

City of North Bonneville



Washington

City Council
Rules of Procedure

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1. General Rules

1.1 Meetings to be Public: All regular and special meetings of the Council shall be open to the public with the exception of executive sessions for certain limited topics (as defined in RCW Chapter 42.30).

1.2 Quorum: Three Council Members shall be in attendance to constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall be named and they shall adjourn to a later time, but no adjournment shall be for a longer period than until the next regular meeting.

1.3 Attendance, Excused Absences: RCW 35A.12.060 provides that a Council Member shall forfeit his/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 Chair prior to the meeting and state the reason for his/her inability to attend the meeting. If the Member is unable to contact the Chair, the Member shall contact the City Clerk or Deputy City Clerk, who shall convey the message to the Chair. The Chair shall inform the Council of the Member's absence and state the reason for such absence. With cause, the Council may by majority vote to deny excusal.

1.4 Attendance by Conference Call – Occasionally a council member will not be able to physically attend a meeting due to personal problems or work conflicts; the council member received a full council packet, is prepared to participate but cannot physically be present at the meeting, and is interested in and able to participate. Upon request, the council member may participate via “conference call” or similar electronic device. Minimally, the conference call will allow the physically missing council member to hear the discussions, allows the same member to express his/her opinions and vote on the issues, and allows the members attending the meeting to hear the council member’s contributions over the telephone system or similar electronic device. Attendance by conference call shall not be allowed in quasi-judicial hearings. Any costs associated with the conference call shall be borne by the council member.

1.5 Journal of Proceedings: A journal of all proceedings (minutes) of the Council shall be kept by the City Clerk and shall be open to public inspection.

1.6 Right of Floor: Any Member desiring to speak shall be recognized by the Chair and shall confine his/her remarks to the subject under consideration or to be considered. Interruptions to a Council Member’s comments shall be deemed out of order.

1.7 Parliamentary Procedure: The City of North Bonneville shall follow a simplified form of Robert’s Rules of Order in its proceedings, as defined in Appendix A. Any questions regarding parliamentary procedure will be resolved by Robert’s Rules of Order Newly Revised.

2. Types of Meetings

2.1 Regular Council Meetings: The City Council shall hold meetings at a day and time determined by the Council. When a Council meeting falls on a holiday, the Council may determine an alternate day for the meeting or cancel the meeting. The Council may reschedule regular meetings to a different date or time, by motion. The location of the meetings shall be the Council Chambers at city hall, unless specified otherwise by a majority vote of the Council.

2.2 Special Meetings: The Mayor or any three (3) Members of the Council may call a Special meeting. The City Clerk shall prepare a notice of the special meeting stating the time, place and business to be transacted. The City Clerk shall attempt to notify each Member of the Council of the special meeting. The City Clerk shall give at least 24 hours' notice of the special meeting to each local newspaper of general circulation and to each local radio and/or television station, which has filed with the Clerk a written request to be notified of special meetings. No subjects other than those specified in the notice shall be considered. Special meetings may be called in less than 24 hours, and without the notice required in this section, to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage. Any decisions made during emergency sessions shall be ratified at the next properly scheduled and publicized meeting.

2.3 Continued and Adjourned Sessions: Any session of the Council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting.

2.4 Study Sessions and Workshops: The Council may meet informally in study sessions and workshops (open to the public), at the call of the Mayor or of any three or more Members of the Council, to review forthcoming programs of the city, receive progress reports on current programs or projects, receive other similar information from city department heads or conduct workshops, provided that all discussions and conclusions thereon shall be informal and do not constitute official actions of the Council. Study sessions and workshops held by the council are "special meetings" of the council, and the notice required by RCW 42.30.680 must be provided.

2.5 Executive Sessions: Executive sessions or closed meetings may be held in accordance with the provisions of the Washington State Open Meetings Act (RCW 42.30.110). Among the topics that may be discussed are: (1) certain personnel matters; (2) consideration of acquisition of property for public purposes or sale of city-owned property; and (3) potential or pending litigation in which the city has an interest. The Council may hold an executive session during a regular or special meeting. Before convening in executive session the Chair shall publicly announce the purpose of the executive session and the time when the executive session will be concluded. If the Council plans to adjourn its regular or special meeting at the close of a meeting from executive session, that fact shall be announced along with the estimated time for the

executive session. The announced time limit for executive sessions may be extended to a later time by the announcement of the Chair.

3. Chair and Duties

3.1 Chair: The Mayor, if present, shall preside as Chair at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and Mayor Pro Tem, the Council shall elect a Chair.

3.2 Call to Order: Council meetings shall be called to order by the Mayor or, in his absence, by the Mayor Pro Tem. In the absence of both the Mayor and Mayor Pro Tem, the meeting shall be called to order by the City Clerk or Clerk's designee for the election of a temporary Chair.

3.3 Preservation of Order: The Chair shall preserve order and decorum, prevent attacks on personalities or the impugning of Members' motives and confine Members in debate to the question under discussion.

3.4 Points of Order: The Chair shall determine all points of order, subject to the right of any two Members to appeal, by motion and second, to the Council. If any appeal is taken, the question shall be "Shall the decision of the Chair be sustained?"

3.5 Questions to be Stated: The Chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon all questions.

3.6 Mayor - Powers: The Mayor may not make or second motions, but may participate in debate to the extent that such debate does not interfere with chairing the meeting. If the mayor wishes to participate as a non-chair council member in the debate of an issue, the mayor shall turn over chairing of that portion of the meeting to the Mayor Pro Tem, or to another Council Member if the Mayor Pro Tem is absent. The mayor's voting rights and veto power are as specified in RCW 35A.12.100.

4. Order of Business and Agenda

4.1 Order of Business: The order of business for all regular meetings shall be transacted as follows:

- (A) Call to Order
- (B) Roll Call
- (C) Pledge of Allegiance
- (D) Changes and Additions to the Agenda
- (E) Public Hearings
- (F) Consent Agenda
- (G) Guest Presentations
- (H) Public Comment
- (I) Council Member and Staff Comments
- (J) Clerk/Treasurers Report

- (K) City Attorney's Report
- (L) Unfinished Business
- (M) New Business
- (N) Closing Public Comments
- (O) Adjournment

The Consent Agenda may contain items which are of a routine and non-controversial nature which may include, but are not limited to, the following: meeting minutes, payroll, and vouchers. Any item on the Consent Agenda may be removed and considered separately as an agenda item at the request of the Mayor or any Council Member.

4.2 Council Agenda: The Mayor shall prepare the agenda for Council meetings. Items to be included on the agenda for Council consideration must be submitted to the City Clerk, including all supporting documents and action requested, by 1400 hours the Thursday prior to the Council meeting. The City Clerk shall prepare a proposed agenda for approval by the Mayor, or in his absence, by the Mayor Pro-Tem, with the agenda to be distributed no later than 1200 hours the Friday prior to the Council meeting. No legislative item shall be voted upon which is not on the published Council agenda, except in emergency situations (defined as situations which would jeopardize the public's health, safety or welfare). Council meetings shall comply with RCW 35A.12.110.

4.3 Council Member and Staff Comments: The agenda shall provide a time when Council members and staff may bring before the Council any business they feel should be deliberated upon by the Council. These matters need not be specifically listed on the agenda, but formal action on such matters shall be deferred until a subsequent Council meeting.

4.4 If a Council Member requests an item to be put on the agenda, the mayor must put that item on the agenda within a reasonable time. If s/he fails to do so, Council may at the beginning of the meeting by majority vote add the item to an agenda.

5. Consensus and Motions

5.1 Motions: No motion shall be entertained or debated until duly seconded and announced by the Chair. The motion shall be recorded and, if desired by any Council Member, it shall be read by the Clerk before it is debated and, by the consent of the Council, may be withdrawn at any time before action is taken on the motion.

5.2 Votes on Motions: Each Member present shall vote on all questions put to the Council except on matters in which he or she has been disqualified for a conflict of interest or under the appearance of fairness doctrine. Such Member shall disqualify himself or herself prior to any discussion of the matter. When disqualification of a Member results or may result in the inability of the Council to act on a required matter, any Member who was absent or who had been disqualified under the appearance of fairness doctrine may subsequently participate. Such Member shall first make the Council and audience aware

of his/her conflict. S/he shall also have fully educated him/herself on the forgoing materials and discussions.

5.3 Motions to Reconsider: A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same or succeeding regular meeting. No motion to reconsider an adopted quasi-judicial written decision shall be entertained after the close of the meeting at which the written findings were adopted.

6. Public Hearing Procedures

6.1 Speaker Sign-in: Prior to the start of a public hearing the Chair may require that all persons wishing to be heard sign in with the City Clerk or Deputy City Clerk, giving their name and city of residence, and whether they wish to speak as a proponent, opponent or from a neutral position. If the hearing regards a land-use issue, a physical address shall be required on the sign-in sheet. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. The Chair, subject to the concurrence of a majority of the Council, may establish time limits and otherwise control presentations. (Suggested time limit is three minutes per speaker or five minutes when presenting the official position of an organization or group.) The Chair may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, etc.).

6.2 Conflict of Interest/Appearance of Fairness: Prior to the start of a public hearing the Chair shall ask if any Council Member has a conflict of interest or Appearance of Fairness Doctrine concern which could prohibit the Council Member from participating in the public hearing process. A Council Member who refuses to step down after challenge and the advice of the City Attorney, a ruling by the Mayor or Chair and/or a request by the majority of the remaining Members of the Council to step down is subject to censure. The Council Member who has stepped down shall not participate in the Council decision nor vote on the matter. Nothing herein shall be interpreted to prohibit a Council Member from stepping down in order to participate in a hearing in which the Council Member has a direct financial or other personal interest.

6.3 The Public Hearing Process: The Chair introduces the agenda item, opens the public hearing and announces the following Rules of Order:

(A) Any individuals making comments shall first be recognized by the Chair and then give their name and city of residence. This is required because an official recorded transcript of the public hearing is being made.

(B) Anyone making "out of order" comments shall be subject to removal from the meeting. The chair may recess or adjourn the meeting until order can be restored.

(C) There shall be no demonstrations during or at the conclusion of anyone's presentation.

(D) These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his/her right of free speech.

(E) The Chair calls upon city staff to describe the matter under consideration.

(F) The Chair calls upon proponents, opponents and all other individuals who wish to speak regarding the matter under consideration.

(G) The Chair inquires as to whether any Council Member has questions to ask the proponents, opponents, speakers or staff. If any Council Member has questions, the appropriate individual shall respond.

(H) The Chair continues the public hearing to a time specific or closes the public hearing.

7. Duties and Privileges of Citizens

These rules are intended to promote an orderly system of holding a public meeting and to give every person an opportunity to be heard.

7.1 Meeting Participation: Citizens are welcome at all Council meetings and are encouraged to attend and participate during citizen comment periods and at the request of the Chair or a Council Member. Recognition of a speaker by the Chair is a prerequisite and necessary for an orderly and effective meeting, be the speaker a citizen, Council Member or staff Member. Further, it shall be expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the specific subject under consideration. Anyone making out-of-order comments or acting in an unruly manner shall be subject to removal from the meeting. Use of cellular telephones is prohibited in the Council Chambers.

7.2 Subjects Not on the Current Agenda: Under agenda item "Public Comments" citizens may address any item they wish to share with the Mayor and Council. They shall first obtain recognition by the Chair, state their name, city of residence and subject of their comments. The Chair shall then allow the comments, subject to a three minute limitation per speaker, or other limitations as the Chair or Council may deem necessary. Following such comments, if action is required or has been requested, the Chair may place the matter on a future agenda or refer the matter to staff or a Council committee for action or investigation and report at a future meeting.

7.3 Subjects on the Current Agenda: Any Member of the public who wishes to address the Council on an item on the current agenda shall make such request to the Chair or Presiding Officer. The Chair shall rule on the appropriateness of public comments as the agenda item is reached. The Chair may change the order of speakers so that testimony is heard in the most logical grouping (i.e. proponents, opponents, adjacent owners, etc.). All comments shall be limited to three minutes per speaker, or other limitations as the Chair or Council may deem necessary.

7.4 Manner of Addressing the Council - Time Limit: Each person addressing the Council shall give his/her name and city of residence in an audible tone of voice for the record and, unless further time is granted by the Council, shall limit his/her remarks to three minutes. All remarks shall be addressed to the Council as a body and not to any Member thereof. No person, other than the Chair, Members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the Members of the Council. No questions shall be asked of the Council Members, except through the Chair. The Mayor with the approval of Council may then determine the disposition of the issue (information only, workshop, a future agenda, assign to Council Committee, do not consider, etc.).

7.5 Written Communications: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the city's business or over which the Council had control at any time. The written communication may be submitted by direct mail, email or by addressing written communication to the City Clerk who will distribute copies to the Council Members. The communication shall be entered into the record without the necessity for reading as long as sufficient copies are distributed to Members of the audience/public.

7.6 Comments in Violation of the Appearance of Fairness Doctrine: The Chair may rule out of order any comment made with respect to a quasi-judicial matter pending before the Council or its Boards or Commissions. Such comments should be made only at the hearing on a specific matter. If a hearing has been set, persons whose comments are ruled out of order shall be notified of the time and place when they can appear at the public hearing on the matter and present their comments.

7.7 "Out of Order" Comments: Any person whose comments have been ruled out of order by the Chair shall immediately cease and refrain from further improper comments. The refusal of an individual to desist from inappropriate, slanderous or otherwise disruptive remarks after being ruled out of order by the Chair may subject the individual to removal from the Council Chambers. The chair may recess or adjourn the meeting until order can be restored.

8. Filling Council Vacancies and Selecting Mayor Pro Tem

8.1 Notice of Vacancy: If a Council vacancy occurs, the Council shall 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 shall widely distribute and publish a notice of the vacancy and the procedure and deadline for applying for the position.

8.2 Application Procedure: An applicant shall submit to the Council a letter of interest explaining why they feel they should be selected for the Council vacancy. The letter of interest shall be used in conjunction with an interview of each candidate to aid the Council's selection of the new Council Member.

8.3 Selection of Council Member: 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 shall be conducted during an open public meeting.

8.4 Selection of Mayor Pro Tem: The Mayor Pro Tem shall be selected by the Council Members.

9. Creation of Committees, Boards and Commissions

9.1 Citizen Committees, Boards and Commissions: The Council may create committees, boards, and commissions to assist in the conduct of the operation of city government with such duties as the Council may specify not inconsistent with the city code.

9.2 Membership and Selection: Membership and selection of Members shall be as provided by the Mayor, subject to Council approval, if not specified otherwise in the city code. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the mayor except as otherwise specified in the city code.

9.3 Removal of Members of Boards and Commissions: The Council may remove any Member of any board or commission which it has created by an affirmative vote of at least three members of council.

10. Suspension and Amendment of These Rules

10.1 Suspension of These Rules: Any provision of these rules not governed by the city code may be temporarily suspended by a vote of a majority plus one of the Council.

10.2 Amendment of These Rules: These rules may be amended or new rules adopted by a majority vote of all Members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

10.3 All references to the RCW shall be to the RCW as it may hereafter be amended.

11. Ethics

11.1 Council Members shall maintain decorum and set an example for conduct when representing the City, and endeavor not to disgrace or embarrass the City while acting in an official capacity.

11.2 Council Members shall represent that opinions stated are the Member's own and do not necessarily represent those of the Council unless the Council has voted and passed an ordinance, resolution or motion that so states the expressed policy.

11.3 Council Members shall not divulge information discussed in executive session.

11.4 Council Members shall make public any conflict of interest the Member has with respect to any issue under consideration by the Council.

11.5 Council Members shall not use their position or City resources for personal or family gain, especially financial gain, including the acceptance of gifts and gratuities.

11.6 Council Members shall not hold or acquire a financial interest in any contract voted on by them for one year after leaving office, unless expressly allowed by the RCW.

11.7 Council Members shall not assist or represent parties in official City matters they were involved in while in office for one year after leaving office.

11.8 Council Members shall not make knowingly and intentionally false statements on which the Council, City staff or other agencies rely to establish policy or make important decisions.

Appendix A – Parliamentary Procedure

The following constitutes the City of North Bonneville’s Parliamentary Procedure.

- Only one subject may be before the Council at one time. Each item to be considered is proposed as a motion and requires a “second” before being put to a vote. Once a motion is made and seconded, the Chair places the question before the council by restating the motion.
- “Negative” motions are generally not permitted. To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.
- Only one person may speak at any given time. When a motion is on the floor, the mover of a motion speaks first, so that the group understands the basic premise of the motion. The mover may also be the last to speak, so that the group has an opportunity to consider rebuttals to any arguments opposing the motion.
- All members have equal rights. Each speaker must be recognized by the Chair prior to speaking. Each speaker should make clear his or her intent by stating, “I wish to speak for/against the motion” prior to stating arguments.
- Each item presented for consideration is entitled to a full and free debate. Each person speaks once, until everyone else has had an opportunity to speak.
- The rights of the minority must be protected, but the will of the majority must prevail. Persons who don’t share the point of view of the majority have a right to have their ideas presented for consideration, but ultimately the majority will determine what the council will or will not do.

Types of motions

The City of North Bonneville recognizes for four general types of motions.

Main motions

The most important are main motions, which bring before the council, for its action, any particular subject. Main motions cannot be made when any other motions are before the group.

Subsidiary motions

Subsidiary motions are motions which direct or change how a main motion is handled.

These motions include:

Tabling. Used to postpone discussion until the Council decides by majority vote to resume discussion. By adopting the motion to “table”, a majority has the power to

halt consideration of the question immediately without debate. Requires a second, non-debatable, not amendable.

Previous question or close debate. Used to bring the body to an immediate vote. It closes debate and stops further amendment. Contrary to some misconceptions, the majority decides when enough discussion has occurred, not the Chair. The formal motion is to “call for the question” or “call for the previous question,” or simply, “I move to close debate.” The motion requires a second, is not debatable and requires a two-thirds majority.

Limit/extend debate. May be used if the Council desires to impose a time limitation.

Postpone to a definite time. Similar to tabling, except that the motion directs that the matter will be taken up again at some specific date and time.

Refer to committee. Directs that some other body will study the matter and report back.

Amendment. Used to “fine tune” a motion to make it more acceptable to the group. The amendment must be related to the main motion’s intent and cannot be phrased in a way that would defeat the main motion. Two amendments may be on the floor at one time: the first amendment modifies the main motion, and the second amendment must relate to the first amendment. When an amendment is on the floor, only the amendment may be debated. The amendments are voted on in the reverse order in which they were made, as each amendment changes to some degree the intent of the main motion. As each amendment is voted on, an additional primary or secondary amendment may be introduced. Requires a second, debatable, majority vote.

Postpone indefinitely. This motion effectively kills a motion, because, if adopted, a two-thirds vote is subsequently required to take the matter up again.

Incidental motions

Incidental motions are housekeeping motions which are in order at any time, taking precedence over main motions and subsidiary motions. These motions include:

Point of order. To bring to the Council’s attention that the rules are being violated. You don’t need to be recognized prior to making a point of order. This is not really a motion, but requires the Chair to make a ruling as to whether or not immediate consideration is proper.

Appeal from the decision of the Chair. The Council can overrule the Chair on any decision. While the motion must be seconded, it cannot be amended. When this motion is moved and seconded, the Chair immediately states the question, “Shall the decision of the Chair stand as the judgment of the council?” If there is a tie vote, the Chair’s decision is upheld. The motion is not debatable when it applies

to a matter of improper use of authority or when it is made while there is a pending motion to close debate. However, the motion can be debated at other times. Each person may speak once, and the Chair may also state the basis for the decision.

Parliamentary inquiry. Not a motion, but a question as to whether an action would be in order.

Point of information. A person may rise to offer information that is considered necessary for the group. This provision is not used to offer debate.

Division of assembly. To require a more precise method of counting votes than by a voice vote, such as having persons raise hands, or stand. No second, not debatable, no vote required.

Request to withdraw a motion. Contrary to popular misconception, a motion cannot be withdrawn by its mover. This request requires majority approval.

Suspension of the rules. When matters are to be taken out of order, or a particular task can be better handled without formal rules in place, this motion can be approved by a two-thirds vote of the group. However, until the rules are restored, only discussion can occur; no decisions can be made. Second required, not debatable, not amendable.

Object to consideration of a question. When a motion is so outrageous, intended to distract the group from resolving legitimate business. The motion can be objected to and ruled out of order without debate. However, if the Chair does not rule the motion out of order, a two-thirds vote of the group can block further consideration.

Renewal motions

Once the group has taken action, renewal motions require the group to further discuss or dispose of a motion. The motions include:

Reconsider. When the group needs to discuss further a motion that has already been defeated at the same meeting. A majority of the council must approve taking additional time to debate the motion again. The motion can be made only by a person who voted on the prevailing side earlier on the question. Contrary to another popular misconception, the motion may be brought up again at a subsequent meeting. If the Chair believes that there is no indication that the group's wishes have changed, however, the motion can be ruled out of order, subject to an appeal from the decision of the Chair.

Take from the table. Unless the original motion to table directed that the motion be brought back at a specific date and time, a majority of the group must pass a motion to take from the table. Such a motion is non-debatable.

Rescind. When the group wishes to annul some action, a motion to rescind is in order at any time. If prior notice has been given to the group that this action will be considered, the motion to rescind can pass with a simple majority vote; however, if no prior notice has been given, the vote requires a two-thirds majority.

Questions of privilege

Finally, there are a few questions of privilege that are in order at any time and must be disposed of prior to resuming discussion on the matter at hand:

Fix the time for next meeting. This is in order at any time, including when a motion to adjourn is pending. Second required, not debatable, amendable.

Adjourn. To bring the meeting to a halt. Second required, not debatable, not amendable. Alternatively, instead of a motion, the Chair can ask if there is any further business. If no response, the chair can say, "since there is no further business, the meeting is adjourned."

Recess. A temporary break in the meeting; should state a time at which the meeting will resume. Second required, not debatable, not amendable.

Point of privilege. A matter that concerns the welfare of the group. Can be raised even when another person is speaking. No second, not debatable, no vote required.

Call for the orders of the day. A demand that the group return to the agenda. Can be taken when another person is speaking, no second required, not debatable, no vote required.