

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

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.

(a) The (~~council manager~~) director shall prepare each meeting's agenda in consultation with the chair.

(b) The council may modify a meeting's agenda.

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

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, or by email 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.

(b) Such notice must be delivered personally (~~(or)~~), by mail, or by email and posted on the agency's website at least (~~(twenty-four)~~) 24 hours before the time of such meeting as specified in the notice.

(c) The call and required notices 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 by the governing body.

(d) Such written notice may be dispensed with (~~(as to any)~~) if a member (who at or prior to the time the meeting convenes files) submits a written waiver of notice with the council (manager a written waiver of notice. Such waiver may be given by telegram) director at

or prior to the time the meeting convenes. Such written notice may also be dispensed with ~~((as to any))~~ if a member who is actually present ~~((at the meeting))~~ at the time ~~((it))~~ the meeting convenes.

(e) 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, or when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage, or when the required notice cannot be posted or displayed with reasonable safety.

~~((b))~~ (f) 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.

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

WAC 463-18-090 Adjudicative proceedings. Adjudicative proceedings required by RCW 80.50.090 ~~((+3))~~ (4) shall be governed by the Administrative Procedure Act, chapter 34.05 RCW, and chapter 463-30 WAC.

AMENDATORY SECTION (Amending WSR 04-21-013, 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, chapters 34.05 RCW and 463-34 WAC.