

CODE

CITY OF REDMOND
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, ADOPTING REDMOND MUNICIPAL CODE
(RMC) 2.08.025, MEETINGS HELD DURING A
DECLARED EMERGENCY, TO ALLOW FOR LIMITED
PUBLIC ATTENDANCE AND FULLY REMOTE MEETINGS IN
ACCORDANCE WITH CHANGES TO THE OPEN PUBLIC
MEETINGS ACT

WHEREAS, in February 2020, Governor Inslee issued Proclamation 20-05 proclaiming a state of emergency resulting from the COVID-19 pandemic. The governor then issued Proclamation 20-28, waiving the requirement that an in-person location be provided for meetings subject to the Open Public Meetings Act (OPMA) and instead requiring governing bodies to hold fully remote meetings; and

WHEREAS, for the purposes of this ordinance, a fully remote meeting is where city officials and the public attend meetings virtually by telephone or electronic means with no in-person attendance; and

WHEREAS, the restrictions on holding in-person public meetings expired June 1, 2022; and

WHEREAS, the Washington State Legislature enacted Engrossed Substitute House Bill 1329 making changes to the Open Public

Meetings Act by amending chapter 42.30 RCW, effective June 9, 2022;
and

WHEREAS, under RCW 42.30.230 meetings subject to the OPMA must be held at a physical location where the public can attend, unless a local, state, or federal emergency has been declared and the public agency determines it cannot hold an in-person meeting with reasonable safety; and

WHEREAS, the meeting may then be held remotely and either fully prohibit or limit in-person public attendance at the meeting; and

WHEREAS, if the meeting is held remotely or public attendance is limited or prohibited, the city must provide a cost-free option for the public to attend in real-time, either by telephone or another readily available alternative; and

WHEREAS the Redmond City Council desires to codify provisions allowing the city to hold a remote meeting during a declared emergency in compliance with the changes made to the Open Public Meetings Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Adoption of Section. RMC 2.08.025, Meetings
Held During a Declared Emergency, is hereby adopted to read as
follows:

Chapter 2.08 COUNCIL MEETINGS
Sections:

2.08.010 Regular meetings - Business meetings - Study
sessions - Committee of the Whole.

2.08.020 Place.

2.08.025 - Meetings held during a declared emergency

2.08.030 Meetings Public - Executive Sessions.

2.08.040 Recordings - Preservation.

2.08.050 Recordings - use and Public Availability.

2.08.060 Recordings - Unlawful Practices.

2.08.070 Recordings - Penalty for Violations.

2.08.25 Meetings Held During a Declared Emergency

A. If, after a declaration of emergency by a local or
state government or agency, or by the federal government, the
city determines that a meeting of the council cannot be held
in-person with reasonable safety due to the emergency, then
the council meeting may:

1. Be held fully remotely without a physical
location; or

2. Be held where the physical attendance by some
or all members of the public is limited.

B. When a fully remote meeting or a meeting at which
the physical attendance by some or all members of the public

is limited due to a declared emergency, the city must provide an option for the public to listen to the meeting telephonically or by using a readily available alternative in real-time that does not require any additional cost for participation. Free readily available options include, but are not limited to, telephonic, broadcast on cable television, internet, or other means of remote access that does not require any additional cost.

C. Notice of a remote meeting without a physical location or a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency must be provided in accordance with state law and must include instructions on how the public may listen live to proceedings and on how the public may access any other electronic means of remote access offered by the city.

D. Meetings that are held under the provisions of this section shall be considered open and public in compliance with the requirements of the Open Public Meetings Act.

E. All meetings conducted under this section shall be noticed and conducted as provided in RCW 42.30.230, as further amended or superseded.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this _____ day of
_____, 2023.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, MMC, CITY CLERK (SEAL)

APPROVED AS TO FORM:

JAMES E. HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
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