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RESOLUTION NO. 381

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, AMENDING COUNCIL RULES OF PROCEDURE RELATING TO PUBLIC COMMENT AND MAYORAL APPOINTMENTS

WHEREAS, Chapter 35A.12.120 RCW gives the City Council of each code city the power to set rules for conducting its business within the provisions of Title 35A RCW; and

WHEREAS, the City Council has amended its rules of procedure multiple times, most recently on December 14, 2015 by Council Resolution No. 380; and

WHEREAS, the City Council has reviewed its rules of procedure and wishes to amend provisions of the rules; and

WHEREAS, the amendments the City Council seeks to make pertain to Council meeting types, public testimony and Mayoral appointments; and

WHEREAS, the City Council wishes to make these changes effective immediately; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON HEREBY RESOLVES:

Section 1. Amendments. The Council Rules of Procedure are amended as set forth in Exhibit A attached hereto.

PASSED BY THE CITY COUNCIL ON FEBRUARY 29, 2016

Christopher Roberts, Mayor

ATTEST:

Jessica Simulcik Smith
City Clerk

ORIGINAL

RULES OF PROCEDURE
Resolution No. 183

TABLE OF CONTENTS

SECTION 1. AUTHORITY
1.1 Intent of Policies 1
1.2 Effect/Waiver of Rules 1

SECTION 2. COUNCIL ORGANIZATION
2.1 Swearing In 1
2.2 Election of Mayor and Deputy Mayor 1
2.3 Duties of Officers 2
2.4 Appointments to Boards and Commissions 3
2.5 Filling a Council Vacancy 3

SECTION 3. AGENDA PREPARATION
3.1 Role of City Clerk 4
3.2 Placement of Items on the Agenda 4
3.3 Format for Staff Reports 4
3.4 Agenda Item Priority 4
3.5 Readings for Ordinances 5

SECTION 4. CONSENT CALENDAR
4.1 Establishment of Consent Calendar 5
4.2 Adoption of Consent Calendar 5
4.3 Removal of Item from Consent Calendar 5

SECTION 5. COUNCIL MEETINGS
5.1 Open Public Meetings 5
5.2 Meeting Cancellation 5
5.3 ~~Business~~ Regular Meetings 6
5.4 Community Group Presentations 6
5.5 Workshop Dinner Meetings 7
5.6 Executive Sessions 8
5.7 Special Meetings 8
5.8 Emergency Meetings 8
5.9 Meeting Place 8
5.10 Notice of Meetings, Public Hearings 8
5.11 Quorum 8
5.12 Attendance, Excused Absences 8

ORIGINAL

5.13 General Decorum 9
5.14 Forms of Address 9
5.15 Seating Arrangement 9
5.16 Dissents and Protests 9
5.17 Request for Written Motions 9
5.18 Confidentiality 9
5.19 Conflict of Interest, Appearance of Fairness 9
5.20 Adjournment 10
5.21 Responsibilities of City Clerk 10
5.22 Attendance of Officers or Employees 10

SECTION 6. PUBLIC TESTIMONY
6.1 ~~Business~~ Regular Meetings 10
6.2 Group Representation 11
6.3 Quasi-Judicial Items 11
6.4 Recognition by Chair 11
6.5 Identification of Speakers 11
6.6 Instructions for Speakers 11
6.7 Rules for Public Hearings 11
6.8 Timekeeper, Donation of Speaking Time 12
6.9 Forms for Comment 12

SECTION 7. MOTIONS
7.1 Voice Votes 12
7.2 Motions that do not Receive or Require Seconds 12
7.3 Tie Votes 12
7.4 Nature of Motion 12
7.5 Discussion Following a Motion 12
7.6 Council Consensus 12
7.7 Withdrawal of Motions 12
7.8 Motion to Table 12
7.9 Motion to Postpone to a Time Certain 13
7.10 Motion to Postpone Indefinitely 13
7.11 Motion to Call for the Question 13
7.12 Motion to Amend 13
7.13 Repetition of the Motion Prior to Voting 13
7.14 Voting 13
7.15 Prohibition of Abstentions 13
7.16 Silence 13
7.17 Prohibition of Voting by Proxy 13
7.18 Close of Discussion 13
7.19 Motion to Reconsider 13
7.20 Questions of Interpretation 14

SECTION 8. ITEMS REQUIRING FOUR VOTES 14

ORIGINAL

SECTION 9. COUNCIL REPRESENTATION
9.1 Expression of Personal Opinion 14
9.2 Support of Official Positions 14
9.3 Correspondence 14
9.4 Use of City Letterhead 14
9.5 Controversial Communications 14
9.6 Direction to Staff 14

SECTION 10. SUSPENSION AND AMENDMENT OF RULES
10.1 Suspension of Rules 14
10.2 Amendment of Rules 15

ORIGINAL

Section 1. Authority.

1.1 These rules constitute the official rules of procedure for the Shoreline City Council. In all decisions arising from points of order, the Council shall be governed by the current edition of Robert's Rules of Order," a copy of which is maintained in the office of the Shoreline City Clerk.

1.2 These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act.

Section 2. Council Organization.

2.1 New Councilmembers shall be sworn in by a judge or the City Clerk.

2.2 Election of Mayor and Deputy Mayor.

A. The Council shall elect a Mayor and Deputy Mayor for a term of two years.

B. The motion to elect the Mayor and Deputy Mayor will be placed on the agenda of the first meeting of even-numbered years.

C. In the event the Mayor is unable to serve the remainder of the term, a new mayor shall be elected at the next meeting. In the event the Deputy Mayor is unable to serve the remainder of the term, a new Deputy Mayor shall be elected at the next meeting.

D. The election of the Mayor shall be conducted by the City Clerk. No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, voting for Mayor takes place in the order nominations were made. Only affirmative votes for Mayor shall be given and Councilmembers will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote (four affirmative votes), the Clerk will declare him/her elected. No votes will be taken on the remaining nominees. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single candidate receives a majority vote. Upon election, the Mayor will conduct

ORIGINAL

the election for Deputy Mayor following the same process.

E. A super majority vote (five votes) shall be required to approve a motion to remove the Mayor or Deputy Mayor from office for cause.

2.3 Duties of Officers.

A. The Mayor, or in his or her absence, the Deputy Mayor, shall be the Presiding Officer of the Council and perform the duties and responsibilities with regard to conduct of meetings and emergency business. In the absence of both the Mayor and the Deputy Mayor, the Council shall elect one of the members to the Council to act as a temporary Presiding Officer.

B. It shall be the duty of the Presiding Officer to:
1. Call the meeting to order.
2. Keep the meeting to its order of business.
3. Control discussion in an orderly manner.
   a. Give every Councilmember who wishes an opportunity to speak when recognized by the chair.
   b. Permit audience participation at the appropriate times.
   c. Require all speakers to speak to the question and to observe the rules of order.
4. State each motion before it is discussed and before it is voted upon.
5. Put motions to a vote and announce the outcome.

C. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.

D. The Presiding Officer may at his or her discretion call the Deputy Mayor or any member to take the chair so the Presiding Officer may make a motion or for other good cause yield the Chair.

E. The Mayor shall appoint Councilmembers to boards and committees that are not otherwise specified by the National League of Cities, Association of Washington Cities, or King County/~~Suburban~~ Sound Cities Association. ~~These include:~~
~~1. Seashore — Two voting members and one alternate~~
~~2. Suburban Cities Association Public Issues Committee — One voting member and one alternate~~
~~3. Water Resource Inventory Area 8 — One voting member and one alternate~~

F. The Mayor shall appoint Councilmembers to Ad hoc City Council subcommittees such as interview panels.~~:~~ ~~p~~Prior to appointment the Mayor shall solicit interest from Councilmembers for their preferred

ORIGINAL

appointments. ~~The Mayor shall then circulate the final appointment list to the Council at least 5 days prior to appointment.~~ The appointment list may be referred to the full Council pursuant to Rule 3.2 A or B.

2.4 Appointments to Boards and Commissions.

The Council will use the following process in managing the appointment of individuals to Boards and Commissions.

A. In closed session, the ad hoc subcommittee of Council members gathers and reviews the applications, and determines which applicants will be interviewed.

B. Subcommittee members inform the City Manager which applicants they plan to interview so that she/he can inform the other Council members. If any Council member feels strongly that someone not on the interview list should be interviewed, she/he may make this known to the City Manager to relay to the subcommittee.

C. "Notice" is then given to the public that the subcommittee shall conduct interviews of the "finalists."

D. In open public meetings, the subcommittee interviews the "finalists." Ground rules will govern the conduct of the meetings and be communicated to all participants. These ground rules will notify audience members that they will not be asked to comment during the meeting, and must not do or say anything that creates the impression that they support or oppose any candidate.

E. In a closed meeting the subcommittee members review the findings from the interviews and reach consensus on whom to recommend that the full Council appoint.

F. In a regular public meeting of the Council, the subcommittee's recommendations are made an agenda item and discussed by the Council. Each Councilmember will have the ability to support, oppose, or amend the list of candidates proposed by the ad hoc committee. The recommendations will not be part of the "consent agenda" to ensure a full and thorough vetting of the subcommittee's recommendations. The Council will vote to appoint new members to the board or commission.

2.5 Filling a Council Vacancy.

A. If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available until an election is held, the Council

ORIGINAL

will widely distribute and publish a notice of the vacancy, the procedure by which the vacancy will be filled, and an application form.

B. The Council will draw up an application form to aid the Council's selection of the new Councilmember.

C. Those candidates selected by Council will be interviewed by the Council during a regular or special Council meeting open to the public. The order of the interviews will be determined by drawing the names; in order to make the interviews fair, applicants will be asked to remain outside the Council Chambers while other applicants are being interviewed. Applicants will be asked to answer questions posed by each Councilmember during the interview process. The interview process will be designed to be fair and consistent. Each candidate will then be allowed two (2) minutes for closing comments. Since this is not a campaign, comments and responses about other applicants will not be allowed.

D. The Council may recess into executive session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy will be conducted during an open public meeting.

Section 3. Agenda Preparation.

3.1 Upon direction by the City Manager, the City Clerk will prepare an agenda for each Council Meeting specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review by the Presiding Officer.

3.2 An item for a Council meeting may be placed on the agenda by any of the following methods:

A. Majority vote or consensus of the Council.

B. By any two Councilmembers, in writing or with phone confirmation, with signatures by fax allowed for confirmation of support, no later than 12:00 p.m. five (5) days prior to the meeting. The names of the requesting Councilmembers shall be set forth on the agenda.

C. By the City Manager.

D. By the Mayor or Deputy Mayor when acting in the absence of the Mayor.

3.3 Staff reports shall be in a standard format approved by the City Council.

3.4 Agenda items will be prioritized in the following order of importance: 1) items scheduled for statutory compliance; 2) advertised public hearings; 3) continued

ORIGINAL

Items from a prior meeting and 4) items scheduled for convenience.

3.5 Ordinances scheduled for Council action will generally receive three readings (with the exception of items that have had a public hearing before the Planning Commission).

A. The first reading will be the scheduling of the item on the Council Agenda Planner by title or subject. If reasonably possible the item should be listed on the Agenda Planner at least two weeks prior to the second reading. The Mayor or City Manager may authorize exceptions for items of an emergency or unexpected nature requiring immediate action.

B. The second reading will be scheduled for review and discussion by the City Council. Items of a routine nature may bypass this meeting and be scheduled directly to a Consent Calendar. In such cases Council shall by motion, waive the second reading as part of the adopting motion.

C. The third reading will be Council review and action at a subsequent meeting.

Section 4. Consent Calendar.

4.1 The City Manager, in consultation with the Presiding Officer, shall place matters on the Consent Calendar which: (a) have been previously discussed by the Council, or (b) based on the information delivered to members of the Council, by the administration, can be reviewed by a Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely.

4.2 The motion to adopt the Consent Calendar shall be non-debatable and have the effect of moving to adopt all items on the Consent Calendar.

4.3 Since adoption of any item on the Consent Calendar implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Calendar. Councilmembers are given an opportunity to remove items from the Consent Calendar after the motion is made and seconded to approve the agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or future Council Meeting.

Section 5. Council Meetings.

5.1 All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30). All ~~Business~~ Regular Meetings, Special Meetings, and Workshop Dinner Meetings of the Council shall be open to the public.

5.2 Any Council Meeting may be canceled by a majority vote or consensus of the Council. The Mayor or Deputy Mayor may cancel a Council Meeting for lack of

ORIGINAL

agenda items.

5.3 The Council shall hold ~~**Business**~~ ***Regular Meetings*** on Mondays of each week at 7:00 p.m. in the Council Chamber of the Shoreline City Hall, located at 17500 Midvale Avenue N, Shoreline, Washington. Should any meeting date occur on a legal holiday, the meeting shall be canceled. There will be no ~~Business~~ Regular Meetings between December 15th and the end of the year.

A. Order of Business for ~~Business~~ Regular Meetings. The order of business shall be as follows:

~~Business~~ Regular Meeting (7:00 p.m.)

1. Call to Order
2. Flag Salute, Roll Call
3. Report of the City Manager
4. Council Reports
5. Public Comment, as set forth in Section 6.1(A) ~~except for Action Items scheduled for a Public Hearing.~~
6. Approval of the Agenda
7. Consent Calendar
8. Action Items: The following procedures shall be used:
   a. Introduction of item by Clerk staff
   b. Presentation by staff
   c. Public Hearings, if any noticed (Hearings should commence at approximately 7:20 p.m.)
   d. Council motion to move adoption of legislation
   e. Council discussion and possible action
9. Study Items: The following procedure shall be used:
   a. Staff reports
   b. Council discussion
10. Executive Session, if needed
11. Adjournment

5.4. The Council shall make available at one meeting of each month, a ***Community Group Presentation***. The order of business shall omit Council Reports and include Community Presentations following the Consent Calendar. The intent of the presentations is to provide a means for non-profit organizations to inform the Council, staff and public about their initiatives or efforts in the community to address a specific problem or need. The presentations are available to individuals who are affiliated with a registered non-profit organization. In order to schedule the presentation, two Councilmembers under Rule 3.2B must sponsor the request. The presentations shall be limited to 30 minutes, with approximately 15 minutes for the presentation and 15 minutes for questions. Guidelines for presentations include:

A. Each organization or agency may complete a request form and submit it to the Shoreline City Manager's Office. The blank form shall be available on

ORIGINAL

the City's website and from the City Clerk's Office.

B. For planning purposes, the presentation must be scheduled on the agenda planner at least four (4) weeks in advance of the meeting date requested.

C. Information and sources used in the presentation should be available in hard copy or electronically for reference.

D. Up to three (3) members of the organization are invited to participate.

E. The presentation must support the adopted position/policy of the organization.

F. The presentation should be more than a general promotion of the organization. The information presented should be about specific initiatives/programs or planning that the organization is doing which is relevant to Shoreline citizens and government.

G. Presentations shall not include:
   1. Discussion of ballot measures or candidates.
   2. Issues of a partisan or religious nature.
   3. Negative statements or information about other organizations, agencies or individuals.
   4. Commercial solicitations or endorsements.

H. Organizations which may have alternative, controversial positions or information will be scheduled at the next available ~~Business~~ Regular Meeting.

5.5 The Council shall hold ***Workshop Dinner Meetings*** on the second and fourth Monday of each month at 5:45 p.m. in the Council Conference Room (C-104) of the Shoreline City Hall, located at 17500 Midvale Avenue N, Shoreline, Washington. Should any meeting occur on a legal holiday, the meeting shall be canceled. There will be no Workshop Dinner Meetings between December 15 and the end of the year.

A. Workshop Dinner Meetings will be informal meetings for the purpose of meeting with other governmental agencies and officials such as the School District, utility districts, Fire District, neighboring city officials, regional organizations, Shoreline-Lake Forest Park Arts Council, Transit, etc., and other agencies and topics as deemed appropriate by the City Council or City Manager. Workshop Dinner Meetings may also be used by the Council to conduct Executive Sessions.

B. No final votes may take place at Workshop Dinner Meetings, however, the Council may provide administrative direction to staff by consensus or vote.

ORIGINAL

The agenda for these meetings will be appended to the ~~Business~~ Regular Meeting agenda and posted and distributed in the same manner as the ~~Business~~ Regular Meeting agenda.

5.6 The Council may hold Executive Sessions from which the public may be excluded, for those purposes set forth in RCW 42.30.110 and RCW 42.30.140. Before convening an Executive Session, the Presiding Officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time, a public announcement shall be made that the Session is being extended.

5.7 ***Special Meetings*** may be held by the Council subject to notice requirements prescribed by State law. Special Meetings may be called by the Mayor, Deputy Mayor, or any four members of the City Council by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. The notice of such Special Meetings shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered. The order of business for Special Meetings may follow Section 5.3A. Public comment for Action Items will follow the procedure found in Section 6.1.

5.8 An ***Emergency Meeting*** is a special Council meeting called without the 24-hour notice. It deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor with the consent of a majority of Councilmembers. The minutes will indicate the reason for the emergency.

5.9 ***Special Meetings and Emergency Meetings*** will be at a time and place as Council directs.

5.10 The City shall comply with the provisions of RCW 35A.12.160. The public shall receive notice of upcoming public hearings through publication of such notice in the City's official newspaper at least ten (10) days prior to the hearing.

5.11 At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business. In the absence of a quorum, the members present may adjourn that meeting to a later date.

5.12 Members of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager, who shall convey the message to the Mayor. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to

ORIGINAL

excuse the member. This motion shall be nondebatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes. Councilmembers who do not follow the above process will be considered unexcused and it shall be so noted in the minutes. A motion to excuse a Councilmember may be made retroactively at the next meeting.

5.13 General Decorum.

A. While the Council is in session, the Councilmembers must preserve order and decorum. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking nor refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules.

B. Any person making disruptive, impertinent, or slanderous remarks while addressing the Council shall be asked to leave by the Presiding Officer and barred from further audience before the Council for that meeting.

5.14 At all meetings except Workshop Dinner Meetings, the Mayor shall be addressed as "Mayor (surname)." The Deputy Mayor shall be addressed as "Deputy Mayor (surname)." Members of the Council shall be addressed as "Councilmember (surname)."

5.15 At all Meetings except Workshop Dinner Meetings, the Mayor shall sit at the center of the Council, and the Deputy Mayor shall sit at the right hand of the Mayor. Other Councilmembers are to be seated in a manner acceptable to Council. If there is a dispute, seating shall be in position order.

5.16 Any Councilmember shall have the right to express dissent from or protest against any ordinance or resolution of the Council and have the reason therefore entered in the minutes.

5.17 Motions shall be reduced to writing when required by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

5.18 Councilmembers should keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from disclosure under the Revised Code of Washington. If a Councilmember unintentionally discloses Executive Session discussion with another party, that Councilmember shall make full disclosure to the City Manager and/or the City Council in a timely manner.

ORIGINAL

5.19 Prior to commencement of discussion of a quasi-judicial item, the Chair will ask if any Councilmember has a conflict of interest or Appearance of Fairness Doctrine concern which could prohibit the Councilmember from participating in the decision-making process. If it is deemed by the Councilmember, in consultation with the City Attorney, that it is warranted, the Councilmember should step down and not participate in the Council discussion or vote on the matter. The Councilmember shall leave the Council Chambers while the matter is under consideration.

5.20 Council meetings shall adjourn no later than 10:00 p.m. The adjournment time established thereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. Any Councilmember may call for a "Point of Order" to review agenda priorities.

5.21 The City Clerk or an authorized Deputy City Clerk shall attend all Council meetings. If the Clerk and the Deputy Clerk are absent from any Council meeting, the City Manager shall appoint a Clerk Pro Tempore. The minutes of the proceedings of the Council shall be kept by the City Clerk and shall constitute the official record of the Council.

5.22 Any City officer or employee shall have the duty when requested by the Council to attend Council Meetings and shall remain for such time as the Council may direct.

Section 6. Public Testimony.

6.1 ~~Business~~ Regular Meetings.

A. Members of the public may address the City Council at the beginning of any ~~Business~~ Regular Meeting under "Public Comment." During the "Public Comment" portion of the meeting, individuals may speak to agenda items or any other topic except those scheduled for a ~~p~~Public ~~h~~Hearing. Individuals may speak for three (3) minutes or less, depending on the number of people wishing to speak. If more than 10 people are signed up to speak each speaker will be allocated two (2) minutes. The total public comment period under Agenda Item 5 (Public Comment) will be no more than 30 minutes. Individuals will be required to sign up prior to the start of the Public Comment period. Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed. If time remains, the Presiding Officer will call individuals wishing to speak to topics not listed on the agenda generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers. ~~During election season, which starts when a candidate officially files their candidacy with the State or a county election office and runs through the election, no person may use public comment to promote or oppose any candidate for public office.~~

ORIGINAL

B. If during a ~~Business~~ Regular Meeting an Action Item is before the Council for the first time and is not part of the consent agenda, public comment for that item will follow the staff report but precede Council review. Individuals may speak for three (3) minutes or less, depending on the number of people wishing to speak. If more than 10 people are signed up to speak each speaker will be allocated two (2) minutes. The total public comment period for the agenda item will be no more than 30 minutes.

6.2 Public Hearing.

The following rules shall be observed during any Public Hearing:

A. Individuals will be allowed three (3) minutes to speak.

B. The Presiding Officer may allow additional time for receipt of written testimony when needed.

C. Prior to closing the hearing the Mayor or Deputy Mayor shall inquire if there are any additional speakers other than those that have signed up and previously spoken, and if there are they shall be allowed to testify.

6.~~2~~3 When large numbers of people are signed up to speak on the same topic, the Mayor may request that the group(s) select a limited number of speakers to cover their view and then ask all those who agree with that position to stand at the conclusion of each presentation.

6.~~3~~4 Public testimony authorized in Section 6.1 may not include comments or information on any quasi-judicial matter pending before the City Council, or on any topic for which Council has closed the public record. During election season, which starts when a candidate officially files their candidacy with the State or a county election office and runs through the election, no person may use public comment to promote or oppose any candidate for public office.

6.~~4~~5 No person shall be allowed to address the Council while it is in session without the recognition of the Presiding Officer.

6.~~5~~6 Persons testifying shall identify themselves for the record as to name, city of residence and any organization represented.

6.~~6~~7 An instruction notice for speakers will be available at the meeting. Speakers will be advised by the Presiding Officer that their testimony is being recorded.

~~6.7 The following rules shall be observed during any Public Hearing:~~

B. ~~Individuals will be allowed three (3) minutes to speak.~~

ORIGINAL

~~B. The Presiding Officer may allow additional time for receipt of written testimony when needed.~~

~~C. Prior to closing the hearing the Mayor or Deputy Mayor shall inquire if there are any additional speakers other than those that have signed up and previously spoken, and if there are they shall be allowed to testify.~~

6.8 The Clerk shall be the timekeeper for all public testimony. Time cannot be donated by one speaker to another.

6.9 Printed forms shall be made available at all Council Meetings to allow for written testimony to Council.

Section 7. Motions.

7.1 Unless otherwise provided for by statute, ordinance, resolution, or these Rules of Procedure, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote shall be taken by the City Clerk.

7.2 Prior to discussion of an Action Item, a Councilmember should make a motion, which is seconded by another Councilmember, on the topic under discussion. If the motion is not seconded, it dies. Some motions do not require a second: nominations, withdrawal of a motion, request for a roll call vote, and point of order.

7.3 In case of a tie vote on any motion, the motion shall be considered lost.

7.4 Motions shall be clear and concise and not include arguments for the motion.

7.5 After a motion has been made and seconded, Councilmembers may discuss their opinions on the issue prior to the vote. If they wish to do so, they may state why they will vote for or against the motion.

7.6 When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the Council's consensus at the conclusion of the discussion.

7.7 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.

7.8 A motion to table is nondebatable. It requires a majority to pass. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future meeting, at which time discussion can continue. If an item is tabled, it cannot be reconsidered at the same meeting.

ORIGINAL

7.9 A motion to postpone to a specific time is debatable, is amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The motion being postponed must be considered at a later time in the same meeting or a specific future meeting.

7.10 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The merits of the main motion may be debated.

7.11 A motion to call for the question shall close debate on the main motion and is nondebatable. This motion must receive a second and fails without a two-thirds (2/3) vote. Debate is reopened if the motion fails.

7.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.

7.13 When the discussion is concluded, the motion maker, Mayor, or City Clerk, shall repeat the motion prior to voting.

7.14 The City Council votes on the motion as restated. If the vote is unanimous, the Mayor shall state that the motion has been passed unanimously according to the number of Councilmembers present, such as "7-0" or "6-0." If the vote is not unanimous, the Mayor shall state the number of Councilmembers voting in the affirmative and the number voting in the negative and whether the motion passes or fails.

7.15 If a Councilmember has a conflict of interest or an appearance of fairness question under state law, the Councilmember may recuse themselves from the issue and shall leave the council chambers during discussion and voting on the issue. That Councilmember shall be considered absent when voting occurs.

7.16 If a member of the Council is silent on a vote, it shall be recorded as an affirmative vote. If a member of the Council abstains, it shall be recorded as an abstention and not included in the vote tally.

7.17 No vote may be cast by proxy.

7.18 Once the vote has been taken, the discussion is closed. It is not necessary for Councilmembers to justify or explain their vote. If they wish to make their positions known, this should happen during the discussion preceding the vote.

7.19 After the question has been decided, any Councilmember who voted in the majority may move for a reconsideration of the motion. The motion for reconsideration must be made at the same or next regular meeting.

ORIGINAL

7.20 The City Attorney, in consultation with the City Clerk, shall decide all questions of interpretations of these policies and procedures and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these policies and procedures shall be governed by the current edition of Robert's Rules of Order. In the event of a conflict, these Council rules of procedures shall prevail.

Section 8. Items Requiring Four Votes.

The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution for the removal of the City Manager shall require the affirmative vote of at least a majority of the whole membership of the Council (four votes) [RCW 35A 13.170 and 35A.12.1201].

Section 9. Council Representation

9.1 Councilmembers who meet with, speak to, or otherwise appear before a community group or another governmental agency or representative must clearly state if his or her statement reflects their personal opinion or if it is the official stance of the City, or if this is the majority or minority opinion of the Council.

9.2 When Councilmembers represent the City or attend meetings in an official capacity as Councilmember, they must support and advocate the official City position on an issue, not a personal viewpoint.

9.3 Once the City Council has taken a position on an issue, all official City correspondence regarding the issue will reflect the Council's adopted position.

9.4 City letterhead shall not be used for correspondence of Councilmembers representing a dissenting point of view from an official Council position.

9.5 As a matter of courtesy, letters to the editor, or other communication of a controversial nature, which do not express the majority opinion of the Council, shall be distributed to the full Council so that Councilmembers may be made aware of the impending publication.

9.6 If the Council, in Executive Session, has given direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party shall be done by the designated City staff representative handling the issue.

Section 10. Suspension and Amendment of Rules.

10.1 Any provision of these rules not governed by state law or City ordinance may be temporarily suspended by a majority vote of the Council.

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10.2 It is the intent of the City Council that the rules of procedure be periodically reviewed as needed. These rules may be amended, or new rules adopted, by a majority vote of the Council, provided that the proposed amendments or new rules shall have been distributed to Council at least one week prior to such action.

Amended by Resolution No. 196
Amended by Resolution No. 205
Amended by Resolution No. 224
Amended by Resolution No. 244
Amended by Resolution No. 255
Amended by Motion, Dec. 7, 2009
Amended by Resolution No. 295
Amended by Resolution No. 296
Amended by Resolution No. 298
Amended by Resolution No. 299
Amended by Resolution No. 306
Amended by Resolution No. 310
Amended by Resolution No. 326
Amended by Resolution No. 334
Amended by Resolution No. 344
Amended by Resolution No. 380
Amended by Resolution No. 381