

RESOLUTION NO. 98

A RESOLUTION OF THE CITY OF WOODINVILLE,
WASHINGTON, AMENDING THE RULES OF
PROCEDURE FOR THE CITY COUNCIL AND
AMENDING RESOLUTIONS NO. 63 AND 67

WHEREAS, the City Council adopted Resolution No. 63, Adopting Rules of Procedure for the City Council, on January 10, 1994; and

WHEREAS, Resolution 67 amended the Rules set forth in Resolution 63; and

WHEREAS, the City Council believes that further amendments will facilitate the meeting process; now, therefore,

**THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON
RESOLVES AS FOLLOWS:**

Section 1. General. These rules constitute the official rules of procedure for the Woodinville City Council. In all other contested decisions arising from points of order, the Council shall be governed by Robert's Rules of Order (Newly Revised), a copy of which is maintained in the office of the Woodinville City Clerk.

Section 2. Organization.

A. **Swearing in of New Councilmembers.** New Councilmembers shall be sworn in either:

1. Up to ten days prior to the day they are scheduled to assume their office; or
2. At the last Regular Meeting of the Council held before they are to assume their office.

B. **Election of Mayor.** The Council shall elect a Mayor and Deputy Mayor for a term of two years and organize itself at the first Council Meeting during even-numbered years. In the temporary absence of the Mayor, the Deputy Mayor shall perform the duties and responsibilities of the Mayor with regard to conduct of meetings and emergency business. In the event the Mayor is unable to serve the remainder of the term, a new Mayor shall be elected at the next Regular 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 Regular Meeting.

C. Quorum. At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business but a lesser number may recess or adjourn.

D. Voting. The votes during all Council Meetings shall be transacted as follows:

1. Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a roll call vote shall be taken by the Clerk. The order of the roll call vote will be conducted by position number starting with Position Number one.

2. In case of a tie vote on any proposal, the proposal shall be considered lost.

3. Each Council member shall vote on all questions put to the Council, unless a conflict of interest or an appearance of fairness question under state law is present. Unless a member of the Council states that he or she is abstaining, his or her silence shall be recorded as an affirmative vote.

E. Attendance, Excused Absences. RCW 35A.12.060 provides that a Councilmember shall forfeit his or her office by failing to attend three consecutive Regular Meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the City Manager or City Clerk prior to the meeting and state the reason for his or her inability to attend the meeting. The City Manager or City Clerk 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 excuse the member. This motion shall be non-debatable. 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. As a courtesy, Councilmembers shall also notice their absence for Study Sessions in a similar manner as set forth for Regular meetings.

F. General Decorum.

1. While the Council is in session, the members must preserve order and decorum, and 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 or refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules.

2. Any person making personal, impertinent, or slanderous remarks or who becomes boisterous while addressing the Council shall be asked to leave by the Presiding Officer and forthwith, by the Mayor, barred from further audience before the Council.

G. Confidentiality.

1. 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 exemptions set forth in the Revised Code of Washington.

2. If the Council, after Executive Session, has provided direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with any other party should be done by the designated City staff representative handling the issue. Councilmembers should obtain the permission of the City Manager prior to discussing the information with anyone other than other Councilmembers, the City Attorney or City staff designated by the City Manager. Any Councilmember having any contact or discussion needs to make full disclosure to the City Manager and/or the Council in a timely manner.

H. Adjournment. Council Meetings shall adjourn at 10:00 p.m. The adjournment time established hereunder may be extended to a later time certain upon approval of a motion by at least four members of the Council.

I. City Clerk. The Clerk or an authorized Deputy Clerk shall attend all Council Meetings. If the Clerk and the Deputy Clerk are absent from any Council Meeting, then the Presiding Officer shall ask the City Manager to appoint a member of the staff to act as Clerk for that meeting.

J. Attendance of Officers or Employees. 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 3. Officers.

A. Presiding Officers. The Mayor or in his or her absence the Deputy Mayor shall be the Presiding Officer of the Council. In the absence of both the Mayor and the Deputy Mayor the Council shall appoint one of the members of the Council to act as a temporary Presiding Officer.

B. Presiding Officer's Duties. 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. Presiding Officer, Question of Order. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.

D. Presiding Officer, Participation. 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.

Section 4. Duties and Privileges of Councilmembers.

A. Forms of Address. The Mayor shall be addressed as "Mayor (surname)" or "Your Honor". The Deputy Mayor shall be addressed as "Deputy Mayor (surname)". Members of the Council shall be addressed as "Councilmember (surname)".

B. Seating Arrangement. For regular meetings, Councilmembers shall occupy the respective seats in the Council Chamber assigned to them by position number, except that the Mayor shall sit at the center of the Council, and the Deputy Mayor shall sit at the left hand of the Mayor. For study sessions and less formal meetings of the Council, the Mayor shall sit at the center or the head of the table, and the Deputy Mayor and other Councilmembers shall be seated randomly.

C. Dissents and Protests. 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.

D. Council Comments. The sequence and order of council comments shall rotate by position number for each regular meeting.

Section 5. Committees.

A. Ad Hoc Committee Assignments. Ad hoc committees of not more than three Councilmembers may be appointed by the Mayor, with the concurrence of the Council, from time to time as the need arises. The Mayor, with the concurrence of the Council, shall also appoint the chair of any such ad hoc committees.

~~B. Standing Committee Assignments. If standing committees are established, they shall be appointed by the Mayor, with the concurrence of the Council. The Mayor, with the concurrence of the Council, shall also appoint the chair of such standing committees.~~

Section 6. Meetings. All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW 42.30). All Regular Meetings, Special Meetings and Study Sessions of the Council shall be open to the public. Council Meetings held on the second and fourth Mondays of each month shall be used as Regular Meetings of the Council and Council Meetings held on the first and third Mondays shall be used as Study Sessions in accordance with Resolution Number 4.

A. Regular Meetings. The Council shall hold Regular Meetings on the second and fourth Mondays of each month between 7:00 p.m. and 10:00 p.m. Should any meeting occur on a legal holiday, the meeting shall be held at the same hour and place on the next working day.

B. Study Sessions. The Council shall hold Study Sessions on the first and third Mondays of each month between 7:00 p.m. and 10:00 p.m. Should any meeting occur on a legal holiday, the meeting shall be held at the same hour and place on the next working day. Study Sessions will be informal meetings for the purpose of reviewing: the upcoming Regular Meeting preliminary agenda; forthcoming programs and future Council agenda items; progress on current programs or projects; or other information the City Manager feels is appropriate.

C. Special Meetings. Special Meetings may be held by the Council subject to notice requirements prescribed by State law. Special Meetings may be called by the Mayor by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. Special Meetings shall also be called by the Mayor upon the written request of any three members of the Council. The notice of such Special Meetings shall state the subjects to be considered, and no subjects other than those specified in the notice shall be considered.

D. Executive Sessions. The Council may hold Executive Sessions from which the public may be excluded, for those purposes set forth in RCW 42.30.110. 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.

E. Meeting Place. Council Meetings will be at the Council Chambers, 13203-A NE 175th Street, Woodinville, Washington 98072, unless public notice is given of another location.

~~F. Committee Meetings. Committee Meetings may be held by each Ad Hoc or Standing Committee at the times and dates announced in accordance with state law.~~

G. Public Notice. The City shall comply with the provisions of RCW 35A.12.160.

Section 7. Council Order of Business.

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

Regular Session (7:00 - 10:00 p.m.)

1. Call to Order
2. Roll Call, Flag Salute
3. Approve the Agenda in Content and Order
4. Public Comments
5. Special Items
6. Public Hearing
7. Consent Calendar
8. Unfinished Business
9. New Business
10. Report of City Manager
11. Public Comments
12. Reports of Councilmembers
13. Executive Session
14. Adjournment

B. Order of Business for Study Sessions. The order of business for each Study Session shall be as follows:

Study Session (7:00 - 10:00 p.m.)

1. Public Comments for items not on the agenda in accordance with Section 9.A
2. Study items
3. Council discussion of upcoming preliminary agenda items
4. Executive Session

C. Council Agenda. No legislative item shall be voted upon which is not on the agenda as approved by the Council at the meeting.

Section 8. Consent Calendar.

A. 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.

B. 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. 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. Therefore, under the item "Approve the Agenda in Content and Order", the Presiding Officer shall inquire if any Councilmember wishes an item to be withdrawn from the Consent Calendar. 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 a future Council Meeting.

Section 9. Public Testimony.

A. Oral and Written Comments. The Council shall not take public testimony at the Regular Meeting except for testimony given at a Public Hearing; provided that any person may speak under Public Comments for no more than three minutes. Suspension of this rule will require four votes. If a person appearing before the Council has more than one matter to bring up before the Council, that person, after speaking on one matter, will be given an opportunity to bring up other matters after all those who have signed up to speak have been given an opportunity to do so. The Presiding Officer shall ask the rest of the Councilmembers if they have any questions before being excused.

After a citizen (or group of citizens) has made their public comment, the Presiding Officer will respond to the citizen or group with one of the following actions:

1. The commentator will be thanked for their input if it is a comment only.
2. The commentator will be requested to provide more information in writing to the City Clerk, if further information is needed. This information will be distributed to the Council before the next regular meeting or study session.
3. Staff will be directed to follow up if an administrative answer or problem resolution is required.
4. The item will be deferred to a study session if it requires a policy decision on the part of the council or if the issue will require substantial discussion.
5. The item will be placed on that night's agenda if it is an emergency or is driven by an imminent due date.

The decision as to which alternative to use will be at the discretion of the Presiding Officer. The Presiding Officer will verbalize a reason for his/her choice. After the Presiding Officer's decision, any Councilmember may make a motion to select one of the other alternatives. If the motion is seconded it will be discussed and voted on. Should the motion fail, the Presiding Officer may use the previously chosen alternative or may select a different one, again providing a verbal reason.

Public oral testimony shall not be given on quasi-judicial matters outside of a public hearing except on matters of procedure. If a quasi-judicial matter is on the agenda, the public will be informed by the City Attorney as to what state law permits as to public comments on quasi-judicial matters. If comments are provided in writing, they may be

submitted to the Council on quasi-judicial matters which the Council is considering at a Regular Meeting. Such written comments must be filed with the Clerk no later than 1:00 p.m. of the Wednesday preceding the Regular Meeting. No material submitted later than that time will be considered by the Council until the next Regular Meeting. Written comments to the Council on quasi-judicial matters will be reviewed by the City Attorney who will exclude information which is not contained in the record of the hearing examiner before submission to the Council or otherwise not appropriate for Council consideration.

The Council may more informally take public comments at a Study Session, when appropriate and practical.

B. Identification of Speakers. Persons testifying shall identify themselves for the record as to name, address, and organization.

C. Instructions for Speakers. An instruction notice for speakers will be affixed to the podium. Speakers will be advised by the Mayor that their testimony is being recorded.

D. Rules for Public Hearings. The following rules shall be observed during any Public Hearing:

Public Hearings shall begin promptly at 8 p.m. The Presiding Officer shall recognize a motion to table the current agenda item until the conclusion of the public hearing, and to open the public hearing.

The Presiding Officer shall declare the public hearing open, and ask for the City staff presentation. Following questions of staff by Council, the applicant shall be given ten minutes to present the issue. Following the presentation of the applicant, the major opponent shall be allowed to speak to the issue for ten minutes. Then, any interested person may be heard for three minutes each. Opponent and interested persons shall be given three minutes each to speak. The Presiding Officer shall recognize staff comments and questions from the Council. After all interested members of the public and staff have had an opportunity to speak, the applicant shall be given the opportunity to respond to or rebut information presented by the opponent or members of the public or staff. This opportunity for rebuttal shall not be used to present new information or to address subjects other than issues raised by the opponent and public. After all interested persons have had a fair opportunity to speak, the Presiding Officer shall declare the public hearing closed. The Council may, however, decide to allow for certain written materials to be presented to the Council for a period of time. This shall be decided by the Council and require a majority vote. Once the public hearing is closed, no person may introduce new substantive information without reopening the public hearing. The Council may alter the time limits of speakers upon a vote prior to the opening of the hearing.

~~E. Rules for Quasi-judicial Hearings; The following additional rules shall be observed during any quasi-judicial public hearing:~~

The Presiding Officer shall declare the public hearing open, and ask for Councilmembers to reveal Ex Parte oral or written communications or any potential appearance of fairness problems. Councilmembers will disclose any facts which could lead to a challenge. After all disclosures are made, the Presiding Officer will ask if any person in the audience wished to make an Appearance of Fairness challenge to any Councilmember. If so, the member of the audience will come forward to the podium and make their challenge. After all challenges have been made, the Presiding Officer may ask the City Attorney to advise if any Councilmember should be disqualified. This may be done in public or executive session. Any Councilmember so disqualified shall leave the room and not return until after the conclusion of the quasi-judicial matter.

After any disqualified Councilmember leaves, the quasi-judicial hearing shall proceed under the same rules as provided in Section 9D.

F. Addressing Council Outside of a Public Hearing or Public Comments. No person shall be allowed to address the Council while it is in session without the recognition of the Presiding Officer.

Section 10. Agenda Preparation.

A. The Clerk will prepare a preliminary 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 preliminary agenda is subject to review by the Mayor.

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

1. A majority vote of the Council for a Regular Council meeting.
2. Council consensus.
3. By any two Councilmembers, in writing or with phone confirmation, with signatures by fax allowed for confirmation of support, no later than 12 p.m. (noon) on the Wednesday preceding the meeting. The names of the requester Councilmembers shall be set forth on the agenda. The item shall be placed on the next scheduled study session.
4. By the City Manager.
5. By a Council Committee.
6. By the Mayor.

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C. An item may only be placed on the preliminary agenda for a regular Council Meeting after the preliminary agenda is finalized if a Councilmember or the City Manager explains the necessity for placing the item on the agenda and receives a majority vote of the Council to so do.

D. Legally required advertised public hearings will have a higher priority over other agenda items which have been scheduled for convenience rather than statutory or other reasons.

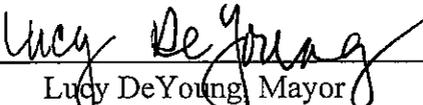
E. Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

F. The preliminary agenda will be finalized by Wednesday, noon for the following Monday meeting. Preliminary agenda materials will be available at City Hall for the Council, City Staff, media, and the public by Friday at 9 a.m. prior to the Monday meeting.

G. It is the intent of the City Council that council procedures be periodically reviewed as needed, but no less than every two years, therefore Council procedures shall be considered in the month of January of every even numbered year, and may be considered any other time that Council shall choose to review them.

Section 11. Effect/Waiver of Rules. 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. The City Council may, by a majority vote, determine to temporarily waive any of the provisions herein.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS
PASSAGE THIS 11TH DAY OF JULY 1995.


Lucy DeYoung Mayor

ATTEST:


James K. Katice
City Clerk/Treasurer