

CITY OF SAMMAMISH

WASHINGTON AMENDED BY : R2002-123

RESOLUTION NO. R99-28

**A RESOLUTION OF THE CITY OF SAMMAMISH,  
WASHINGTON, ESTABLISHING RULES OF  
PROCEDURE FOR THE CITY COUNCIL**

WHEREAS, Chapter 35A.11 RCW gives the City Council of each code city the power to organize and regulate its internal affairs within the provisions of Title 35A RCW; and

WHEREAS, a comprehensive procedure for Council Meetings combining all applicable statutes will provide the most expedient means of conducting Council Meetings;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. General. These rules constitute the official rules of procedure for the Sammamish City Council. In all decisions arising from points of order, the Council shall be governed by Robert's Rules of Order (newly revised 1990 edition), a copy of which is maintained in the office of the Sammamish City Clerk.

Section 2. Organization.

- A. Swearing in of New Councilmembers. New Councilmembers shall be sworn in by a member of the judiciary or by the City Clerk.
- B. Election of Mayor. The Council shall elect a Mayor and Deputy Mayor for a term of one year and organize itself at the first Council Meeting in January of each year. 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.
1. The motion to elect the Mayor will be placed on the agenda of the next regular meeting and the election will occur at the following regular meeting.
  2. A super majority vote (5) shall be required to approve a motion to remove the Mayor or Deputy Mayor from office for serious cause.
  3. 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 vote. The Chair will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Chair will ask again for further nominations and if there are none, the Chair 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. Councilmembers will be asked for a voice vote and a raise of hands. As soon as one of the nominees receives a majority vote (four votes), then the Chair will declare him/her elected. No votes will be taken on the remaining nominees. If none of the nominees receives a majority vote, the Chair will call for nominations again and repeat the process until a single candidate receives a majority vote before the Office of Deputy Mayor is opened for nominations. A tie vote results in a failed nomination.

- C. Quorum. At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business.
- D. Voting. The votes during all Council Meetings shall be conducted 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 random roll call vote shall be taken by the Clerk (Robert's Rules of Order, Newly Revised, 1990 edition).
  2. In case of a tie vote on any motion, the motion shall be considered lost.
  3. Each Councilmember 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 for the above reasons, his or her silence shall be recorded as an affirmative vote.
- E. Attendance, Excused Absences. Members of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager or Clerk, 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 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. Councilmembers who do not follow the above process will be considered unexcused and it shall be so noted in the minutes.

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, nor refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules.
2. Any person making disruptive, impertinent, or slanderous remarks or who becomes boisterous while addressing the Council shall be asked to leave by the Presiding Officer and barred from further audience participation before the Council for that meeting.

G. Confidentiality. Councilmembers must 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.

H. Adjournment. 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" at 9:30 p.m. to review agenda priorities.

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 Clerk for that meeting.

J. Attendance of Officers or Employees. Any City employee shall attend a City Council meeting when requested by the City Manager for clarification or explanation of agenda items.

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; and
  5. Put motions to a vote and announce the outcome.
- C. Presiding Officer, Questions 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 or for other good cause yield the Chair.
- E. Request for Written Motions. Motions shall be reduced to writing when requested by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

#### 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. The Mayor shall sit at the center of the Council, and the Deputy Mayor shall sit next to the Mayor. Other Councilmembers are to be seated in a manner acceptable to the Council. If there is a dispute, seating shall be in position order.
- 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.

Section 5. Meetings. All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Chapter 42.30). All Regular Business Meetings, Special Meetings and Regular Study Sessions of the Council shall be open to the public.

- A. Regular Business Meetings. The Council shall hold Regular Business Meetings on the second and fourth Monday of each month at 7:30 p.m. Should any meeting

occur on a legal holiday, the meeting shall be held on a day, time and place established by a majority vote of the Council.

- B. Regular Study Sessions. The Council shall hold Regular Study Sessions on the first and third Monday of each month at 7:30 p.m. Should any meeting date occur on a legal holiday, the meeting shall be held on a day, time and place established by a majority vote of the Council. Regular Study Sessions will be informal meetings for the purpose of reviewing: the upcoming Regular Business 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. Under special circumstances action may be taken at a Regular Study Session if necessary.
- 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, Deputy Mayor, or any four members of the City Council by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. The notice of such Special Meetings shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered.
- 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 a time and place as Council directs.
- F. Public Notice. The City shall comply with the provisions of RCW 35A.12.160.

Section 6. 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 (7:30 p.m.)

1. Call to Order
2. Flag Salute, Roll Call
3. Public Comments
4. Report of the City Manager
5. Approval of the Agenda
6. Consent Calendar
7. Public Hearings

8. Land Use Reports
9. Other Ordinances, Resolutions and Motions
10. Continued Business
11. New Business
12. Council Reports
13. Announcement of Next Meeting
14. Executive Session
15. Adjournment

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

Regular Study Session (7:30 p.m.)

1. Regular Study Session items
2. Council discussion of upcoming preliminary agenda items
3. Executive Session

- C. Council Agenda. Council shall not vote on legislative items that are not on the agenda.

Section 7. 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. 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 8. Public Testimony.

- A. Oral and Written Comments. The Council will take public testimony at the Regular Business Meeting only during a Public Hearing, or during Public Comments for no more than three minutes, or no more than five minutes when presenting the official position of a recognized organization. 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 other speakers have been given the opportunity to address the City Council. The Presiding Officer shall ask the rest of the Councilmembers if they have any

questions before being excused. Public oral testimony shall not be given on quasi-judicial matters outside of a public hearing except on matters of procedure.

After a citizen (or group of citizens) has made his 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 his/her input if it is a comment only;
2. Staff will be directed to follow up if an administrative answer or problem resolution is required;
3. The commentator will be requested to provide more information in writing to the City Clerk if further information is needed to clarify or formalize a request. This information will be distributed to the Council before the next Regular Business Meeting or Regular Study Session;
4. The item will be referred by the Presiding Officer to the City Manager for scheduling on a future Regular Study Session Agenda or a Regular Business Meeting Agenda; or
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 upon. Should the motion fail, the Presiding Officer may use the previously chosen alternative or may select a different one, again providing a verbal reason.

The City Attorney shall advise as to what State law permits public comment on quasi-judicial matters. If comments on quasi-judicial matters are provided in writing, they will be reviewed by the City Attorney for appropriateness before being presented to the Council. Such written comments must be filed with the City Clerk by 1:00 p.m. on the Wednesday preceding the Regular or Special Meeting.

- 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 available at the meeting. Speakers will be advised by the Presiding Officer that their testimony is being recorded.
- D. Rules for Public Testimony During Public Hearings. The following rules shall be observed during any Public Hearing:

1. Individuals will be allowed three minutes to speak, or five minutes when presenting the official position of a recognized organization, and each organization shall have only one five (5) minute presentation. If a speaker purports to speak for an organization, club or other so as to lead the Council to believe that a number of persons support a position, then such person shall state how that position was developed by the group.
2. The Clerk shall be the timekeeper.
3. Public Hearings shall begin according to the established agenda. The Presiding Officer shall declare the public hearing open, and ask for the City staff presentation. Following questions of staff by Council, the applicant or petitioner shall be given ten (10) minutes to present the issue. Following the presentation of the applicant or petitioner, the major opponent shall be allowed to speak to the issue for ten (10) minutes. Any interested person may then be heard for three (3) minutes each. All speakers should sign up on the Public Hearing Roster provided by the City Clerk.
4. The Presiding Officer shall recognize staff comments and questions from the Council, if any, at the conclusion of each speaker's remarks. After all interested members of the public and staff have had an opportunity to speak, the applicant shall be given up to three (3) minutes to respond to or rebut information presented by the opponent(s), other speakers 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(s) and the other speakers or staff. 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 declared by the Council. The hearing is then closed, and no person may introduce new substantive information without reopening the public hearing. The Council may alter the time limits of speakers upon a vote at the opening of the hearing.

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

According to the established agenda, 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 that could lead to a challenge. After all disclosures are made, the Presiding Officer will ask if any person in the audience wishes to make an Appearance of Fairness challenge to any Councilmember.

If so, the member of the audience will come forward to the lectern and make his/her 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 above.

- 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 9. Agenda Preparation.

- A. The Clerk, under direction of the City Manager, 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 Presiding Officer.
- B. An item for a Regular Business Council Meeting may be placed on the preliminary agenda by a majority vote or consensus of the Council, by the Mayor or Deputy Mayor in the absence of the Mayor, or by the City Manager.
- C. An item may be placed on the preliminary agenda for a Regular Business Council Meeting after the preliminary agenda is finalized only 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 do so.
- D. Legally required advertised public hearings will have a higher priority over other agenda items scheduled for convenience rather than for 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. It is the intent of the City Council that council procedures be periodically reviewed as needed.

#### Section 10. City Advisory Committees.

- A. The City of Sammamish's commissions, committees, and task forces provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Council in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- B. All City Advisory Committees are advisory to the City Council and are not authorized to take independent action representing the City with other agencies or bodies.
- C. Establishment of Advisory Bodies.

1. These advisory bodies may be established by City resolution or ordinance if required by State statute.
2. The enacting resolution or ordinance will set forth the size of each advisory group, which will be related to its duties and responsibilities; the term of office of its members; a statement of its purpose and function; and time lines, if relevant to the scope of work.
3. The Council may dissolve any advisory body that, in its opinion, has completed its working function or for any other reason.

D. Appointment to Advisory Bodies.

1. Vacancies may be advertised so that any interested citizen may submit an application. Applicants are urged to be citizens of the City of Sammamish, but applications from residents living outside of the corporate boundaries may be considered if authorized by the resolution or ordinance establishing the advisory body.
2. Appointments to advisory bodies will be made by the City Council during a regularly scheduled meeting.
3. Newly appointed members will receive a briefing by the commission, committee, or task force chairperson and/or City staff regarding duties and responsibilities of members of the advisory body.
4. Appointees to advisory bodies may be removed prior to the expiration of their term of office by a majority vote of the City Council.

Section 11. Council Committees/Appointments.

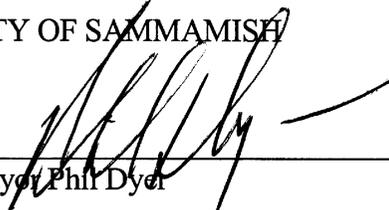
- A. Council committees are policy review and discussion arms of the City Council. Committees may study issues and develop recommendations for consideration by the City Council. Committees may not take binding action on behalf of the City.
- B. The City Council may meet for study or special project purposes as a Committee of the Whole or may establish Council subcommittees with three or fewer members.
- C. Council committee structure shall be as determined by the City Council in January of each year and may include:
  1. Council Committee of the Whole - (seven Councilmembers);
  2. Council Committees - Standing Committees established for special purposes, tasks, or time frames (three or fewer Councilmembers);

3. Subcommittees of the City Council - Ad hoc and informal working or study group (three or fewer Councilmembers); or
4. Councilmember Appointments - To task teams or City advisory boards, commissions and committees (three or fewer Councilmembers).

Section 12. 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.

PASSED BY THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 22<sup>nd</sup> DAY OF SEPTEMBER, 1999.

CITY OF SAMMAMISH

  
\_\_\_\_\_  
Mayor Phil Dyer

ATTEST/AUTHENTICATED:

  
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Ruth Muller, City Clerk

Approved as to form:

  
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Bruce L. Disend, Interim City Attorney

Filed with the City Clerk: *Sept. 17, 1999*  
Passed by the City Council: *Sept. 22, 1999*  
Resolution No.: *R99-28*