

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Resolution No. 485 - Amending the Council Rules of Procedure
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Jessica Simulcik Smith, City Clerk
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

The City Council Rules of Procedure (Rules) were initially adopted by the Council in 2002 and are for the sole benefit of Councilmembers to assist in the orderly conduct of Council business. Periodically, Council reviews and discusses amendments to its Rules that reflect current business practice, change a process, provide clarity and consistency to an existing rule, or fix grammar. Staff is requesting Council consider amendments to its Rules related to remote attendance at Council meetings and the procedure for placing items on meeting agendas.

To amend the Council Rules, Council adopts a Resolution that outlines the proposed rule changes. Proposed Resolution No. 485 (Attachment A) outlines staff's proposed amendments to the Council Rules of Procedure for the following the Sections:

- Section 5.13 – New section regarding remote attendance by Councilmembers at Council meetings.
- Section 5.14 – Add procedure for handling potential disruptions from remote public attendees.
- Section 5.23 – Allow for City staff to attend meetings remotely as City Manager sees fit.

Additionally, staff is requesting that Council provide feedback around administering the public comment period in order for staff to draft proposed amendments to Section 6 - Public Testimony for allowing the public to provide remote oral testimony/comment at Council Meetings. Staff is also requesting that Council discuss the interpretation and intent of Section 3.2.B and whether this Rule applies to two Councilmembers placing an item on the agenda of a specific meeting date, or if it applies to placing it on the list of Pending Agenda Items on the Agenda Planner.

Staff's first round of proposed edits are shown in Attachment A, Exhibit A with additions in underline and deletions in ~~striketrough~~. The direction Council provides this evening will also be incorporated into Resolution No. 485 when it is brought back for potential action on November 1.

RESOURCE/FINANCIAL IMPACT:

There are no resources or financial impacts in amending the Council Rules of Procedure.

RECOMMENDATION

Staff recommends that the City Council discuss proposed Resolution No. 485 and provide staff with direction. Proposed Resolution No. 485 is currently scheduled for potential action at the November 1, 2021 Council Meeting.

Approved by: City Manager *DT* City Attorney *JA-T*

BACKGROUND

The City Council's Rules of Procedure were initially adopted by Council Resolution No. 183 on February 11, 2002, and have been amended on multiple occasions, most recently in March 2021 via [Resolution No. 470](#). In order to amend the Council Rules, the Council adopts a Resolution that outlines the proposed rule changes.

DISCUSSION

Tonight, staff is requesting Council consider amendments to its Rules of Procedure related to remote attendance at Council meetings and for placing items on meeting agendas.

Remote Attendance at Council Meetings

In March of 2020, as a result of the COVID-19 pandemic, the City Council started conducting all its meetings fully remote through videoconferencing software and will continue to do so until it is safe to go back to in-person attendance. In November of 2020 and March of 2021, staff gathered Council feedback on remote attendance at in-person meetings in preparation for when meetings return to the Council Chamber. Specifically, staff asked Council to consider the circumstances, frequency, and logistics for when a Councilmember could participate in a meeting remotely, and whether there is a desire to continue to accept oral public comment via telephone or videoconferencing application.

There was consensus among Councilmembers that online meetings have been very successful and productive, but meetings should return to in-person in the Council Chamber when it is safe to do so. Councilmembers also agreed that there should be ongoing opportunity for the public to participate in Council meetings over the telephone and online, and they were supportive of Councilmembers attending meetings remotely as needed, and staff attending remotely as desired.

The table below summarizes the feedback received from Council to-date related to remote attendance at meetings.

Policy Question Asked	Feedback Received and Reflected in Proposed Resolution No. 485
Does a Councilmember need to ask the Mayor for approval to attend a Council meeting remotely?	Yes
What level of frequency of remote attendance would be acceptable?	While one Councilmember provided feedback in November 2020 that the level of frequency should be two (2) meetings per year, staff have left this as a "blank" in the proposed Council Rules so that Council can discuss and provide direction to staff.

How many Councilmembers may be remote at the same time?	One Councilmember provided feedback in November 2020 that one (1) Councilmember should be remote at a time. However, staff have left this as a “blank” in the proposed Council Rules so that Council can discuss and provide direction to staff.
If everyone is allowed to attend remotely, should the reasons why be stated (snowstorm, emergency, entire council away at conference)?	No feedback received; proposed Resolution No. 485 currently does not require specific circumstances where all Councilmembers could be remote.
Should there be circumstances/criteria that would need to be met to allow for remote attendance?	No; proposed Resolution No. 485 does not list any; Council can discuss if it wishes to add any.
If a stable technical connection (phone/computer) cannot be established, should the remote participation be allowed?	No
Should there be a requirement for remote Councilmembers to see visual presentations?	Yes
Should Councilmembers be allowed to attend executive session remotely?	Yes
Should there be continued opportunity for the public to attend/participate remotely?	Yes
Should there be continued opportunity for staff to attend/participate remotely?	Yes

Staff used the above collected feedback as a baseline to draft proposed amendments to the Council Rules of Procedure. These proposed amendments are reflected in Exhibit A of Resolution No. 485. Tonight, staff is asking if Council agrees with the baseline proposed amendments and is seeking additional feedback on the following policy questions. Direction provided by Council tonight will be incorporated into proposed Resolution No. 485 when it is brought back for potential action on November 1.

1. **Frequency of Remote Attendance:** Since it has been nearly a year when staff asked about the acceptable level of frequency for remote attendance and just one Councilmember responded at that time, as noted above, staff feels it is appropriate for Council to revisit this question and provide direction on what to include in the Resolution scheduled for action in November.

Proposed Rule 5.13.B

Frequency: Remote attendance is limited to X per year per Councilmember. Except for a meeting when the entire Council is attending remotely, no more than X Councilmembers per meeting shall attend remotely.

Policy Question: Should there be a limit to the number of meetings a Councilmember can attend remotely? If so, how many? And how many Councilmembers should be allowed to be remote at one time?

2. ***Circumstances/Criteria for Remote Attendance.*** Since it has been nearly a year since staff asked about whether any circumstances/criteria should be met to allow for remote attendance by a Councilmember, staff feels it is appropriate for Council to revisit this question. Currently, there is no proposed rule in the Council Rules that that would require this type of criteria to be met. Examples of situations other jurisdictions have included in their Council rules are as follows:
1. A Councilmember is away on City business;
 2. An agenda item is time sensitive, and remote participation is needed for a quorum in order to hold a meeting;
 3. An agenda item is of very high importance to a Councilmember who cannot be physically present;
 4. Council has previously identified the importance for all Councilmembers to be involved in a particular discussion and/or decision, but one Councilmember is unable to physically be present.

Policy Question: Should the Rules of Procedure list circumstances/criteria that need to be met for a Councilmember to attend remotely?

3. ***Requirement to be on Camera:*** Proposed Rule 5.13.C.2 requires a remote Councilmember to have their camera on at all times so everyone participating in and observing the meeting can see the Councilmember. The benefits of requiring a camera are showing who is present in the meeting; holding a participant more accountable to remaining focused; and creating better connection and engagement with colleagues during deliberation. The downside would be eliminating the use of telephone dial-in as an option for a Councilmember to participate remotely, which could be an issue if an internet connection is not available or stable in the remote location.

Policy Question: Should Councilmembers be required to turn their camera on to attend and participate in a remote meeting?

If Council does not feel the use of a camera by a Councilmember should be a requirement for remote attendance and participation, the following changes can be requested:

5.13.C.2 - A Councilmember's camera ~~shall~~ should be turned on at all times during the meeting.

5.13.C.5 - The Councilmember attending remotely must be able to hear public comment or testimony and ~~see~~ staff's ~~visual~~ presentation in real time.

4. **Public Testimony.** Council has expressed strong support for continuing to allow for public comment at Council Meetings via the telephone or online. Both in-person and remote public attendees are required to sign-up if they wish to speak before Council as pre-registration allows the Clerk to effectively administer the public comment period. When Council is back to in-person meetings at the dais, the public in the Council Chamber will sign-up in-person, and the public attending remotely will sign-up online. There will be two separate sign-up lists and a couple different options for administering public comment.

Policy Question: How does Council want to handle public testimony?

Option 1: Call on members of the public attending in-person first; and then call on those attending remotely second.

Option 2: Call on members of the public attending remotely first; and then call on those attending in-person second.

Option 3: The Clerk will rotate (one for one) between calling on in-person and remote speakers.

While Option 1 would recognize the effort made by the public to visit City Hall to deliver in-person testimony, staff recommends Option 3, as everyone does not have the same availability to physically attend a night meeting and rotating between in-person and remote speakers would not give preference to either option of providing oral public comment/testimony at a Council Meeting.

Staff also recommends Council continue to require all speakers to sign-up for public comment, with in-person attendees being allowed to sign-up until the start of the public comment period and remote speakers having to pre-register by 6:30 p.m. the night of the meeting. The reason for requiring remote speakers to sign up a half hour prior to the start of the meeting is to allow the Clerk time to collect speaker's names and provide them with joining instructions prior to when the Clerk is occupied setting up for the meeting to start.

Additionally, staff recommends that if signed speakers have all had an opportunity to speak, and time is still available in the Public Comment period, and the Presiding Officer wishes to call for additional unsigned speakers, that remote speakers be allowed to "Raise Hands" in Zoom to be called upon in the order in which their virtual hands go up.

5. **Use of Visual Aids by Remote Public Speakers.** Council Rule 6.10 states *"Speakers will not be permitted to present testimony via electronic methods (e.g. PowerPoint). Speakers may utilize visual aids. Hardcopies of all materials may be submitted to the City Clerk to distribute to the Council."* Staff is requesting Council consider the intent of this Rule and how it applies to remote public speakers.

Policy Question: How does Council want to handle visual aids by remote public speakers?

- ***Should remote public speakers be permitted to use visual aids?***
- ***If so, are remote speakers not permitted to use a PowerPoint? Should they be permitted to share their screen in the online videoconferencing application?***
- ***If remote public speakers are permitted to use a PowerPoint, will in-person speakers also be permitted to use a PowerPoint?***

For a remote public speaker to use a visual aid, they would need to be allowed to turn their camera on, which is feasible in the online video conferencing application if the Clerk promotes the speaker to a “Panelist”. After the City’s hybrid video conferencing equipment is operational in the Council Chambers, there will be technology in place to allow people in the Council Chamber to share content wirelessly on the projector screen, which would make it possible for in-person speakers to share digital visual aids.

Staff recommends Rule 6.10 apply equally to in-person and remote public speakers, and that visual aids continue to be allowed in both formats. Staff also recommends that the Rule not be amended to allow for electronic methods of testimony, such as PowerPoint. Given this recommendation, there is no proposed amendment to this Council Rule in Exhibit A.

The City is currently under contract with AVI-SPL to install hybrid video conferencing equipment, with an expected operational date of January 2022, at the earliest. Staff recommends these Rule amendments take effect upon passage of Resolution No. 485 by the City Council, so they are already in place when the hybrid technology is installed and operational and Council meetings return to in-person attendance in the Council Chamber.

Agenda Preparation

During Council’s last review of its Rules of Procedure (Rules) on [March 1, 2021](#), Councilmembers discussed Rule 3.2(B) outlining the procedure for how individual Councilmembers place items on the agenda. There were questions on whether this Rule applies to placing an item on the agenda of a specific meeting date, or if it applies to placing it on the list of Pending Agenda Items on the Agenda Planner. There was also discussion on whether there is a need for a 5-day deadline to make the request, the benefits of providing a heads-up to the entire Council, and whether a staff report is desired for items added at the last minute. Ultimately, Council agreed it should further discuss interpretation and intent of this Rule at a future meeting.

Interpretation of Existing Rules

Staff interprets Council Rule 3.2.B to allow two Councilmembers to add an item to the agenda of a specific meeting date. Currently, if a Councilmember wants to place an item on a meeting agenda, there are two options. The first option is by making a motion at a regular meeting (Rule 3.2.A), which requires a majority of all Councilmembers present

to approve. This method would allow Council the ability to discuss the merits and logistics of the proposal and come to a consensus on whether it should be added to the agenda. The second option would be for two Councilmembers to make a request in writing to the City Manager or City Clerk five (5) days prior to the meeting (Rule 3.2.B). This method can happen outside of a Council meeting and does not require a Council majority to approve.

In practice however, Councilmembers exercising this second option have typically identified an item to add to a future agenda and then determined through conversation with the City Manager when this may occur. There may be issues of setting an item on a specific agenda date relative to other items already scheduled for that date, the timing needed for staff to research and prepare a staff report, if desired by the Councilmembers, or other considerations that may not support placement on a specific date. Thus, this process has been more of a collaborative discussion, and in many instances, the two Councilmembers have deferred to the City Manager for when the item was actually scheduled on a specific agenda.

Reasons for a 5-day Deadline

While the five-day deadline may not allow enough time for staff to perform a comprehensive analysis and issue a staff report on the new agenda topic, it would allow time to amend the Council's agenda and send an email to the public notifying them that the new topic will be discussed by Council at the next meeting. City Council regular meeting agendas are published one week in advance of the meeting and it is the City's practice to re-publish the agenda any time an amendment is made to it prior to the start of the meeting. Eliminating the 5-day deadline in Rule 3.2.B would allow two Councilmembers to add items up until the meeting start time, but the tradeoff would be reducing the advance notice to Councilmembers and the public, and there would be no staff analysis for the discussion.

Tonight, staff is seeking Council feedback on whether Rule 3.2.B should apply to adding an item to the agenda of a specific date, or if it should be revised to mirror the current practice of determining the meeting date through conversation with the City Manager.

If Council wishes for Rule 3.2.B to continue to mean adding an item to a specific meeting date, staff recommends the following amendment for clarity:

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 of a specific meeting date by any of the following methods:

- A. Majority vote or consensus of the Council.
- B. By any two Councilmembers, in writing to the City Manager or City Clerk no later than 12:00 p.m. five (5) days prior to the meeting. The names of the requesting Councilmembers shall be set forth in the staff report supporting the agenda item.
- C. By the City Manager.
- D. By the Mayor, or Deputy Mayor when acting in the absence of the Mayor.

If Council wishes for Rule 3.2.B to mean any two Councilmembers can add an item to the Pending Agenda Items on the Agenda Planner, with the specific date being determined through conversation with the City Manager, staff recommends the following amendment:

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 of a specific meeting date by any of the following methods:

- A. Majority vote or consensus of the Council.
- ~~B. By any two Councilmembers, in writing to the City Manager or City Clerk no later than 12:00 p.m. five (5) days prior to the meeting. The names of the requesting Councilmembers shall be set forth in the staff report supporting the agenda item.~~
- C. By the City Manager.
- D. By the Mayor, or Deputy Mayor when acting in the absence of the Mayor.

3.3 Any two Councilmembers may place an item on the List of Pending Agenda Items on the Council's Agenda Planner by making the request in writing to the City Manager or City Clerk. The names of the requesting Councilmembers shall be indicated on the Agenda Planner and set forth in the staff report supporting the agenda item. In coordination with the Mayor

and Deputy Mayor, the City Manager will determine the timing for when the item will be scheduled on a specific agenda.

Policy Question: Does Council wish to amend the Rules to add clarity to 3.2.B or to change the intent?

Tonight's Council Discussion

Tonight, staff is asking for Council to review and discuss the proposed amendments set forth in Attachment A, Exhibit A and to provide direction on the additional policy questions set forth in this staff report. The direction Council provides this evening will be incorporated into proposed Resolution No. 485 when it is brought back for potential action on November 1.

RESOURCE/FINANCIAL IMPACT

There are no resources or financial impacts in amending the Council Rules of Procedure.

RECOMMENDATION

Staff recommends that the City Council discuss proposed Resolution No. 485 and provide staff with direction. Proposed Resolution No. 485 is currently scheduled for potential action at the November 1, 2021 Council Meeting.

ATTACHMENTS

Attachment A: Proposed Resolution No. 485
Attachment A, Exhibit A: Amended Council Rules of Procedure

RESOLUTION NO. 485

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, AMENDING COUNCIL RULES OF PROCEDURE RELATING TO REMOTE MEETING ATTENDANCE AND AGENDA PREPARATION, AND OTHER HOUSEKEEPING ITEMS.

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 March 15, 2021, by Council Resolution No. 470; and

WHEREAS, the City Council has reviewed its Rules of Procedure and desires to amend provisions of the Rules so as to provide for more efficient meetings, reflect current practices, and provide clarity and consistency;

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.

Section 2. Effective Date. This Resolution shall go into effective upon its passage by the City Council.

PASSED BY THE CITY COUNCIL ON NOVEMBER 1, 2021

Mayor Will Hall

ATTEST:

Jessica Simulcik Smith, City Clerk

**RULES OF PROCEDURE
Resolution No. 183**

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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 that nominee 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

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conduct 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 the Mayor's 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. Recognize every Councilmember who wishes to have an opportunity to speak.
 - 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 their discretion call the Deputy Mayor or any Councilmember to take over as Presiding Officer so they may make a motion or for other good cause.
- 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/Sound Cities Association.
- F. The Mayor shall appoint Councilmembers to ad hoc City Council subcommittees such as interview panels. Prior to appointment, the Mayor shall solicit interest from Councilmembers for their preferred appointments. 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

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individuals to Boards and Commissions.

- A. In closed session, the ad hoc subcommittee of Councilmembers 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 the City Manager can inform the other Councilmembers. If any Councilmember feels strongly that someone not on the interview list should be interviewed, that Councilmember 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 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 City Manager's Office 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

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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 Chamber 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 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 to the City Manager or City Clerk no later than 12:00 p.m. five (5) days prior to the meeting. The names of the requesting Councilmembers shall be set forth in the staff report supporting the agenda item.
 - 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 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

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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 Councilmembers 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 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 agenda items.
- 5.3 The Council shall hold **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 Regular Meetings

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between December 15th and the end of the year.

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

Regular Meeting (7:00 p.m.)

1. Call to Order
2. Flag Salute, Roll Call
3. Approval of the Agenda
4. Report of the City Manager
5. Council Reports
6. Public Comment, as set forth in Section 6.1(A)
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
 - 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 3.2(B) 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 City Manager's Office. The blank form shall be available on 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

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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 residents 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.

5.5 The Council shall hold **Workshop Dinner Meetings** on the second and fourth Monday of each month at 5:45 p.m. in Conference Room 303 of 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. The agenda for these meetings will be appended to the Regular Meeting agenda and posted and distributed in the same manner as the 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. Any final action by Council must be taken at an open session.

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- 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 Councilmembers 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 5.3(A). 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 A Councilmember may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for their inability to attend. If the Councilmember is unable to contact the Mayor, the Councilmember 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 excuse the member. This motion shall be nondebatable. Upon passage of such motion by a majority of Councilmembers present, the absent Councilmember 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 Remote Attendance. The Council recognizes the benefits of full and in-person attendance of its members at regular and special meetings. However, remote attendance by a Councilmember who is not able to physically be present,

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whether for all or part of a meeting, is allowed subject to the following:

A. Notice: A Councilmember shall contact the Mayor and the City Clerk no later than 12 p.m. the day of the Council meeting for which they wish to attend remotely and state the reason for remote attendance. If the Councilmember is unable to contact the Mayor, the Councilmember shall contact the City Manager, who shall convey the message to the Mayor/Presiding Officer.

After the City Clerk has called the roll at a meeting, the Mayor/Presiding Officer shall indicate any Councilmember attending remotely. If joining after roll call, the Mayor/Presiding Officer shall note the time the Councilmember joined and, if before adjournment, when the Councilmember left. The City Clerk will document both the remote attendance and times of attendance, if applicable, in the minutes.

B. Frequency: Remote attendance is limited to X per year per Councilmember. Except for a meeting when the entire Council is attending remotely, no more than X Councilmembers per meeting shall attend remotely.

C. Remote Attendance Requirements:

1. Remote attendance by a Councilmember shall be through the City's approved online videoconferencing application.
2. A Councilmember's camera shall be turned on at all times during the meeting.
3. In order to effectively preside over the meeting, the Mayor/Presiding Officer needs to be physically present at the meeting, unless the entire Council is remote. The Mayor may attend the meeting remotely with the Deputy Mayor or another Councilmember presiding over the meeting from the physical meeting location.
4. A Councilmember attending remotely will be marked present, counting towards a quorum and can vote during the meeting as if they were physically present.
5. A Councilmember attending remotely must be able to hear public comment or testimony and see staff's visual presentation in real time.
6. If a Councilmember attending remotely cannot maintain a stable connection, the Presiding Officer shall recess the meeting to allow for a stable connection to be established. If a stable connection cannot be established within 10 minutes, the remote Councilmember shall request an excused absence and immediately disconnect from the meeting. If due to connectivity issues, the remote Councilmember is not able to request an excused absence, the Presiding Officer shall note the excused absence and the Clerk will make an appropriate notation in the minutes.
7. A Councilmember may attend an executive session remotely if the conditions in this subsection are met.

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5.4314 General Decorum.

- A. While the Council is in session, the Councilmembers must preserve order and decorum. A Councilmember 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 Presiding Officer, except as otherwise provided in these Rules.

- B. Any person making disruptive, impertinent, ~~or slanderous~~ or threatening remarks while addressing the Council shall be asked to leave the Council Chambers by the Presiding Officer and barred from further audience before the Council for that meeting. If the person is participating in the meeting remotely, the Presiding Officer shall ask the City Clerk to remove them from the online videoconferencing application.

5.4415 At all **Regular Meetings**, the Mayor shall be addressed as "Mayor (surname)", the Deputy Mayor shall be addressed as "Deputy Mayor (surname)", and members of the Council shall be addressed as "Councilmember (surname)."

5.4516 At all Council 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.

5.4617 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.

5.4718 Motions shall be reduced to writing when required by the Presiding Officer or any Councilmember. All resolutions and ordinances shall be in writing.

5.4819 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.

5.4920 Prior to commencement of discussion of a quasi-judicial item, the Presiding Officer 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,

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the Councilmember should step down and not participate in the Council discussion or vote on the matter. The Councilmember shall leave the Council Chamber while the matter is under consideration.

5.2021 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.

5.2422 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.

5.2223 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. The City Manager will work with City officers or employees to determine whether they will attend Council Meetings in-person or remotely.

Section 6. Public Testimony.

6.1 Regular Meetings.

- A. Members of the public may address the City Council at the beginning of any 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 public 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 6 (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.

- B. If during a 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

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for the agenda item will be no more than 30 minutes.

6.2 Public Hearings.

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 Presiding Officer shall inquire if there are any additional speakers, in-person or remote, other than those that have signed up and previously spoken, and if there are they shall be allowed to testify.

6.3 When large numbers of people are signed up to speak on the same topic, the Presiding Officer 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~~ individuals not to provide repetitive comments of those previously provided by other individuals but, rather, to simply state they agree with the comments of the other speaker(s) on a topic.

6.4 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. Promoting a candidate for public office includes announcing a candidacy for public office, mentioning a specific campaign, or wearing a visible campaign button at the speaker's podium.

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

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

6.7 An instruction notice for speakers will be provided. Speakers will be advised by the Presiding Officer that their testimony is being recorded.

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

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testimony to Council.

- 6.10 Speakers will not be permitted to present testimony via electronic methods (e.g. PowerPoint). Speakers may utilize visual aids. Hardcopies of all materials may be submitted to the City Clerk to distribute to the 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 Presiding Officer 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.
- 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.

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- 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, Presiding Officer, 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 Presiding Officer 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 Presiding Officer 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 Chamber during discussion and voting on the issue. That Councilmember shall be considered absent when voting occurs.
- 7.16 If a Councilmember is silent on a vote, it shall be recorded as an affirmative vote. If a Councilmember 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.
- 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 procedure 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.13.120].

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 their 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, gives 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.
- 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
Amended by Resolution No. 422
Amended by Resolution No. 445
Amended by Resolution No. 470
Amended by Resolution No. 485