public Meetings Act proceedings.
463-18-090	Adjudicative proceedings.
463-18-100	Rule-making proceedings.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

463-18-030	Quorum. [Order 105, § 463-18-030, filed 11/4/76.] Repealed by 04-21-013, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040 (1) and (12).
463-18-040	Delegation of duties. [Order 105, § 463-18-040, filed 11/4/76.] Repealed by 04-21-013, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040 (1) and (12).
463-18-060	Procedure in the absence of the chairman. [Statutory Authority: RCW 80.50.040(1). 78-09-079 (Order 78-6), § 463-18-060, filed 8/28/78; Order 105, § 463-18-060, filed 11/4/76.] Repealed by 04-21-013, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50-040 (1) and (12).
463-18-070	Council duties of acting chairman. [Statutory Authority: RCW 80.50.040(1). 78-09-079 (Order 78-6), § 463-18-070, filed 8/28/78; Order 105, § 463-18-070, filed 11/4/76.] Repealed by 04-21-013, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040 (1) and (12).
463-18-080	County, city and port district representatives—Participation. [Statutory Authority: RCW 80.50.040(1). 78-09-079 (Order 78-6), § 463-18-080, filed 8/28/78; Order 105, § 463-18-080, filed 11/4/76.] Repealed by 04-21-013, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040 (1) and (12).

WAC 463-18-010 Purpose. This chapter delineates procedures to be followed at meetings of the council. Business conducted by the council may fall within the scope of the Open Public Meetings Act, chapter 42.30 RCW, or the Administrative Procedure Act, chapter 34.05 RCW.

[Statutory Authority: RCW 80.50.040 (1) and (12). 04-21-013, § 463-18-010, filed 10/11/04, effective 11/11/04; Order 105, § 463-18-010, filed 11/4/76.]

WAC 463-18-020 Governing procedure. The following procedures shall apply to proceedings under the Open Public Meetings Act, chapter 42.30 RCW and rule-making proceedings under the Administrative Procedure Act, chapter 34.05 RCW:

- (1) A majority of the voting council members constitutes a quorum for the conduct of council business.
- (2) All council decisions shall be transacted by motion. Motions may be made by any council member and shall require a second.
- (3) Voting on all motions shall be by voice vote unless a division is called for, in which case the chair shall call the roll by agency and record the votes of each voting member present, "yea" or "nay."
- (4) The order of business shall be conducted as prescribed by the agenda.

(10/11/04)

- (a) The council manager shall prepare each meeting's agenda in consultation with the chair.
- (b) The council may modify a meeting's agenda.

[Statutory Authority: RCW 80.50.040 (1) and (12). 04-21-013, § 463-18-020, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040. 91-03-090, § 463-18-020, filed 1/18/91, effective 2/18/91; Order 105, § 463-18-020, filed 11/4/76.]

WAC 463-18-050 Open Public Meetings Act proceedings. The following requirements apply to those portions of the council's business that fall within the scope of the Open Public Meetings Act, chapter 42.30 RCW:

- (1) Other than executive sessions, the council's meetings are open to the public.
- (2) Regular meetings. Because the council does not hold meetings in accordance with a periodic schedule declared by statute or rule, the council's meetings are not "regular meetings" within the meaning of the Open Public Meetings Act.
- (3) Special meetings.

(a) The chair or a majority of the voting members of the council may call a special meeting at any time in accordance with RCW 42.30.080 by delivering written notice personally or by mail to each council member; and to each local newspaper of general circulation and to each local radio or television station which has on file a written request to be notified of such special meeting or of all special meetings. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the council manager a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage 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.

(b) In addition to the special meeting notice requirements under RCW 42.30.080 described in subsection (4) of this section, the council shall, on or before January of each year, fix the time and place of the special meetings it proposes to hold during the upcoming calendar year and publish a schedule of those meetings in the *Washington State Register*. The council need not publish in the Register notice of any change from such meeting schedule although it may, in its discretion, elect to do so. In addition to the scheduled special meetings published in the *Washington State Register*, the council may hold other special meetings without publication in the Register.

(4) Executive sessions. The chair or a majority of the voting members of the council may call an executive session at any time in accordance with RCW 42.30.110.

[Statutory Authority: RCW 80.50.040 (1) and (12). 04-21-013, § 463-18-050, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040(1) and 34.05.250. 98-01-084, § 463-18-050, filed 12/12/97, effective 1/12/98; Order 105, § 463-18-050, filed 11/4/76.]

WAC 463-18-090 Adjudicative proceedings. Adjudicative proceedings required by RCW 80.50.090(3) shall be governed by the Administrative Procedure Act, chapter 34.05 RCW, and chapter 463-30 WAC.

[Statutory Authority: RCW 80.50.040 (1) and (12). 04-21-013, § 463-18-090, filed 10/11/04, effective 11/11/04.]

WAC 463-18-100 Rule-making proceedings. Rule-making proceedings shall be governed by the Administrative Procedure Act, chapter 34.05 RCW.

[Statutory Authority: RCW 80.50.040 (1) and (12). 04-21-013, § 463-18-100, filed 10/11/04, effective 11/11/04.]