

CITY COUNCIL MEETING AGENDA



City of Lake Stevens Vision Statement

By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.

February 10, 2023 - 7:30 AM

IN PERSON ONLY at the Hotel Bellwether, 1 Bellwether Way, Bellingham, WA 98225

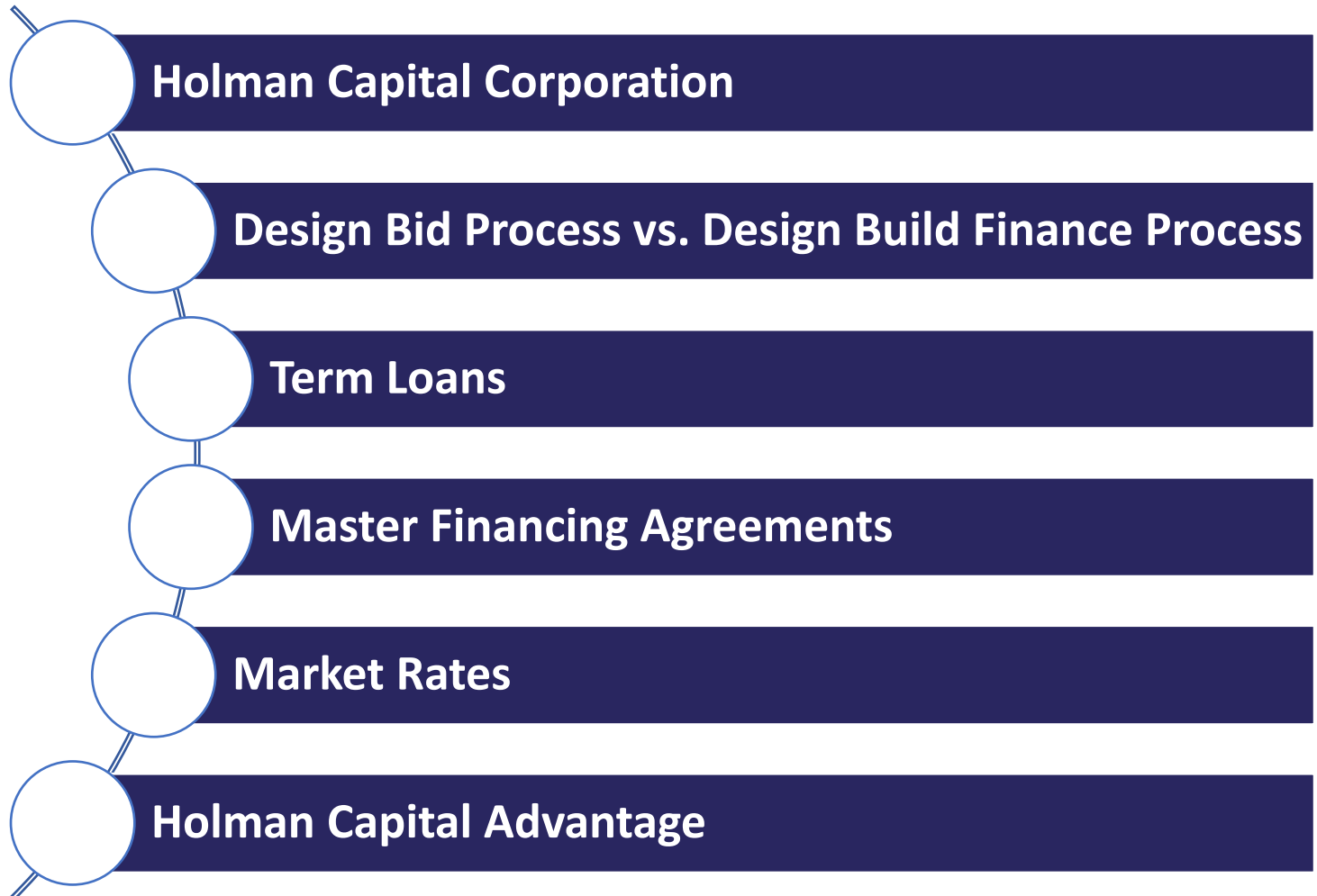
- 1. 7:30 a.m. Breakfast Buffet**
- 2. 8:30 a.m. Ice Breaker**
- 3. 9:00 a.m. Executive Session (Confidential Session per RCW 42.30)**
 - A. Litigation/Potential Litigation per RCW 42.30.110 (1)
(i). There will be no action.
- 4. 10:00 a.m. Discussion Items**
 - A. Revenue Sources/Transportation Benefit Funding
 - B. Economic Development Russ Wright
 - C. Lake Stevens Industrial Center Russ Wright
 - D. 91st Ave NE Streetscape Russ Wright
- 5. 11:30 a.m. Lunch**
- 6. Discussion Items**
 - A. Human Services Anji Jorstad
 - B. Review Council Procedures Council President Jorstad
 - C. Council Breaks Anji Jorstad
 - D. Mission, Vision and Values Lori Erickson, Anya Warrington
 - E. Takeaways/Wrap Up Lori Erickson
- 7. Adjourn**

THE PUBLIC IS INVITED TO ATTEND

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Human Resources, City of Lake Stevens ADA Coordinator, (425) 622-9400, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.

CITY OF LAKE STEVENS, WA
*Public Sector
Financing Strategy*

Investing In America



Solve Complex Issues

- Identify Critical Issues Facing America
- Development Solutions to Improve the Quality in America

Capital & Ideas

- Provide Capital and Ideas to Governments, Educational Institutions and Health Systems

READINESS
REDUNDANCY
RESILIENCY

SOLAR



ENERGY
CONSERVATION



EQUIPMENT



INFRASTRUCTURE



REAL PROPERTY



CUSTOMIZED FINANCIAL SOLUTIONS

Public Sector Expertise

Financings \$250,000 - \$100,000,000

Financings Up To 30 Year Terms

Customized Payment Structures

Fund All Municipal Asset Classes

Simplified Documentation

Quick Funding

DESIGN BID PROGRAM VS DESIGN BUILD FINANCE PROGRAM

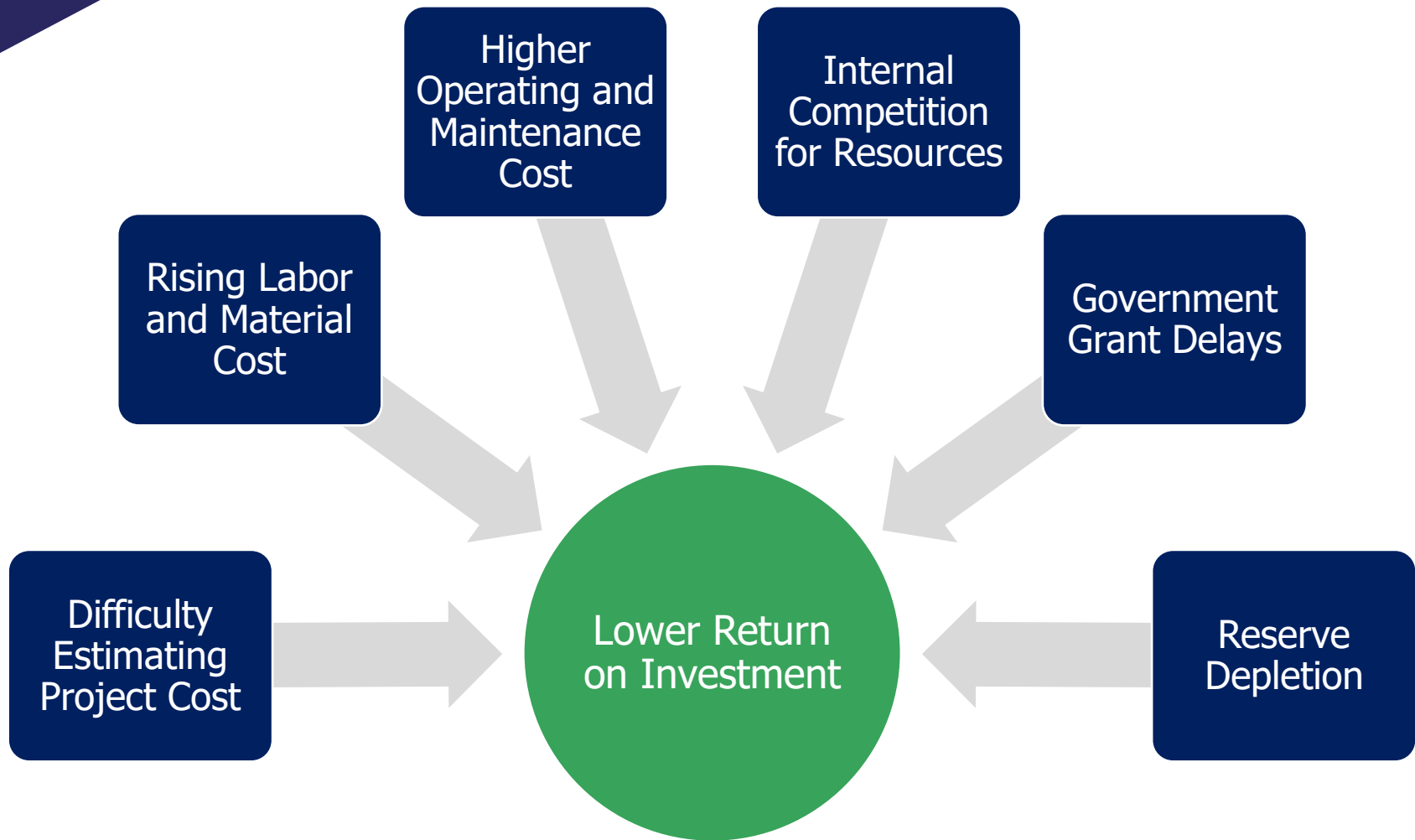
Design Bid Program

- **Municipality Bids out Design, Construction, Financing**
- **Requires More Municipal Resources**
- **Municipality Responsible for Change Orders**
- **Higher Risk for Project Delays and Higher Cost**

Design Build Finance Program

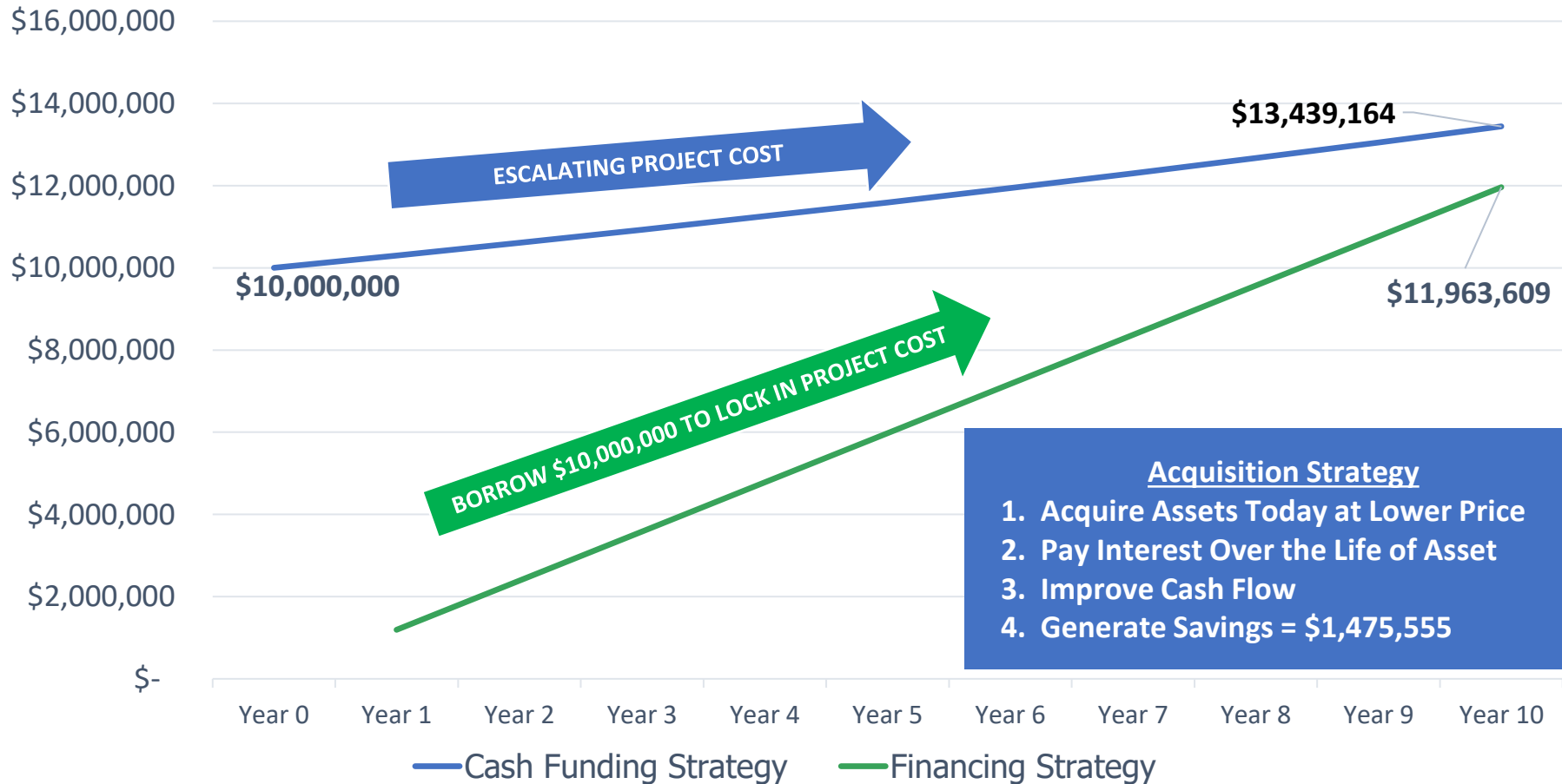
- **Hires One Firm To Management Design, Construction & Financing**
- **One Stop Solution for Municipality**
- **Firm Project Price to Municipality**
- **Design Build Firm Assumes Risk of Change Orders and Delays**

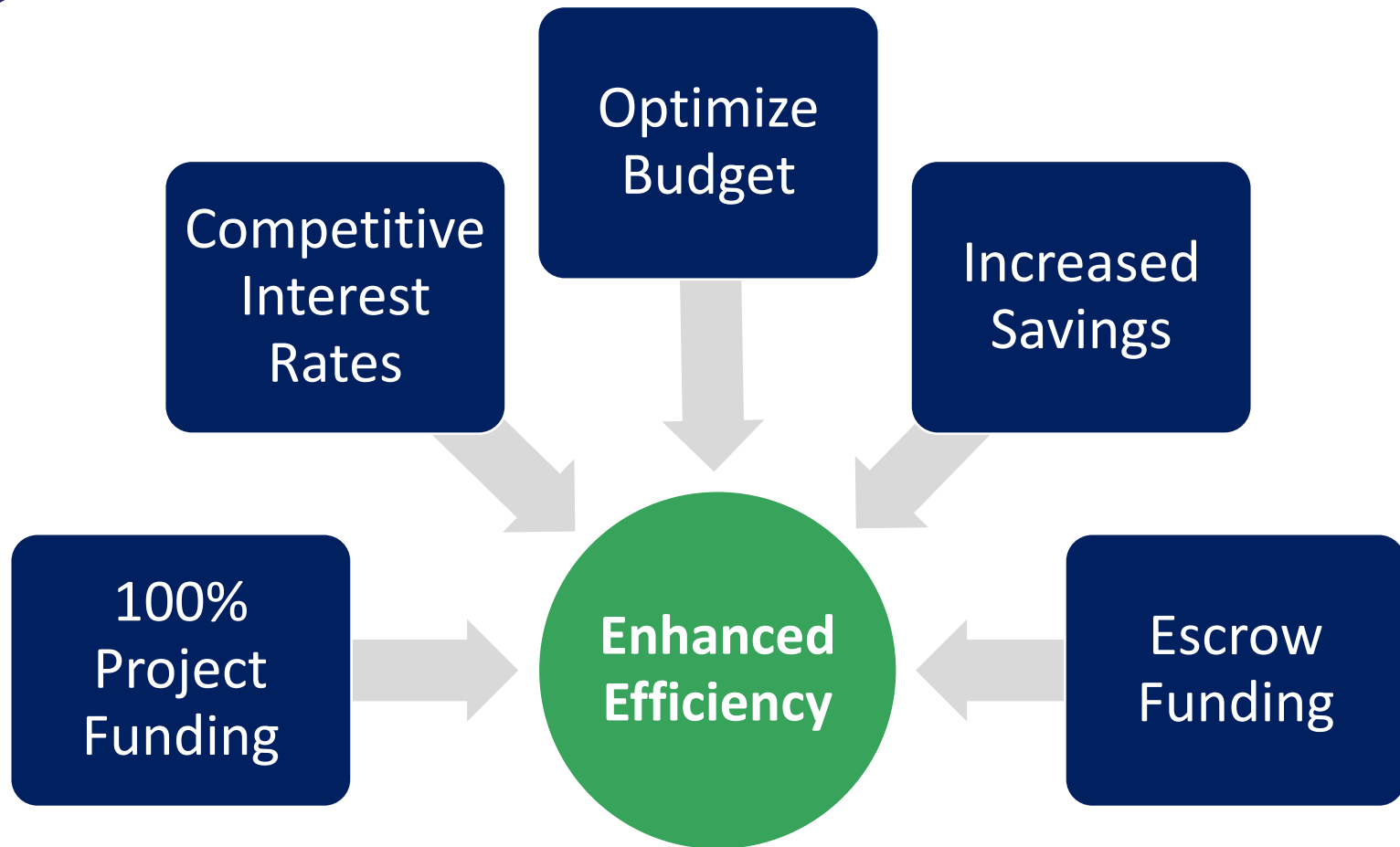
CASH RESERVES vs PROJECT FINANCING



MUNICIPAL PROJECTS COST OF WAITING

LOCKING IN YOUR PROJECT COST





Public Bonds

- May Require Voter Approval
- Competitive Rates
- Interest Rate Set On Bond Sale Date
- High Fees
- Larger Financings
- Increased Restrictions
- Long Funding Cycle

Direct Lending

- No Voter Approval
- Competitive Rates
- Rate Locks - 30-45 Days
- Minimum Fees
- Up to \$100,000,000
- Less Restrictions
- Quick Funding

TRUE COST OF FUNDING

FINANCING		
Descriptions	Bond	Direct Lending
Financing Amount	\$5,000,000.00	\$5,000,000.00
Interest Rate	2.50%	2.70%
Financing Term	10	10
Payments Per Year	12	12
Periodic Payment	\$47,134.95	\$47,591.06
Annual Payment	\$565,619.41	\$571,092.71
Total Fees & Payments	\$5,734,694.10	\$5,715,927.05

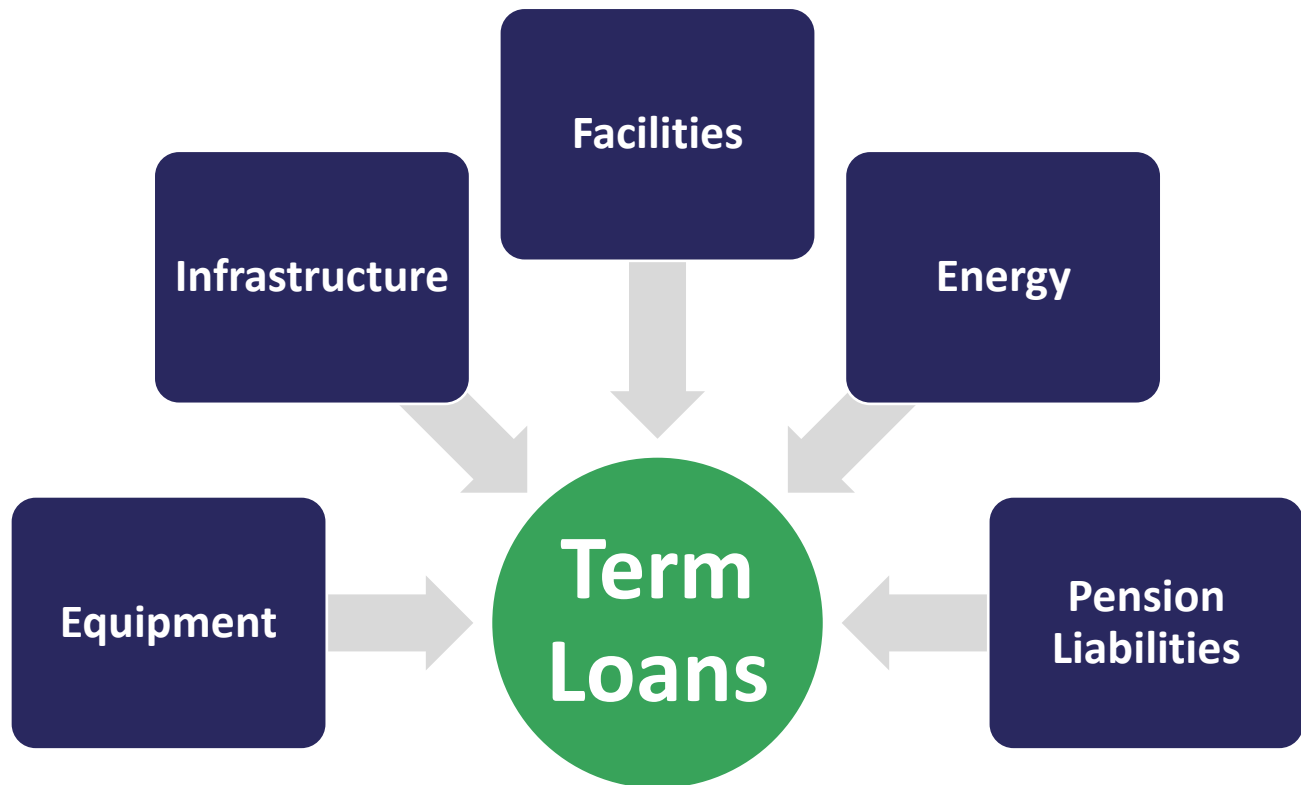
COST OF ISSUANCE		
Debt Issuance Fees	Bond	Direct Lending
Underwriter Fee	\$35,000.00	
Legal Fee/Documentation	\$20,000.00	\$5,000.00
Rating Agency Fee	\$10,000.00	
Trustee Fee	\$5,000.00	
Ongoing Disclosure	\$5,000.00	
Financial Advisor	\$3,500.00	
Total Fees	78,500.00	5,000.00

TRUE COST OF FUNDS		
	Bond	Direct Lending
Financing Amount	\$5,000,000.00	\$5,000,000.00
Less Total Fees	\$78,500.00	\$5,000.00
Net Proceeds Less Fees	\$4,921,500.00	\$4,995,000.00
True Cost of Funds	2.8290%	2.7208%

True Cost of Funds

Term Loans

Funding Capital Expenditures



Financing Amount

- \$250,000 - \$100,000,000
- New Projects, Refinancing

Interest Rate

- Taxable or Tax-Exempt Rates
- Credit Quality, Financing Term, Market Pricing

Funds Disbursement

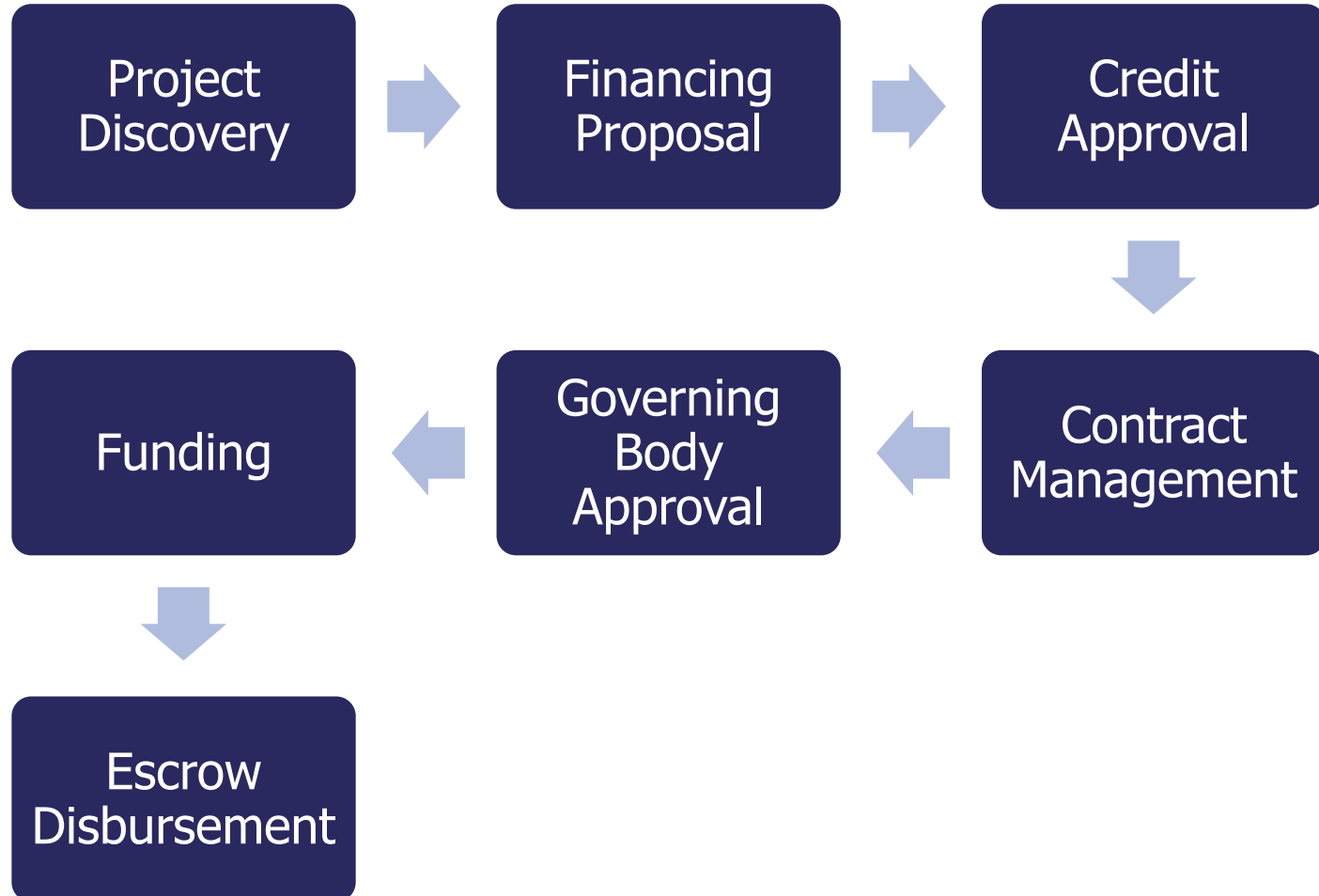
- Direct Vendor Payment
- Escrow Funding

Payments Terms

- Principal and Interest
- Monthly, Quarterly, Semi-Annually, Annually

Financing Term

- Up To 30 Years



The background of the slide is a blurred photograph of a business meeting. A person in a light blue shirt and dark tie is visible, with their hand near their chin in a thoughtful pose. In the foreground, a white calculator sits on a desk over a document with blue bar charts. A smartphone is also partially visible on the right side of the desk.

Master Financing Agreements

Simplifying Your Capital Project Financings

MASTER LEASE PURCHASE AGREEMENT

- General Fund Obligation
- Secured by the Collateral

MASTER INSTALLMENT PURCHASE AGREEMENT

- Enterprise Fund Obligation
- Debt Service Coverage Ratio Covenant

MASTER FINANCING AGREEMENT

Global Terms & Conditions

- Collateral/Security Interest
- Maintenance of Asset
- Insurance Requirements
- Default Provisions

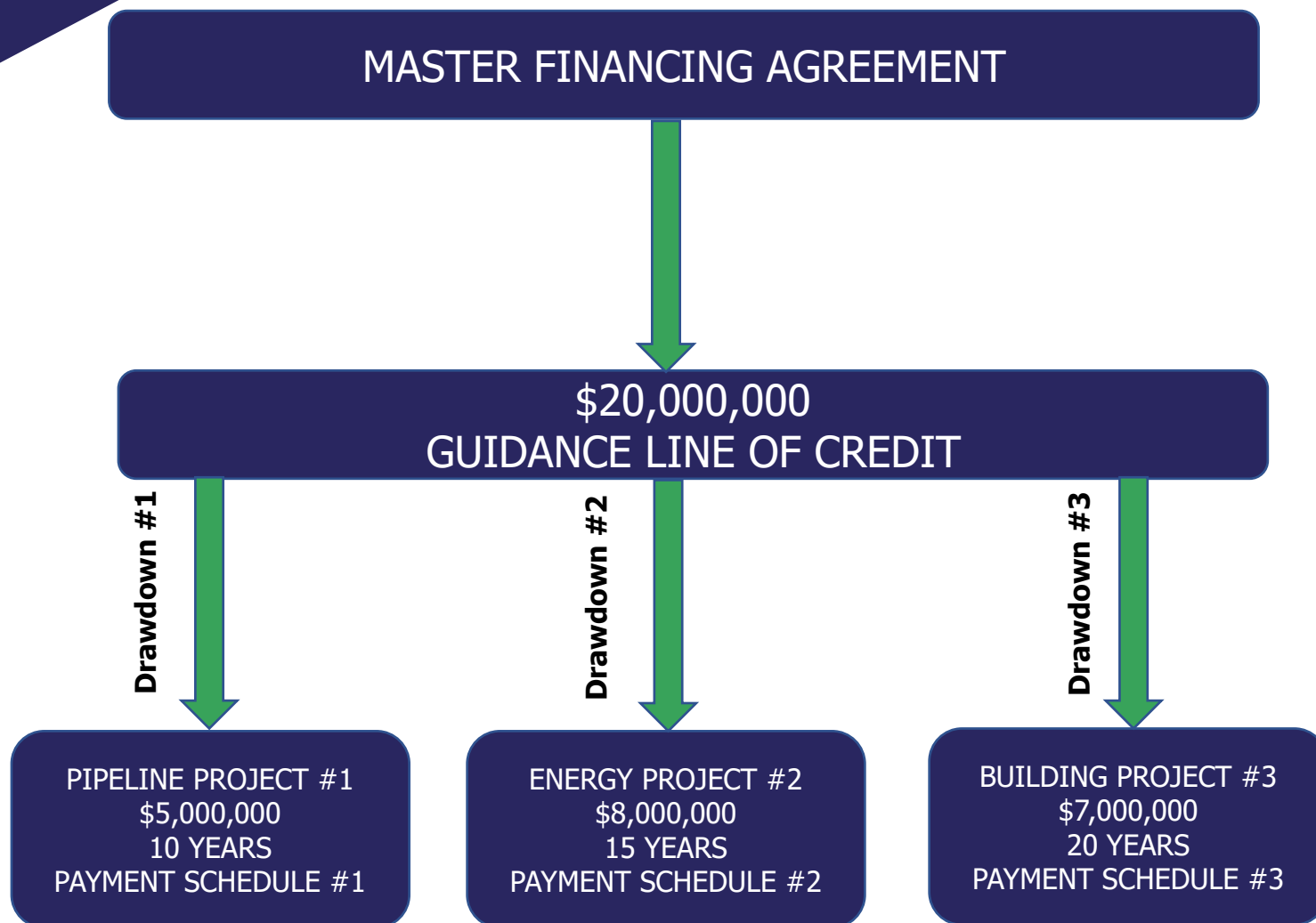
Guidance Line of Credit

- Maximum Credit Approval
- Renewed 12 – 36 Months

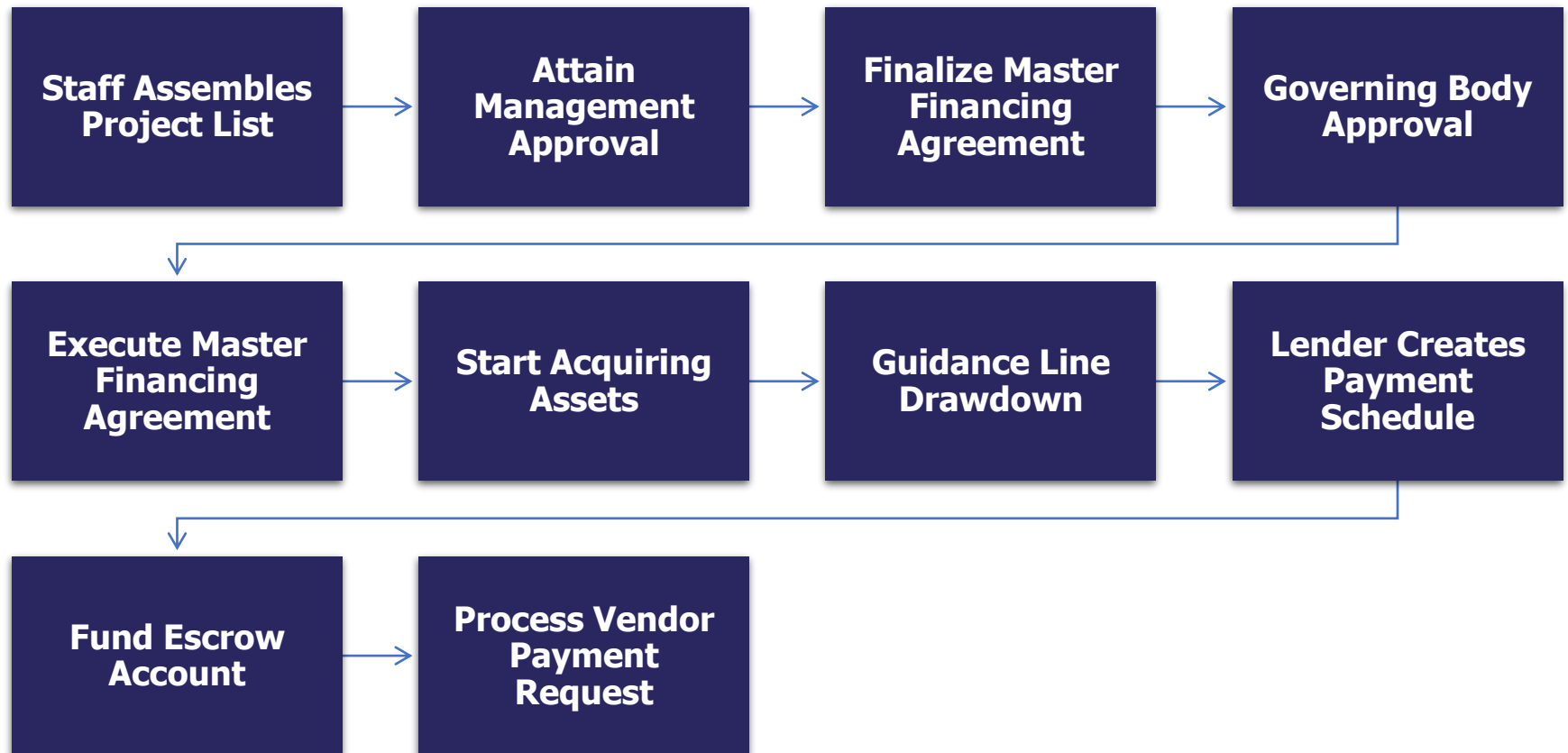
Transaction Payment Schedules

- Project Description
- Financing Amount
- Interest Rate
- Term

MASTER FINANCING AGREEMENT



MASTER FINANCING AGREEMENT PROCESS



Establish Financing Amount



Provide Project Description



Set Interest Rate

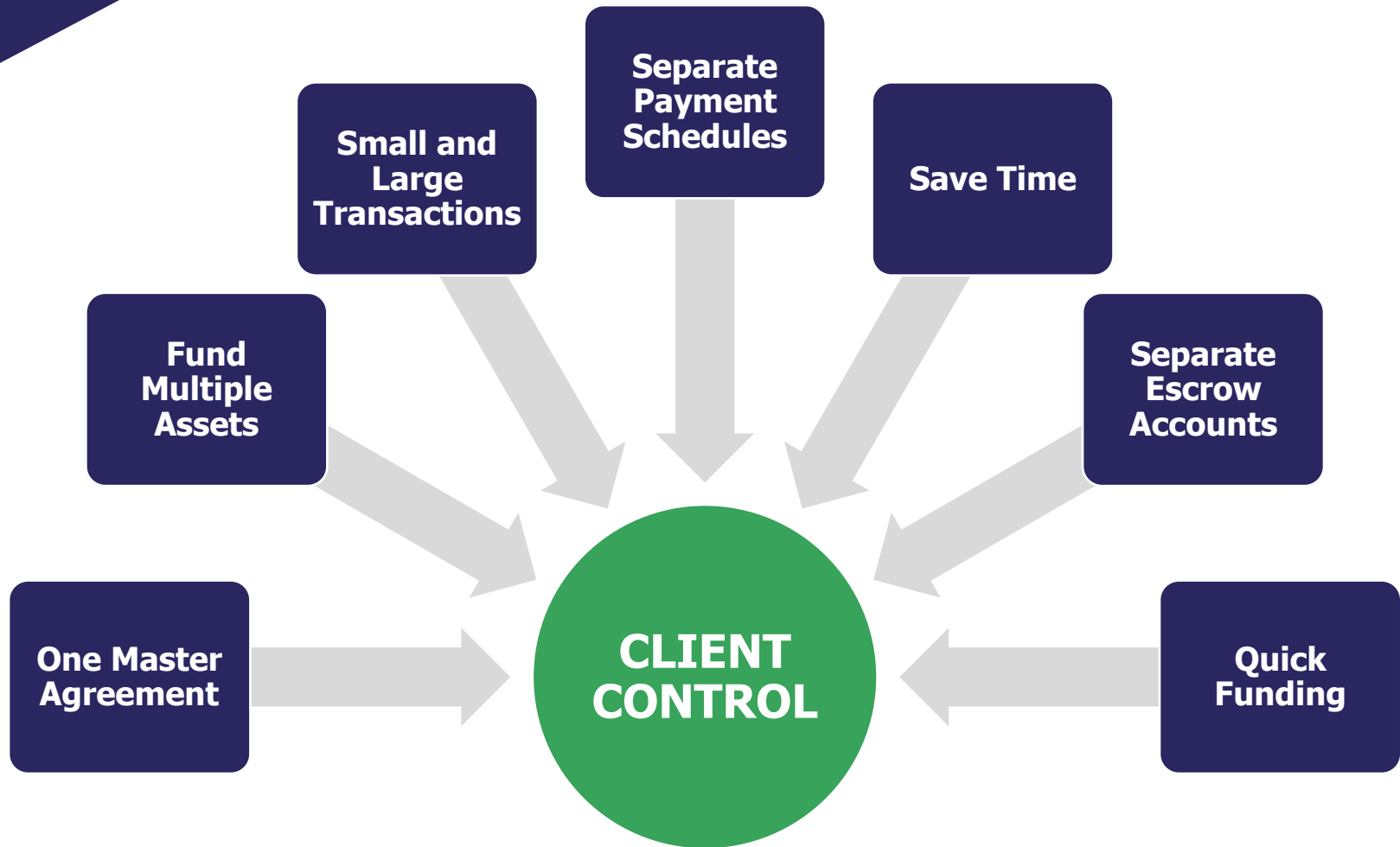


Create Payment Schedule



Fund Transaction

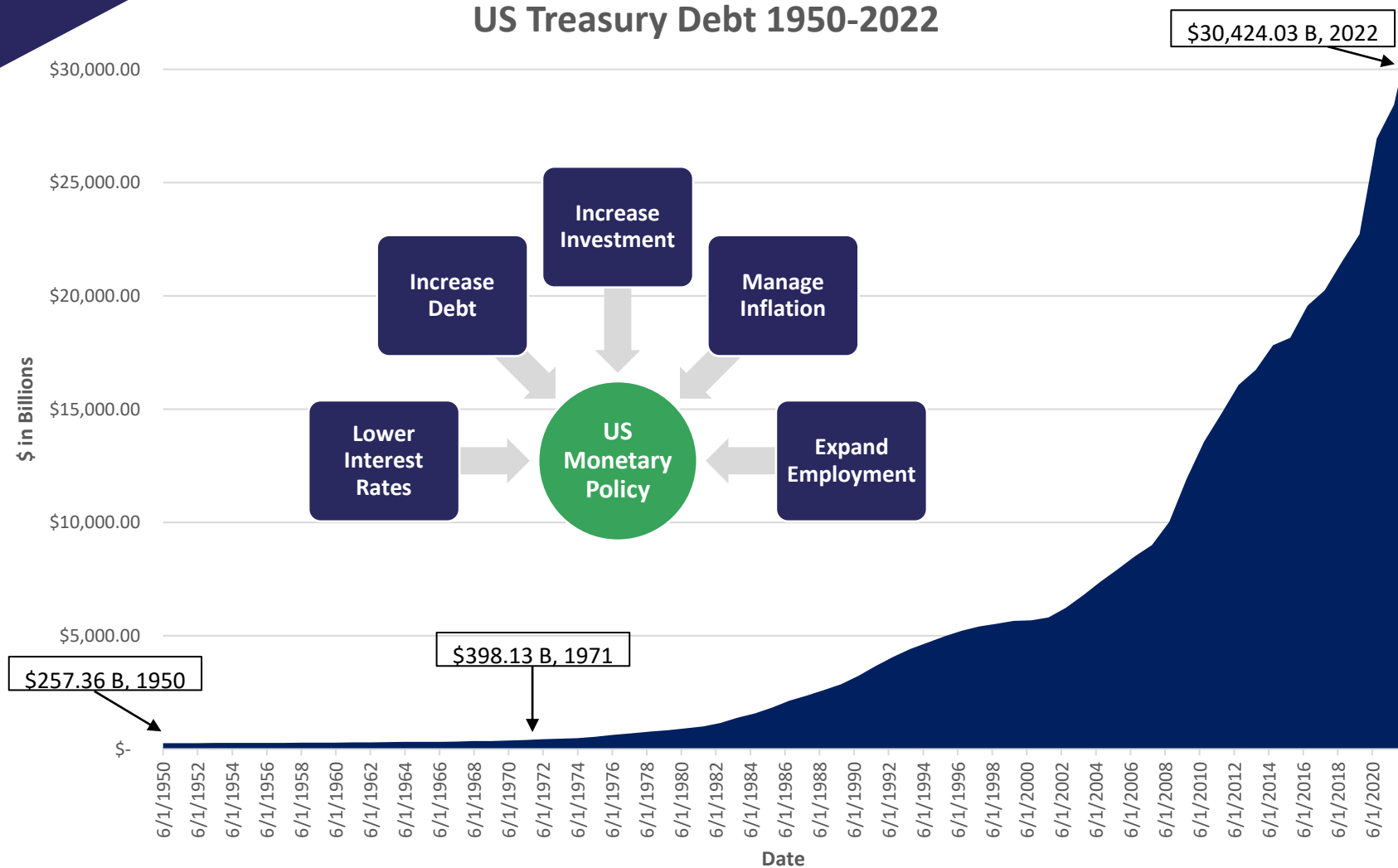
Why Master Financing Agreements



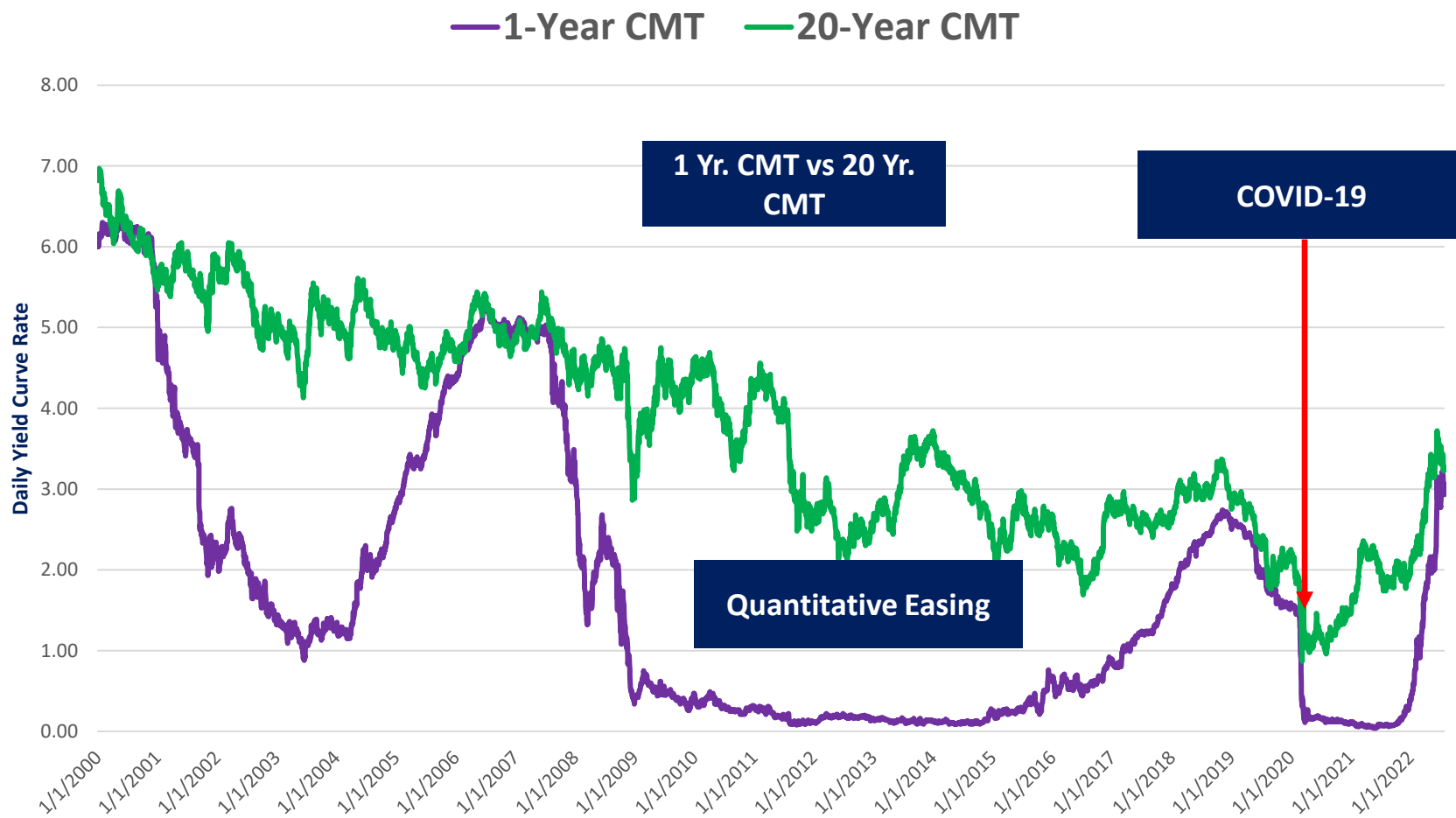
MARKET RATES

US Treasury Debt Market 1950 - 2022

US Treasury Debt 1950-2022

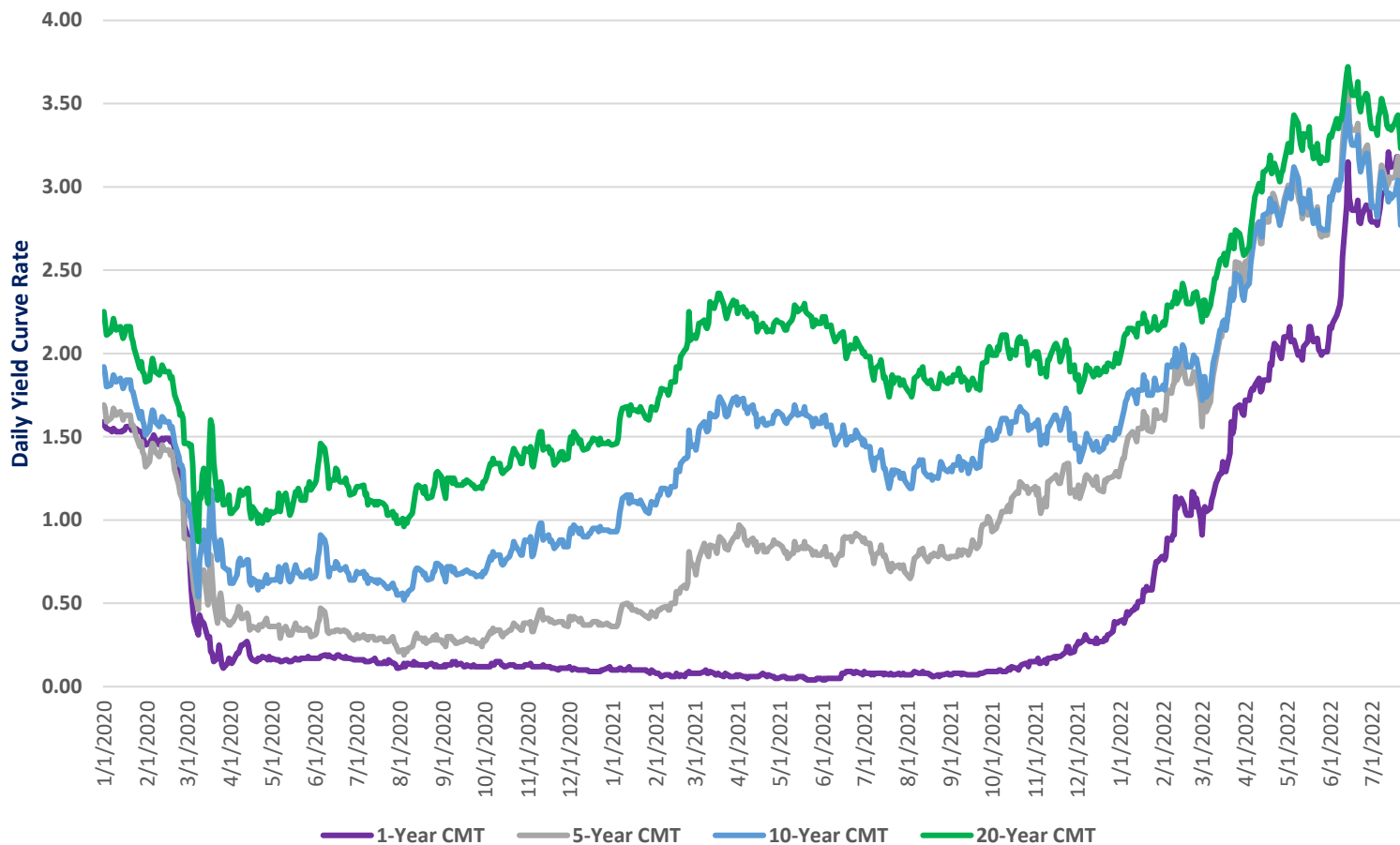


Historical Daily CMT Yields: 2000 - Present

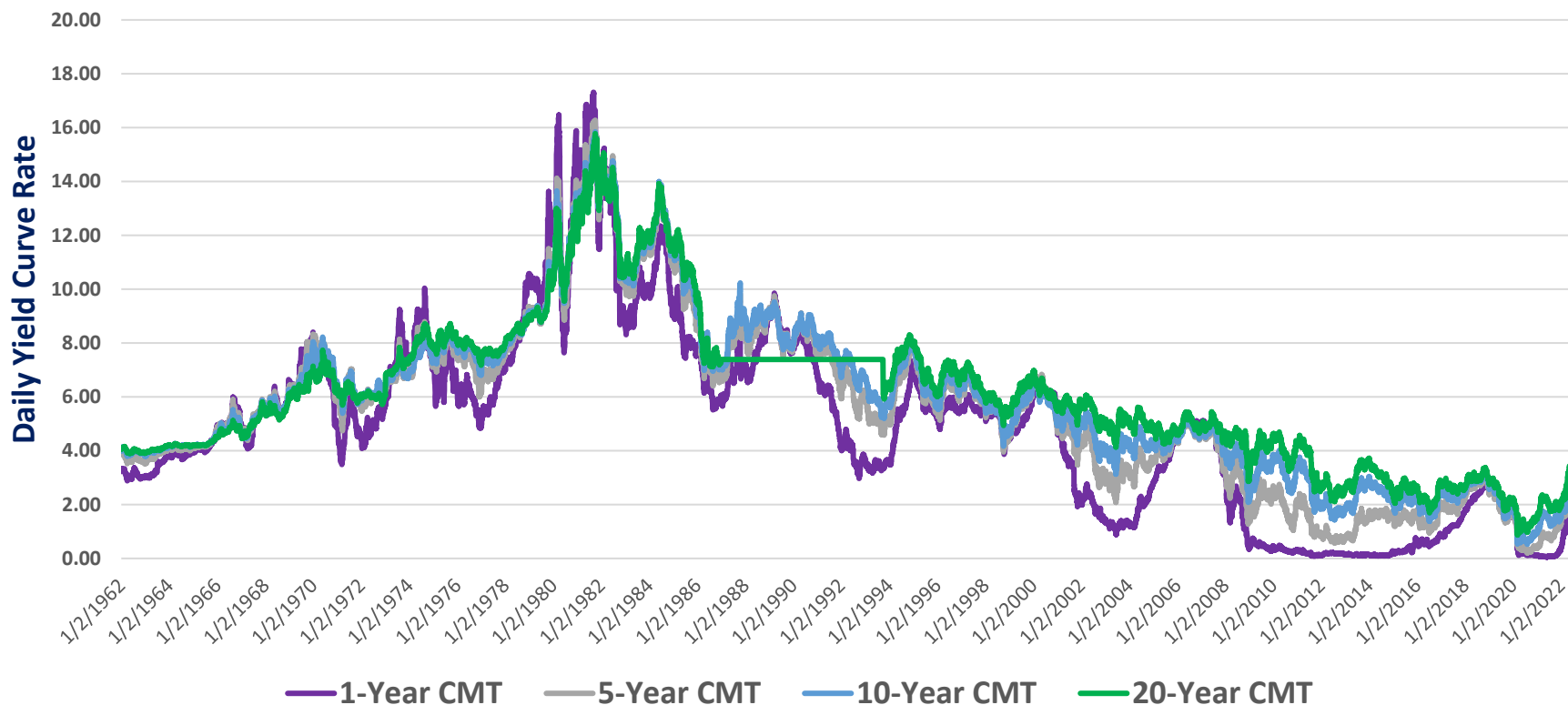


Historical Daily CMT Yields: 2020 - Present

Constant Maturity Treasury Rates January 2020 - Present



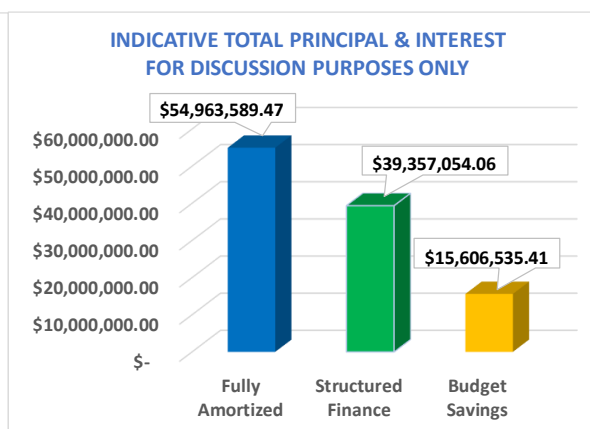
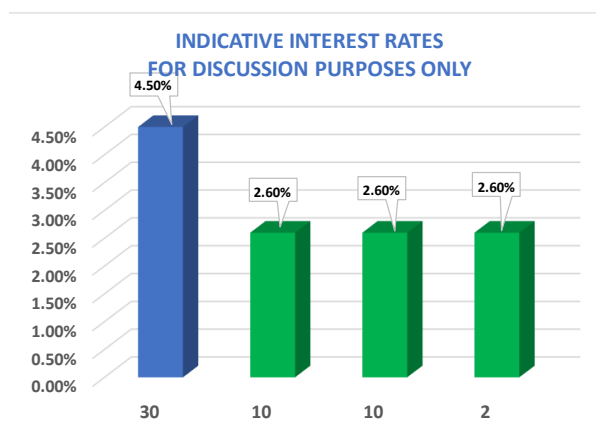
Constant Maturity Treasury Rates January 1962 - Present



BUDGET OPTIMIZATION

LOAN COMPARISON				
Description	Fully Amortized	Stage I	Stage II	Stage III
Principal	\$ 30,000,000.00	\$ 30,000,000.00	\$18,072,244.81	\$2,628,677.55
Interest Rate	4.50%	2.60%	2.60%	2.60%
Term	30	10	10	2
Payment Frequency	2	2	2	2
Future Value	\$ -	\$ 18,072,244.81	\$ 2,628,677.55	\$ -
Payment	\$ 916,059.82	\$ 916,059.82	\$ 916,059.82	\$ 678,665.32
Annual Payment	\$ 1,832,119.64	\$ 1,832,119.64	\$ 1,832,119.64	\$ 1,357,330.64

SAVINGS ANALYSIS			
Description	Fully Amortized	Structured Finance	Budget Savings
Interest Expense Stage I	\$ 24,963,589.47	\$ 6,393,441.21	
Interest Expense Stage II	\$ -	\$ 2,877,629.13	
Interest Expense Stage III	\$ -	\$ 85,983.72	
Total Interest Expense	\$ 24,963,589.47	\$ 9,357,054.06	\$ 15,606,535.41
Principal & Interest	\$ 54,963,589.47	\$ 39,357,054.06	\$ 15,606,535.41



STATE SPONSORED LOANS VS. DIRECT LENDING

	State Sponsored Loan	Direct Lending	Total Project Savings	True Cost of Capital
Financing Amount	\$ 13,107,960	\$ 10,000,000	\$ 3,107,960	\$ 10,000,000
Interest Rate	1.90%	3.70%		4.87%
Years	20	20		20
Payment Frequency	1	1		1
Annual Loan Payment	\$793,924.62	\$716,403.96		\$793,924.62
Total Payments	\$15,878,492.31	\$14,328,079.26	\$1,550,413.05	\$15,878,492.31

WORLD CLASS SOLUTIONS

Public Sector Expertise

Competitive Rates

Term Loans and Capital Leases

Master Financing Agreements

Streamlined Process

Quick Funding



APPLE VALLEY FIRE PROTECTION DISTRICT

22400 HEADQUARTERS DRIVE APPLE VALLEY, CA 92307

"COMMITMENT TO SERVICE EXCELLENCE"



Apple Valley Fire Protection District
\$950,312.06
Fire Truck
20 Year Financing Term

Mark Shaker
Finance Officer
Apple Valley Fire Protection District
760-247-7618
mshaker@applevalleyfpd.com
www.avfpd.org



William S. Hart UHSD
\$43,766,586
Energy Conservation Project
20 Year Financing Term

Ralph Peschek
Chief Financial Officer
William S. Hart UHSD
661-259-0033;254
rpeschek@hartdistrict.org
www.hartdistrict.org



Montecito Water District
\$3,000,000.00
Water Meter Project Financing
10 Year Financing Term

Daryl Smith
Business Manager
Montecito Water District
805-969-2271
dsmith@montecitowater.com
www.montecitowater.com

Lance S. Holman

President & CEO

Mr. Holman has nearly 30 years of corporate and public finance experience in product development, sales & trading, underwriting, and management. He manages the mission, strategic planning, and capital deployment of the firm.

Mr. Holman worked for US Bank in fixed income sales & trading and Ford Motor Credit in global product strategy. He worked for Banc One Leasing Corporation and SunTrust Equipment Finance Corp originating tax-exempt and taxable equipment financings for state and local governments.

Mr. Holman graduated from Indiana University with a B.S. Public Finance in 1988 and the University of Colorado Denver with a MBA/M.S. Finance in 1993. He resides in Orange County, CA.



QUESTIONS & ANSWERS



Lance Holman
President & CEO

949-981-0237

Lance.Holman@HolmanCapital.com

HolmanCapital.com

CITY COUNCIL STAFF REPORT



Agenda Date: 2/10/2023

Subject: Lake Stevens Industrial Center

Contact Person/Department: Russ Wright, Community Development

Budget Impact: Existing approved budget

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

SUMMARY/BACKGROUND:

In 2021, staff briefed Council about undertaking a major infrastructure analysis of the Hartford/Machias Industrial areas. Historic shortcomings include substandard sewer and transportation facilities. The City Council discussed its desire to reimagine the uses of this area to increase productivity. The City Council approved a budget in 2022 to begin work on an infrastructure and marketing analysis. A scoping meeting was held to discuss stormwater, sewer and water system needs with city staff, the Sewer District and PUD. Since then, the city has hired Mackenzie and EconNorthwest to complete the analysis for the Lake Stevens Industrial Center (LSIC). The consultants have held stakeholder meetings with the LSIC property owners (September 27, 2022), the City Planning Commission (October 19, 2022), and the City Council (November 15, 2022). Meetings with city departments and leadership were also conducted. The consultants have provided an initial analysis letter, which is attached as Attachment 1. They will complete their work by mid-year.

APPLICABLE CITY POLICIES:

Comprehensive Plan Growth Strategy

ATTACHMENTS:

1. Att.1 LSIC Progress Letter
2. Att.2 LSIC Study Area Maps

February 2, 2023 (*Revised February 6, 2023*)

City of Lake Stevens
Attention: Christi Schmidt – Senior Planner
1812 Main Street – PO Box 257
Lake Stevens, WA 98258

Re: **Lake Stevens Industrial Center Analysis Summary**
Project Number 2220142.00

Dear Christi:

The purpose of this letter is to provide a brief overview and preview of our analysis for the Lake Stevens Industrial Center as we continue toward issuing our draft report.

Executive Summary –

The Lake Steven Industrial Center (LSIC) analysis covers approximately 280 acres, consists of two storm drainage basins, two major road networks (Old Hartford and Machias Road), and limited sanitary sewer and stormwater utilities. Stakeholder meetings were held with the LSIC property owners (September 27, 2022), the City Planning Commission (October 19, 2022), and the City Council (November 15, 2022). Meetings with city departments and leadership were also conducted. Various GIS data sets, utility studies, as-builts of complete development, and pre-application notes were reviewed.

To date, the lack of a comprehensive network of sanitary sewer and stormwater infrastructure has limited the quantity and scale of development. The LSIC development pattern shows sites within proximity to existing infrastructure are being redeveloped; the Hartford Industrial Center is one of those examples with several others in the pipeline.

The goal of our analysis is to provide a multi-year vision for the LSIC to determine the potential additional building square footage and potential additional employment capacity yield as a result of redevelopment within the LSIC. Our analysis will reflect how potential future development will occur based on a tiering methodology. The team will propose a tiered classification overlay for the LSIC in the final report. The three tiers indicate the degree of difficulty to achieve new industrial development. Attributes for the tiering include utilities, topography, and adjacency to existing development.

Land Use Overview –

The LSIC current consist of two zoning designations: General Industrial (GI) and Light Industrial (LI). We recommend consolidating the entire LSIC area into one zoning designation, General Industrial (GI). The uses table can be combined as many of the uses identified in Table 14.40 are allowed in both zones. The one permitted residential use of “apartment(s) above permitted nonresidential use” and a few other uses should be evaluated for removal from the General Industrial (GI) zone.



Regulatory Requirements and Design Standards –

Nonresidential density and dimensional standards (Table 14.48.-II) would need to be consolidated to only reflect General Industrial (GI). The current city-wide design guidelines do not have specific standards for industrial buildings. We recommend a separate chapter be added to the existing design guidelines.

Land Use Allowance and Limitations for Redevelopment –

Based on the existing allowed uses and development standards in the General Industrial zone, we provide several examples of a typical industrial development. These will be tools to develop a city design vision for the LSIC. Please refer to site development scenario (Attachment B).

Transportation-Related Considerations –

The LSIC is served by Old Hartford a minor collector and N. Machias Road a major arterial. The classification of N. Machias Road has several different classifications depending on the data source. As part of our analysis, we will recommend the correct road classification based on the anticipated buildout of the LSIC and projected traffic volumes within our final recommendations. The intersection of Old Hartford and 28th Street NE is being evaluated for possible realignment. Mackenzie traffic engineers have requested traffic counts at said intersection that were recorded in September 2022 by a private party. The crossing and alignment of the Centennial Trail will also be evaluated.

Utilities –

The Industrial Study Area is within the service boundary of the Lake Stevens Sewer District (LSSD) which provides services the area for sanitary sewer. According to the Lake Steven Sewer District General Sewer/Wastewater Facility Plan, dated October 2022 and prepared by Gray & Osborne, Inc., there are no public sanitary sewer or wastewater systems within the study area and most of the properties within the study area are on septic systems. The Gray & Osborne study identifies an additional lift station is needed but did not propose a specific gravity pipe network for the area.

Snohomish County PUD provides water and electric service within the LSIC. Snohomish County PUD confirmed no known deficiencies in the area.

The city of Lake Stevens manages the storm water system, which discharges to Catherine Creek for the western half of the LSIC. The eastern half of the LSIC discharges into Little Pilchuck Creek. We will recommend possible locations within both drainage basins for regional stormwater facilities.

Ziply Fiber provides standard internet speed to the LSIC. High speed (fiber) internet service is not available with the LSIC, high speed service is available within the Lake Stevens Downtown Subarea. There are no immediate plans by Ziply Fiber to expand high speed service to the LSIC.

Economic Analysis –

Please reference the attached memo from ECONorthwest (Attachment A).

Environmental Makeup and Constraints –

The Riley Group provided both an environmental risk assessment and a geotechnical analysis based on historic records; no field work was performed. There are 26 properties within the LSIC that are currently listed on various environmental regulatory databases reviewed by Environmental Risk Information Services (ERIS). Of the 26 properties listed, seven

properties are considered an elevated environmental risk to soil, groundwater, and/or soil vapor. The at-risk properties follow:

- Lake Stevens Best Storage (formerly Cooper Lumber/Old Cedar Mill) – 2303 and 2311 131st Avenue Northeast
- Lake Conner Grocery – 2730 Hartford Drive (and North Machias Road)
- Arnold's Body Shop – 2710 and 2720 North Machias Road
- Old Apex Wood Building – 2524 North Machias Road
- Gunner Auto Parts and Braven Metals and (formerly NW Auto Recyclers) – 2315 and 2317 North Machias Road
- 360 Auto Recycling – 2017 North Machias Road
- Furby's Truck Repair – 1901 North Machias Road

The entire environmental risk assessment will be provided as an exhibit to the final LSIC report.

The geology of the LSIC indicates the central portion of the site as underlain by Till which is a mixture of clay, silt, sand, and gravel deposited at the base of the Vashon ice sheet. The western portion of the site is primarily mapped as Older Alluvium, which is sand and gravel deposited as terraces above the younger alluvium. The LSIC site generally does not have high erosion hazard areas. There are certain areas along the western bank of Little Pilchuck Creek with steeper slopes, specifically adjacent to Machias Road. A Snohomish County Well Head Protection Radius occupies the northern portion of the site. Stormwater infiltration may be feasible in the younger and older alluvial deposits on the site, specifically in the area west of Hartford Road.

Redevelopment Concepts –

The report will provide three broad Strategic Concepts of the LSIC. In these concepts, major actions are explored to envision scenarios and possibilities for the industrial district. These include connection points to Highway 92, routes through the district, alignment of the Centennial Trail, modifications to the intersection of Old Hartford and 28th, prioritization of land uses within the industrial district from larger scaled industrial developments to Maker/Start-up industrial uses to community commercial/industrial uses. Each concept has been developed to elicit conversation on the path to developing a Strategic Concept for the LSIC.

Sincerely,



Michael Chen
Principal Planner

Enclosure(s): Attachment A – ECONorthwest Letter, dated February 1, 2023
Attachment B – Site Development Scenario

c: Chris Blakney – ECONorthwest
Brett Conway – Mackenzie

DATE: February 6, 2023
TO: Michael Chen; Mackenzie
FROM: Oscar Saucedo-Andrade and Chris Blakney; ECONorthwest
SUBJECT: Lake Stevens Industrial Market Analysis

Progress to Date

As of February 1st, ECONorthwest has an 80 percent draft of Lake Stevens' industrial center market study. ECONorthwest has completed the following as part of the market study deliverable:

- Compiled real estate market trends for industrial and flex real estate. These include rent rates, vacancy rates, deliveries and net absorption, and a comparison of market performance of Lake Stevens to North Snohomish County.
- Compiled recent industrial development examples.
- Conducted a comparison of industrial centers to describe Lake Stevens competitive position in the North Snohomish County submarket.
- Compiled and analyzed drivers of industrial land demand. These include trends in GDP, growth in GDP, consumer price index, unemployment rate, employment by industry, industrial sector employment, wage growth, population growth, commute trends, and education attainment.
- Described Lake Stevens' competitive advantages and disadvantages for industrial development.
- Compiled case study examples of other industrial parks/centers.

Preliminary Key Findings

Industrial Market Overview:

North Snohomish County

- Stable to low vacancies which have driven recent increases in rent growth.
- Average rent is at a decade-high of \$13.00 per square foot.
- The market has experienced large industrial development concentrated in Arlington and Marysville.
- Total industrial inventory as of Q1 2023 is 7.5 million square feet with approximately 3.4 million under construction or proposed.

Lake Stevens

- Very low vacancy rate with increases in industrial rent growth.
- Limited inventory of industrial space which has kept vacancies low.
- As of Q1 2023, there is 217,000 square feet of industrial space with no proposed or under construction projects other than the application recently received.

- The market has experienced limited new industrial construction. Recently new industrial construction has been steel warehouses, largely comprised of storage space.

Competitor Analysis:

- Marysville and Arlington have stood out as the major competitors for industrial space. This is due to their locational advantages of highway and air access and large served sites suitable for DCs.
- Recent new development in these two cities have been large warehouses and distribution centers. Construction is typically concrete tilt up.

Market Strengths:

- Demand for new industrial space will come from the consistent year-over-year growth of wholesale trade, transportation, and utilities, and construction/resources.
- The wholesale trade and transportation industry are likely to demand larger industrial space in the future. Although the manufacturing industry saw a small decline in jobs since COVID-19, the industry makes up a large share of Snohomish County's industrial jobs that will continue to demand industrial space in the future as well.
- Lake Stevens could continue to support light warehouse uses and specialty niche production uses. However, it will likely not serve large employment opportunities.
- Proximity to downtown lends opportunities for niche industrial.
- Access to workforce.

Market Challenges:

- Lake Stevens' market share of industrial development is relatively small and mostly comprised of steel warehouses.
- The Industrial Area has no direct access to the larger transportation network and lacks infrastructure.
- The combination of infrastructure and tilt-up development costs create a high financial barrier to development—especially for small local businesses.
- Physical land constraints limit large industrial development primarily seen in Marysville and Arlington.

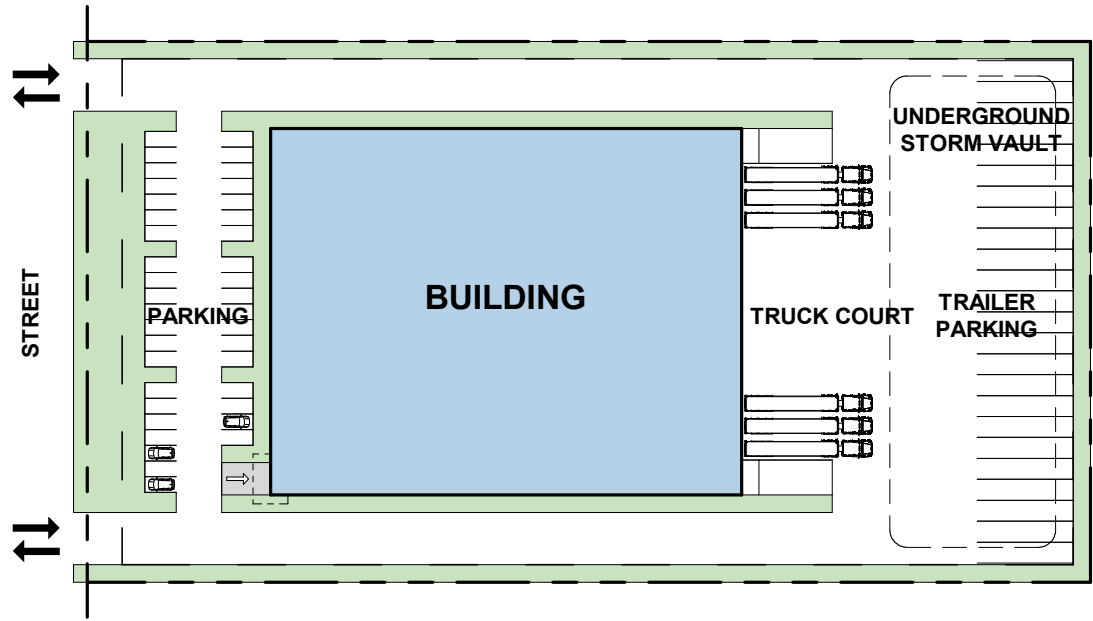
Implications for Lake Stevens:

- Lake Stevens will continue to see smaller, low-cost industrial development. This may include steel warehouses and some flex development.

Funding Strategy

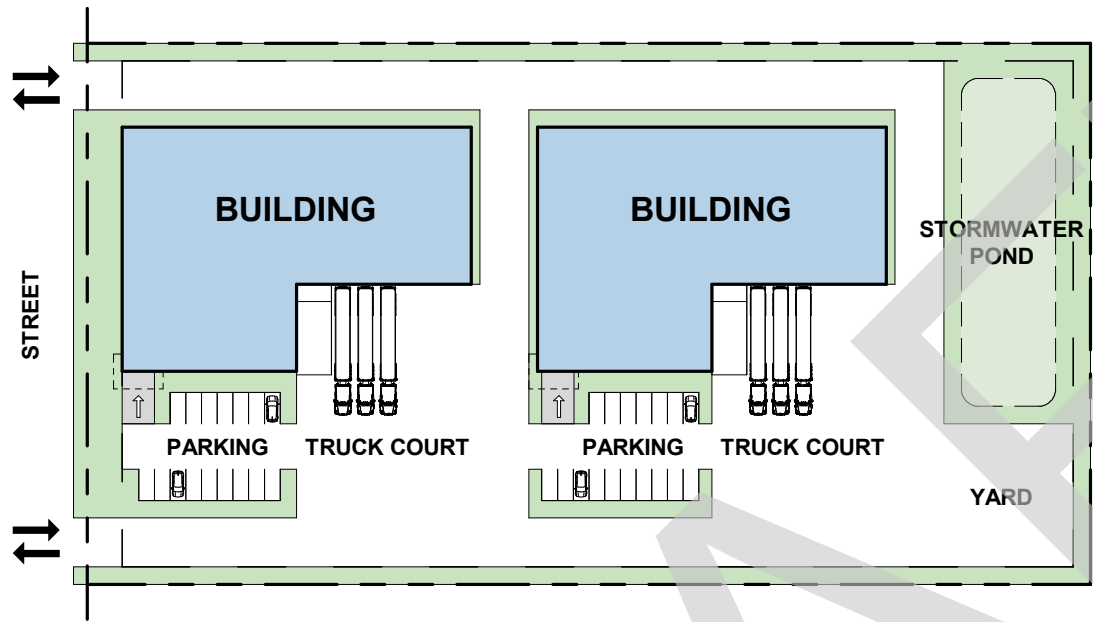
Our funding strategy will be completed in response to recommendations from Mackenzie. Preliminary findings suggest that the lack of high-value development opportunities will limit the effectiveness of value-capture strategies like tax-increment financing. A local improvement district would likely be more effective if there is support from existing property

owners and businesses. We would expect outside sources like grants to play a larger role in the funding opportunities for the area.



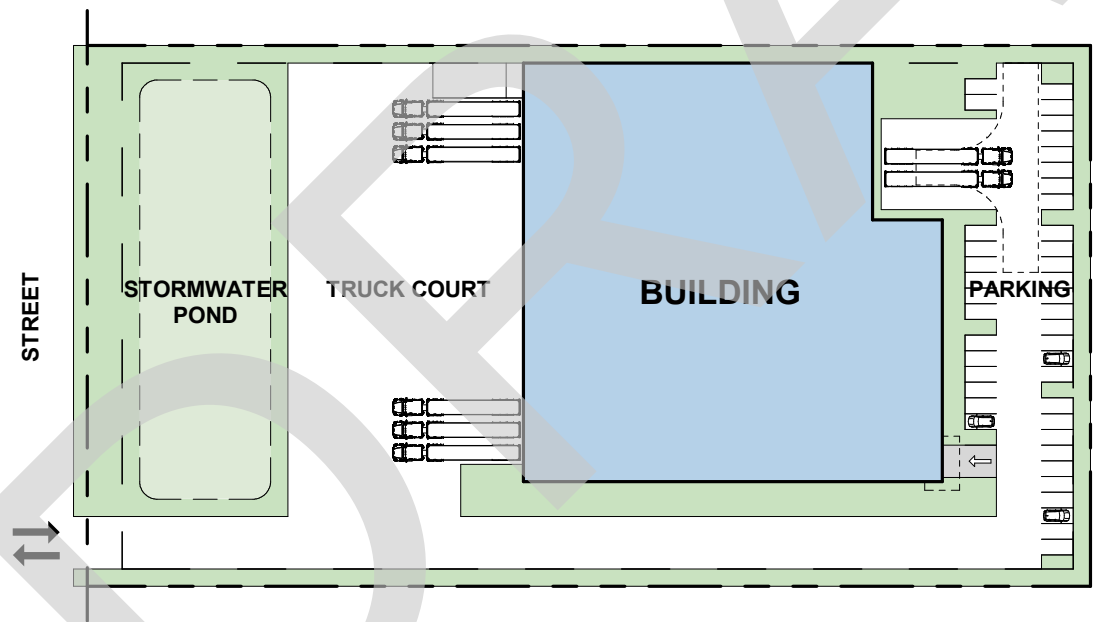
Lot A - Option 1

Parking At Front & Truck Court At Rear



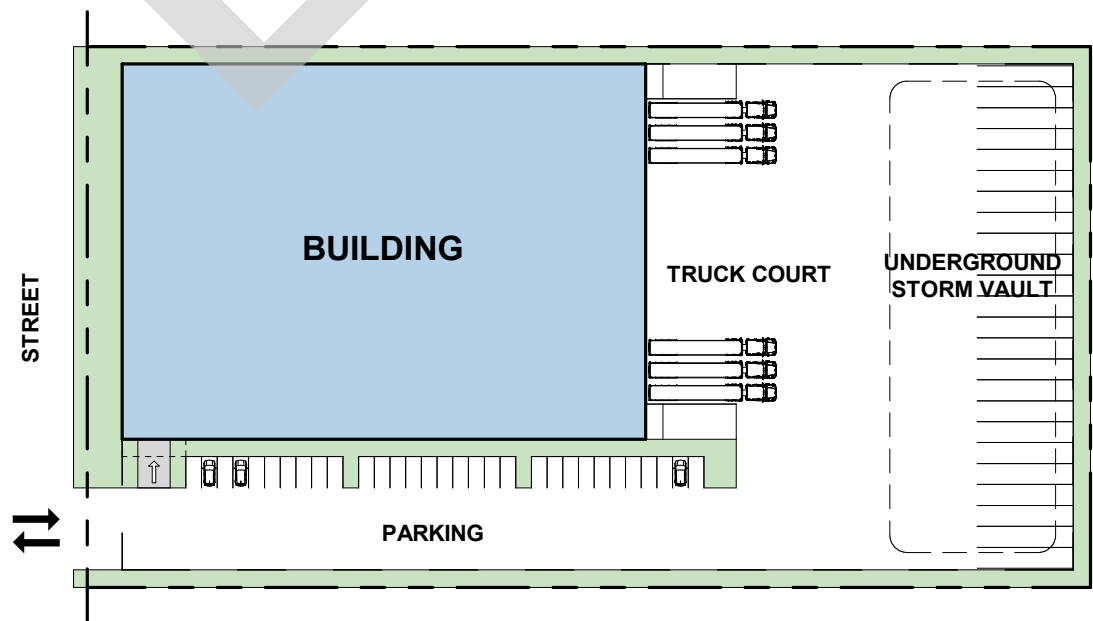
Lot A - Option 2

Multiple Buildings



Lot A - Option 3

Truck Court At Front



Lot A - Option 4

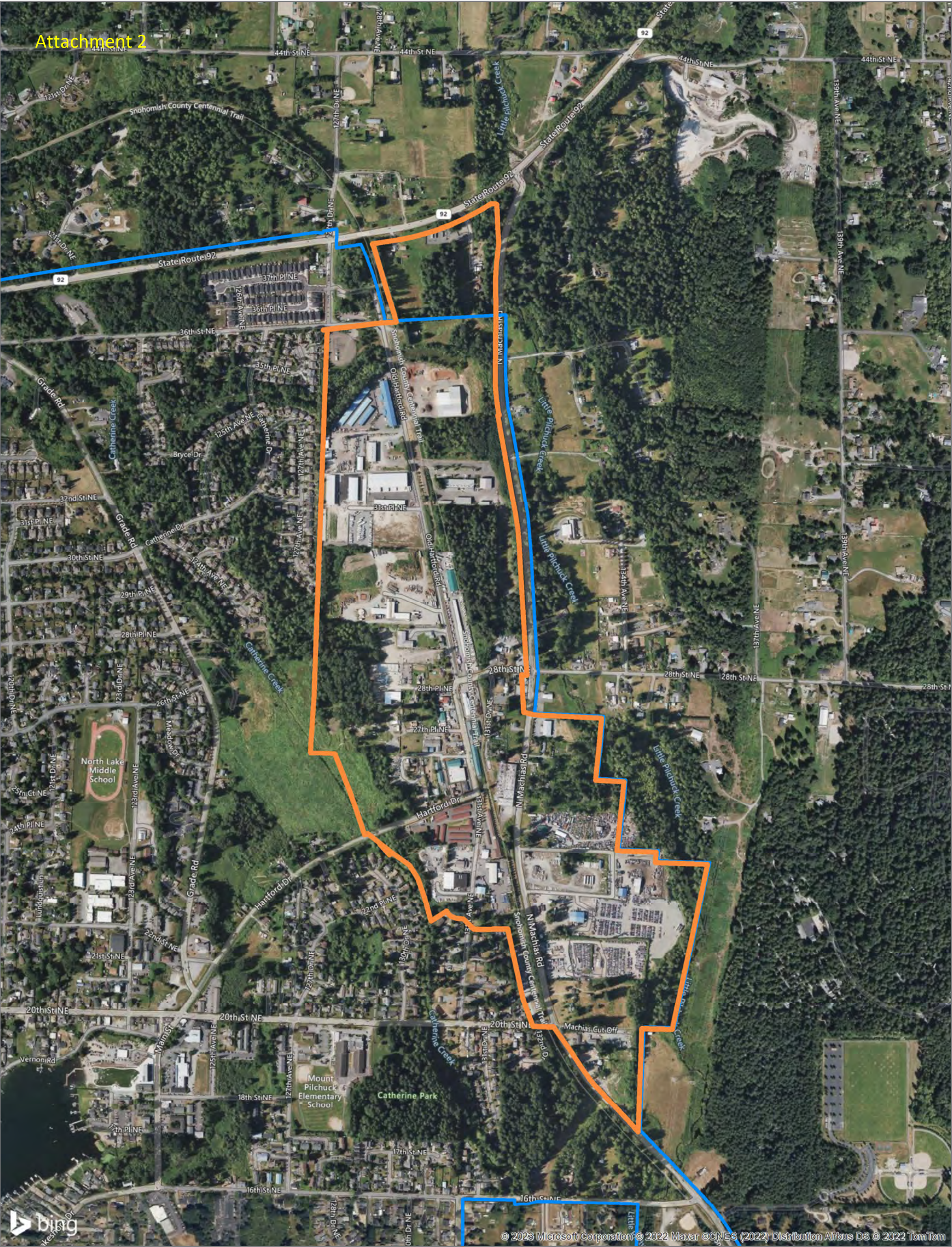
Parking At Side

Site Development Framework

- 20 foot front setback/buffer
- 10 foot rear/side setback/buffer

Not To Scale

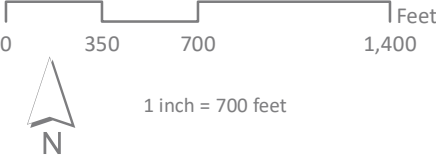
Site Development Scenarios



CITY OF LAKE STEVENS INDUSTRIAL LANDS ANALYSIS Lake Stevens, Washington

LEGEND

- City Limits
- Industrial Study Area



SOURCE DATA: Snohomish County Database, July 2022

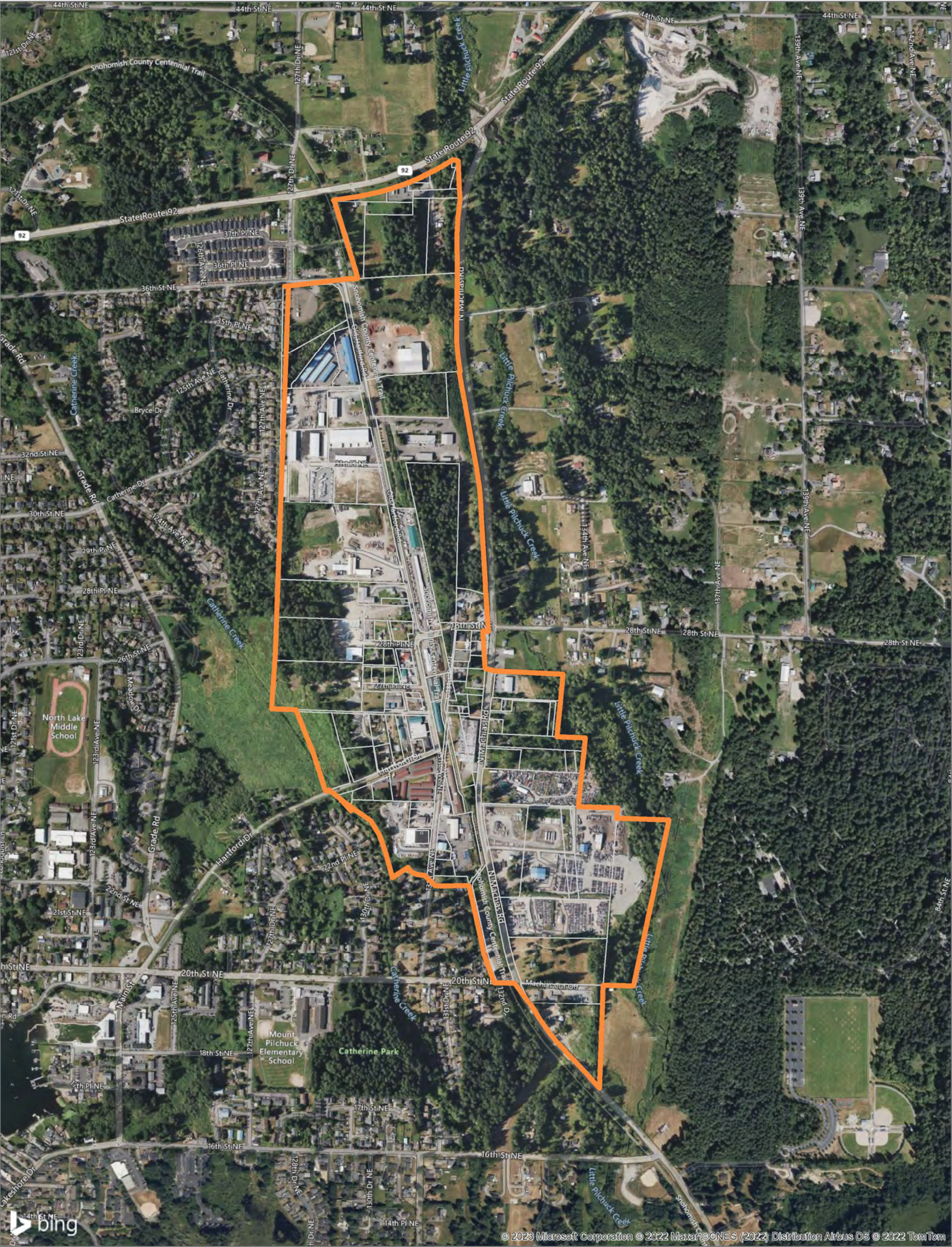
GEOGRAPHIC PROJECTION: NAD 83 HARN, Washington North Lambert Conformal Conic

Date: 12/6/2022 Map Created By: JBM
File: Lake Stevens Industrial Lands Analysis Uses Project No: 2220142.00

MACKENZIE.

P 503.224.9560 • F 503.228.1285 • W MCKNZE.COM
RiverEast Center, 1515 SE Water Avenue, #100, Portland, OR 97214

Portland, Oregon • Vancouver, Washington • Seattle, Washington



CITY OF LAKE STEVENS INDUSTRIAL LANDS ANALYSIS

Lake Stevens, Washington

LEGEND

-  Study Area Lots
-  Industrial Study Area



0 350 700 1,400 Feet

1 inch = 700 feet

SOURCE DATA:
Snohomish County Database,
July 2022

DATE: 2/2/2023
Map Created By: JBM
Project No: 2220142.00

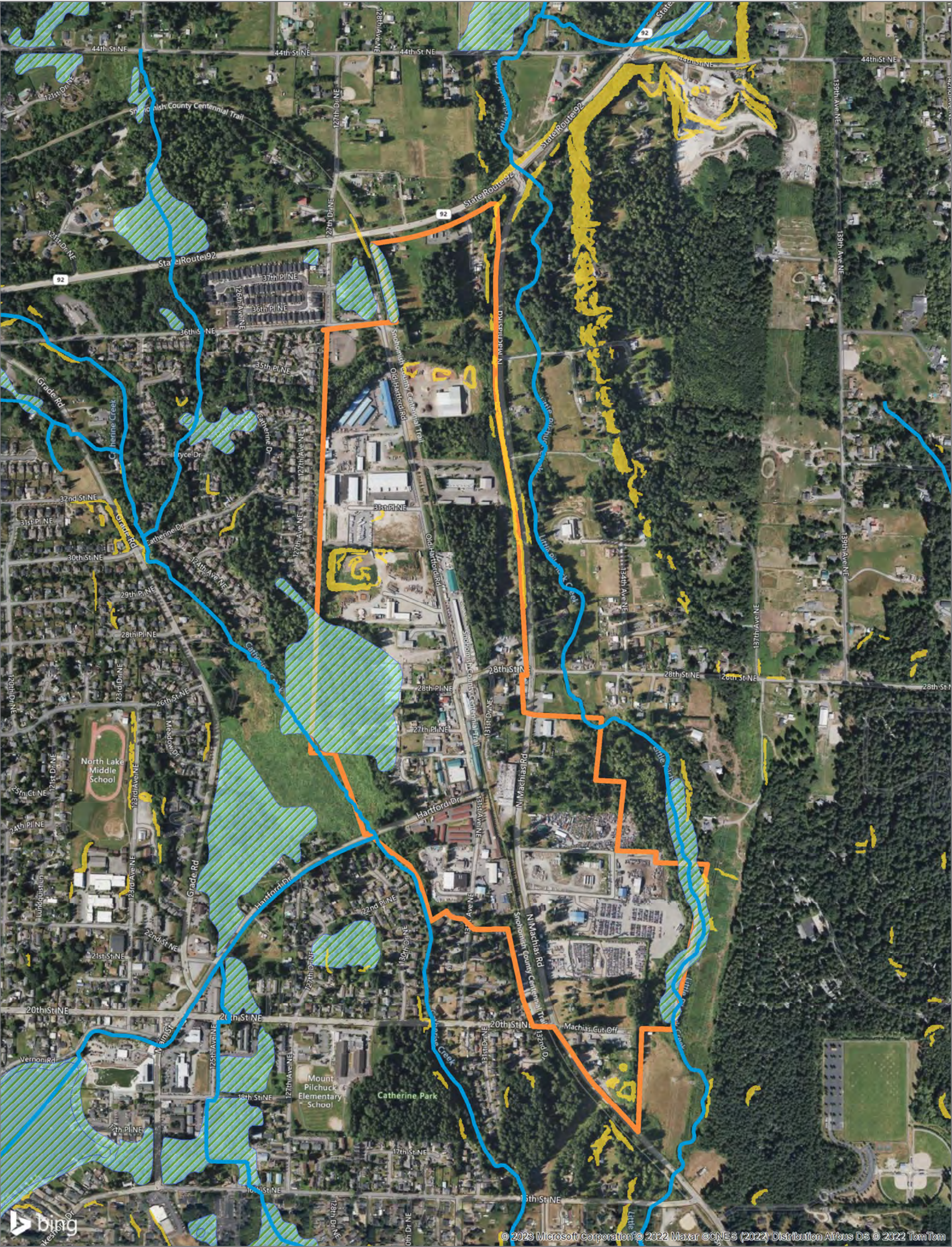
GEOGRAPHIC PROJECTION:
NAD 83 HARN, Washington North
Lambert Conformal Conic



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CITY OF LAKE STEVENS INDUSTRIAL LANDS ANALYSIS
ENVIRONMENTAL CONSTRAINTS
Lake Stevens, Washington

LEGEND

- Stream
- Steep Slope
- Wetland
- Industrial Study Area

03507001,400

Feet

03507001,400

1 inch = 700 feet

SOURCE DATA:
Snohomish County Database,
July 2022

GEOGRAPHIC PROJECTION:
NAD 83 HARN, Washington North
Lambert Conformal Conic

Date: 2/2/2023
File: Lake Stevens Sanitary Sewer Service Map

Map Created By: JBM
Project No: 2220142.00

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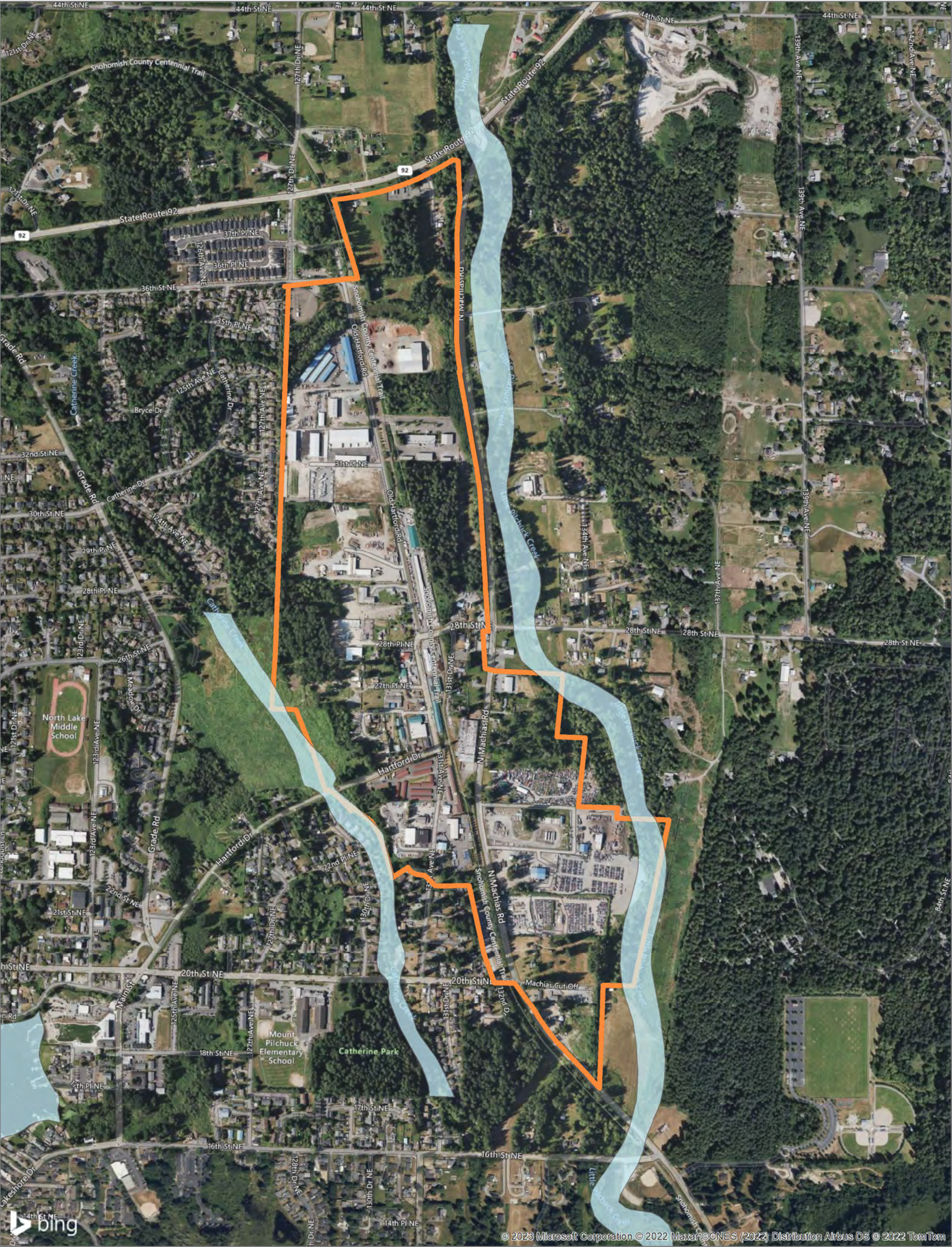
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CITY OF LAKE STEVENS INDUSTRIAL LANDS ANALYSIS
FLOOD HAZARD AREAS
Lake Stevens, Washington

LEGEND

-  Flood Hazard Zone
-  Industrial Study Area

03507001,400

Feet

N

1 inch = 700 feet

SOURCE DATA:
Snohomish County Database,
July 2022

GEOGRAPHIC PROJECTION:
NAD 83 HARN, Washington North
Lambert Conformal Conic

Date: 2/2/2023

Map Created By: JBM

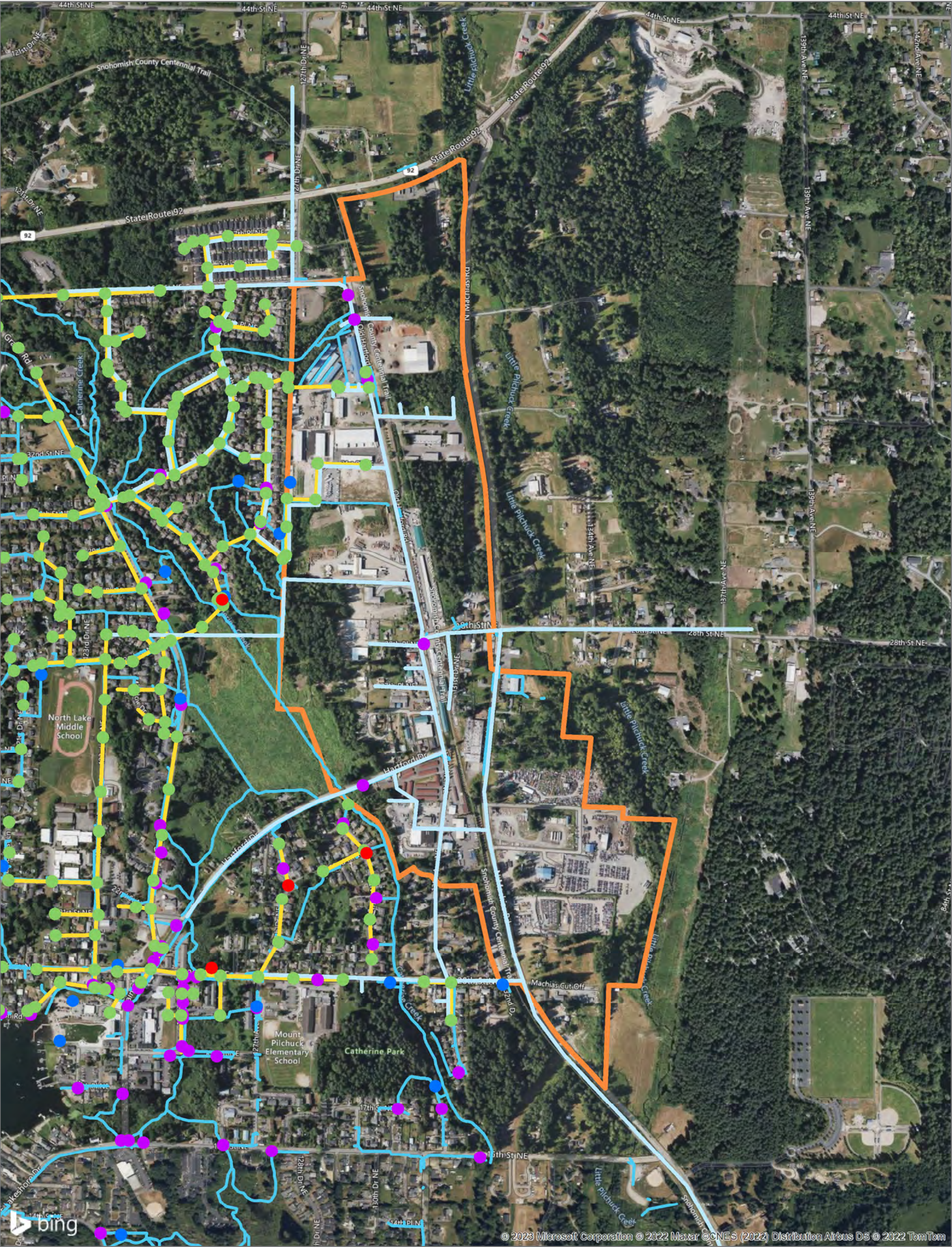
File: Lake Stevens Industrial Lands Analysis

Project No: 2220142.00

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CITY OF LAKE STEVENS INDUSTRIAL LANDS ANALYSIS
COMBINED UTILITIES
Lake Stevens, Washington

LEGEND

- Lift Station
- Manhole
- City Drainage Facilities
- Outfalls
- Water Network
- Sewerline
- Stormwater Network
- Industrial Study Area

03507001400

Feet

N

1 inch = 700 feet

SOURCE DATA:
Snohomish County Database,
July 2022

GEOGRAPHIC PROJECTION:
NAD 83 HARN, Washington North
Lambert Conformal Conic

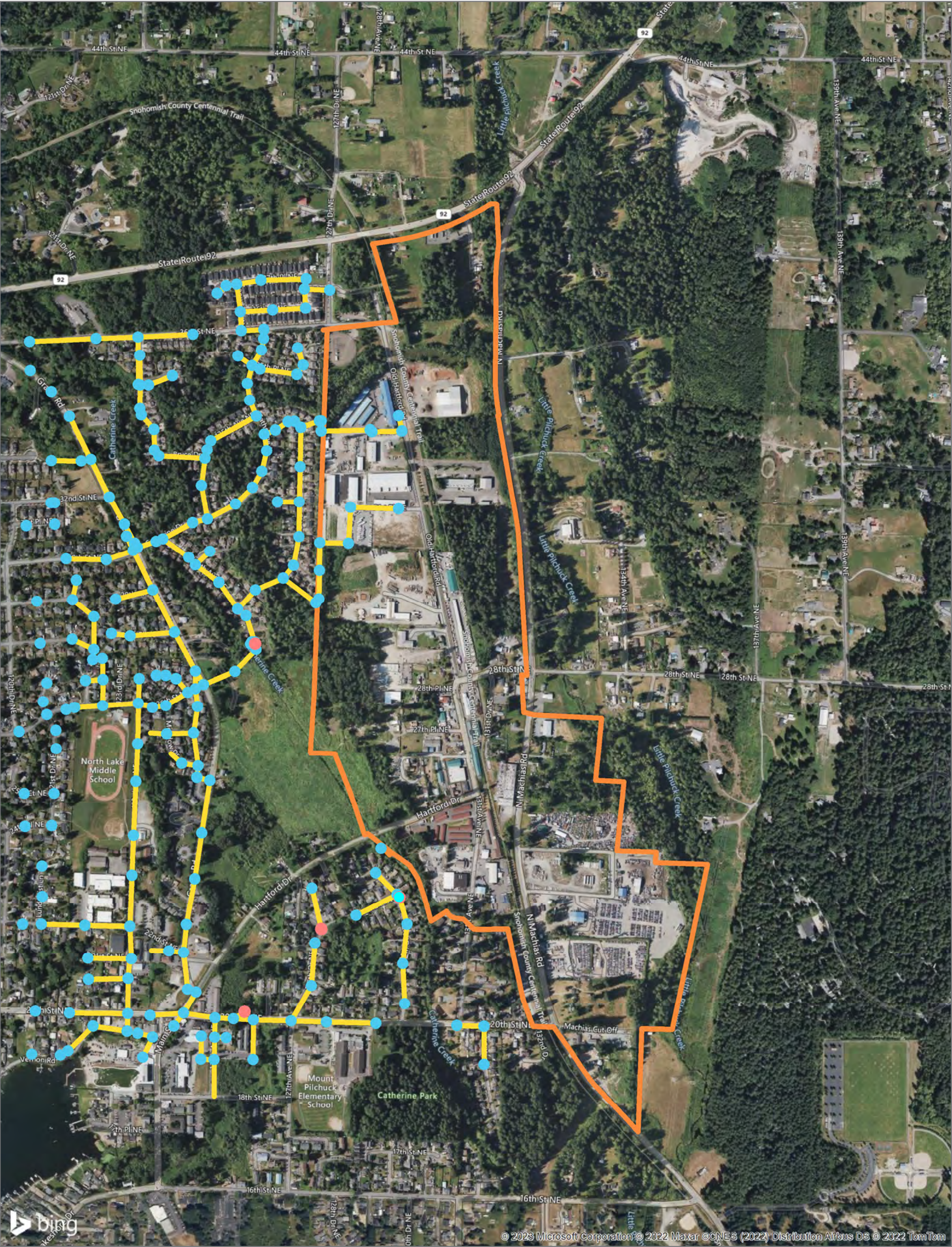
Date: 2/2/2023
File: Lake Stevens Combined Utility Map

Map Created By: JBM
Project No: 2220142.00

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CITY OF LAKE STEVENS INDUSTRIAL LANDS ANALYSIS SANITARY SEWER SERVICE Lake Stevens, Washington

- LEGEND**
- Lift Station
 - Manhole
 - Sewerline
 - Industrial Study Area

03507001400

Feet

N

1 inch = 700 feet

SOURCE DATA:
Snohomish County Database,
July 2022

GEOGRAPHIC PROJECTION:
NAD 83 HARN, Washington North
Lambert Conformal Conic

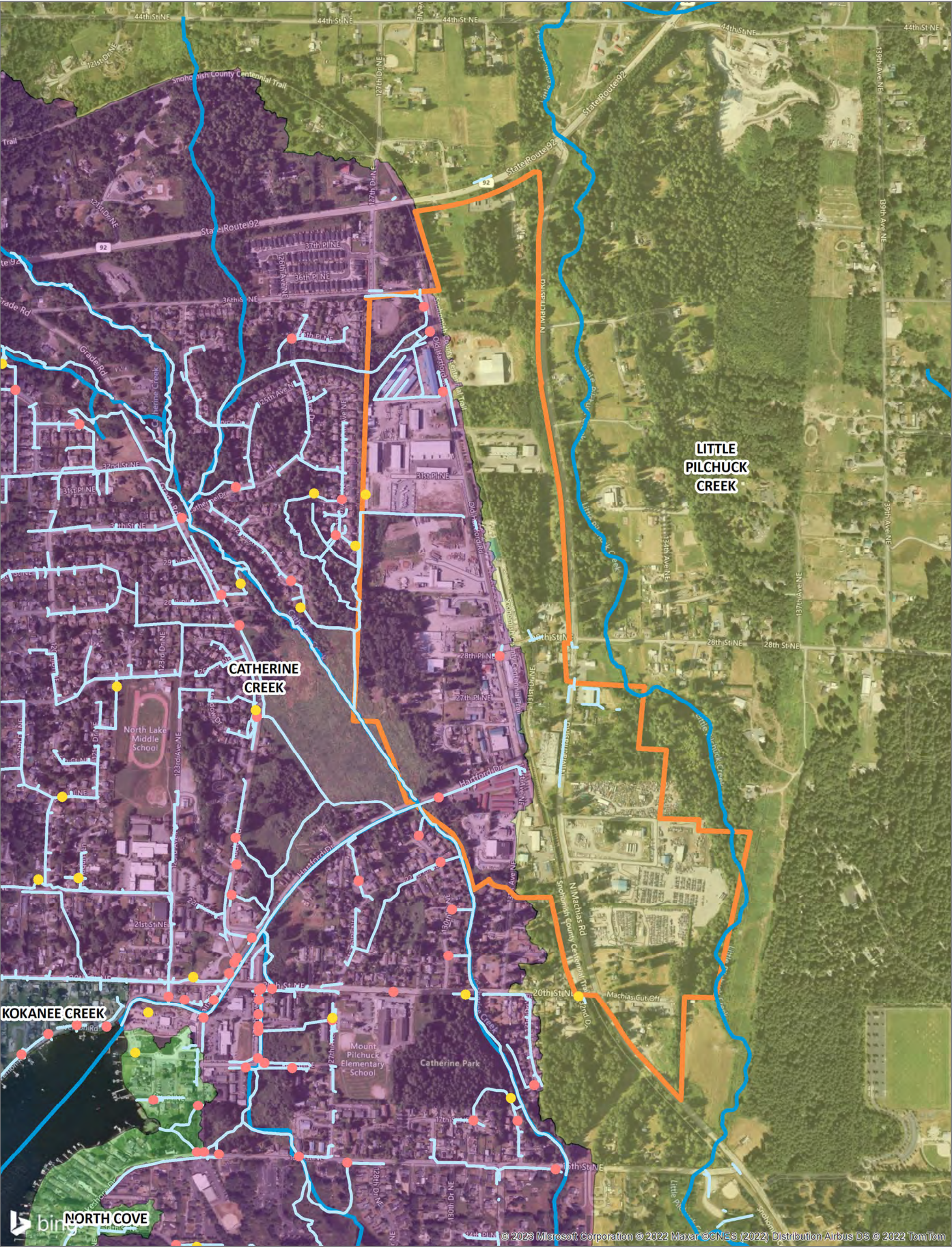
Date: 12/8/2022
File: Lake Stevens Sanitary Sewer Service Map

Map Created By: JBM
Project No: 2220142.00

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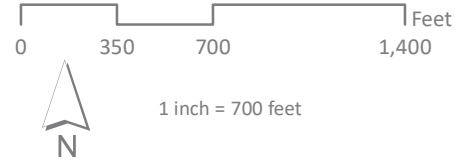
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**CITY OF LAKE STEVENS INDUSTRIAL LANDS ANALYSIS
STORMWATER SERVICE & DRAINAGE BASINS
Lake Stevens, Washington**

LEGEND

- | | |
|----------------------------|-------------------------|
| ● City Drainage Facilities | ■ Kokanee Creek |
| ● Outfalls | ■ Little Pilchuck Creek |
| — Stormwater Network | ■ North Cove |
| — Stream | ■ Industrial Study Area |
| ■ Catherine Creek | |



SOURCE DATA: Snohomish County Database and City Data, 2022

GEOGRAPHIC PROJECTION: NAD 83 HARN, Washington North Lambert Conformal Conic

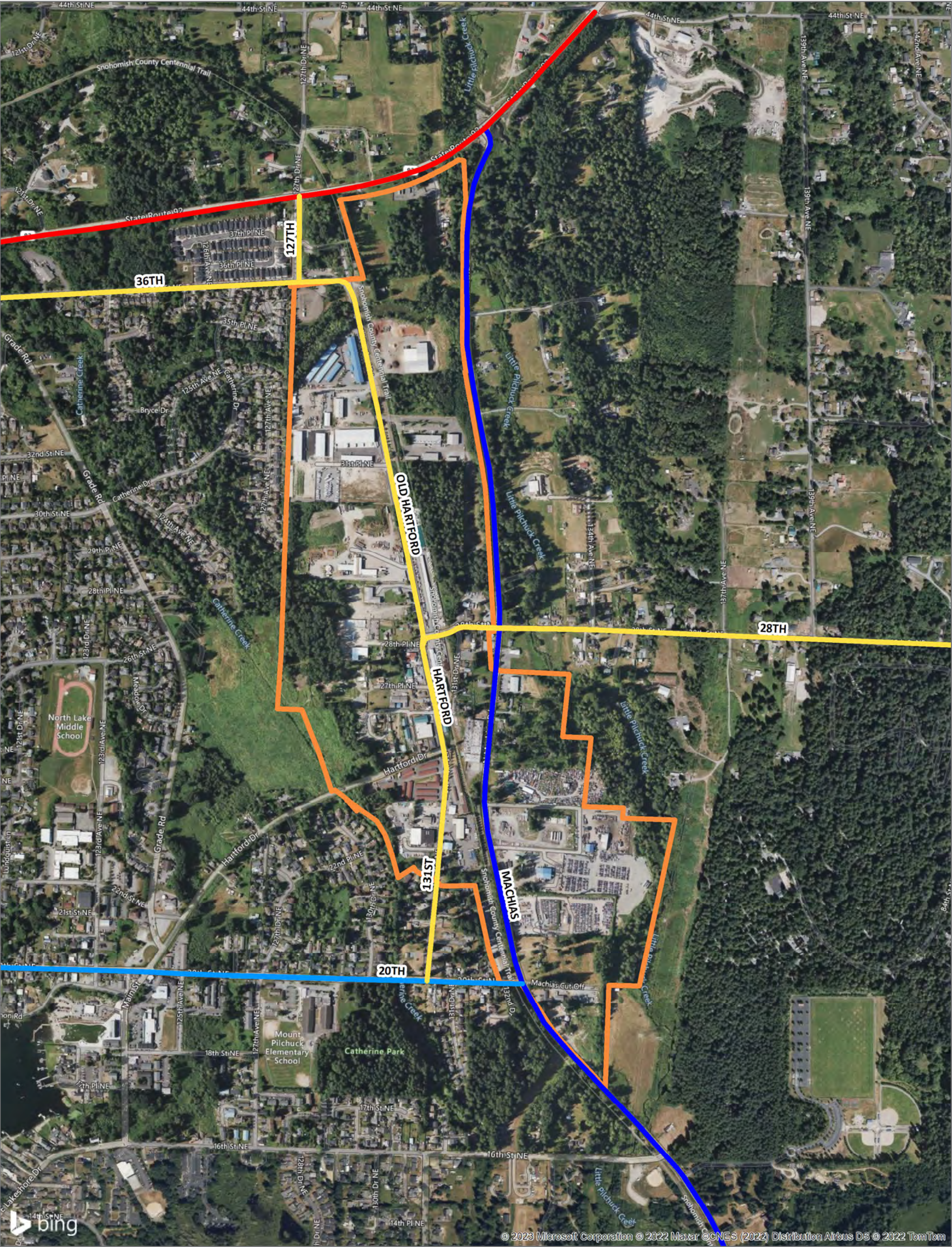
Date: 2/2/2023
File: Lake Stevens Drainage Basin Map

Map Created By: JBM
Project No: 2220142.00

MACKENZIE.

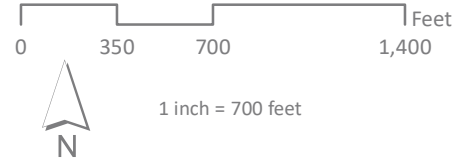
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CITY OF LAKE STEVENS INDUSTRIAL LANDS ANALYSIS
TSP CLASSIFICATIONS
Lake Stevens, Washington

- LEGEND
- Collector
 - Minor Arterial
 - Major Arterial
 - Highway
 - Industrial Study Area



SOURCE DATA: Snohomish County Database, July 2022

GEOGRAPHIC PROJECTION: NAD 83 HARN, Washington North Lambert Conformal Conic

Date: 1/24/2023
Map Created By: JBM
Project No: 2220142.00

CITY COUNCIL STAFF REPORT



Agenda Date: 2/10/2023

Subject: 91st Ave NE Streetscape

Contact Person/Department: Russ Wright, Community Development

Budget Impact: Existing budget

Legal Review: No

RECOMMENDATION(S)/ACTION REQUESTED:

No Action

SUMMARY/BACKGROUND:

At its 2022 retreat, the City Council expressed its interest in seeing the re-development of 91st Ave NE as an economic development priority. With the adoption of the [Lake Stevens Center Subarea Plan](#), 91st Ave NE has been envisioned to become a pedestrian-oriented street, to support mixed-use development, and function as a “main street.” As part of its 2023 Budget, the City Council authorized funding for a conceptual streetscape plan for 91st Ave NE. Staff has retained KPG Psomas to develop the streetscape plan.

- KPG Psomas will develop two alternatives for community and council review with consideration of past planning efforts and the adopted [beautification plan](#). The alternatives will consider overall street design, required right-of-way acquisition, multi-modal elements, basic stormwater control, landscaping, space for public art, among other elements.
- The city will solicit public feedback on the alternatives at an open house and through online surveys with support from the consultant.
- Based on feedback received, a preliminary cost analysis, general constructability and Council direction, KPG Psomas will provide a preferred alternative along with perspective sketches or photo simulations to illustrate the final street design alternative.

- The final streetscape plan will be the first step toward a fully engineered design. The consultant will also help identify any new right-of-way required, impacts on existing infrastructure and cost-effectiveness.
- With the preferred concept, KPG Psomas will provide a planning-level cost estimate to assist with future budgeting for corridor improvements.

KPG Psomas will complete its work by mid-year.

Lake Stevens Center covers the city's primary shopping areas east and west of SR-9. The project limits extend from Market Place NE to 13th Street NE, spanning SR-204. The current roadway is classified as a collector. The existing right-of-way ranges from 40 to 80 feet in width. The required width per the standard engineering detail is 60 feet.

In preparation for the retreat, KPG will provide an existing conditions map and a basic road cross-section. Staff will administer a priority questionnaire and visual preference survey at the retreat, with images from local examples, to help the Council identify preferred streetscape elements to share with the consultant and guide the two alternatives.

APPLICABLE CITY POLICIES:

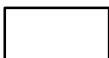
Comprehensive Plan - Growth Strategy

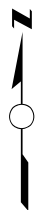
ATTACHMENTS:

1. 91st Ave NE overview_2-7-2023



91st Ave NE Streetscape

-  Project Boundaries
-  Parcels
-  Major Roads





COUNCIL PROCEDURES

(Highlighted sections to review)

(Need to address remote participation and hybrid Council meetings)

ADOPTED

March 27, 2018

Revised September 11, 2018

Revised January 22, 2019

Revised March 10, 2020

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SECTION 1. AUTHORITY

- 1.1 Pursuant to RCW 35A.12.120, and other applicable law, the Lake Stevens City Council hereby establishes the following rules for the conduct of Council meetings, proceedings and business. These rules shall be in effect upon adoption by the Council and until such time as they are amended or new rules adopted in the manner provided by these rules.

SECTION 2. COUNCIL MEETINGS

2.1 TYPES OF MEETINGS:

1. Regular - the Council meeting held as set by Ordinance.
2. Workshop – the Council meeting held as set by Ordinance.
3. Special - any Council meeting other than the Regular Council meeting. Notice shall be given at least 24 hours in advance. A Special Council meeting may be scheduled by the Mayor, Council President, City Administrator or at the request of not less than 4 Councilmembers.
4. Emergency - a Special Council meeting called without the 24-hour notice. An Emergency meeting 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 Administrator, the Mayor or Council President with the consent of not less than 4 Councilmembers. The minutes will indicate the reason for the emergency.

- 2.2 The time and day of Council's regular meetings shall be set by ordinance and will be held at the location set by ordinance unless otherwise publicly announced.

Regular Council meetings times shall be set by ordinance and will normally adjourn no later than 9:00 p.m., unless pending business must be concluded. Extensions beyond 9 p.m. shall require passage of a motion by Council.

- 2.3 Council's Workshop Sessions will be scheduled as special meetings and may be held, when needed, as follows: From the hour of 7:00 p.m. and will adjourn no later than the hour of 9:00 p.m., on the first and third Tuesdays, of each month. To continue past this time of adjournment, passage of a motion by a majority of the Council will be required. Alternatively, Workshop Sessions may be scheduled immediately preceding a Regular Council meeting, with the start time to be determined based on the agenda, but in no event earlier than 5:00 p.m., and ending no later than 6:45 p.m. Council workshops may also be scheduled on other dates and times by special meeting notice.
(At minimum, needs to be changed to a 6:00 p.m. start time)

Special Workshop sessions may be called by the Mayor, City Administrator, Council President or by three (3) or more Councilmembers.

Workshop Sessions will be informal meetings for the purpose of reviewing forthcoming programs, receiving progress reports on current programs or projects, or receiving other similar information. The Council President, Council Vice-President and City Staff will determine on-going dedicated schedules for regular workshop sessions.

No final decisions will be made at a Workshop Session. Decisions on workshop matters will be scheduled for a Regular or Special Council meeting.

- 2.4 Information will be available to the public at each meeting stating a summary of the Rules of Procedure.
- 2.5 Staff/consultants will provide brief information and respond to questions by Councilmembers or as requested by the City Administrator or Presiding Officer.
- 2.6 Citizen comment/public hearing sign-ups will be available at each regular Council meeting.
- 2.7 All regular, workshop and special meetings will be electronically recorded.

The City Clerk will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council.

City Council meeting minutes will not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

2.8 ORDER OF REGULAR COUNCIL MEETING AGENDA:

1. Call Meeting To Order:

The Presiding Officer calls the meeting to order.

2. Pledge of Allegiance:

The Mayor, Council President or designee leads the flag salute.

3. Roll Call:

The Council President will announce the attendance of Councilmembers and indicate any Councilmember who is not in attendance. The Council shall approve excused absences by vote. The official meeting minutes will always reflect the vote count on each action item.

4. Approval of Agenda:

The Council President, with the concurrence of the Councilmembers, may take agenda items out of order or add or remove agenda items.

5. Guest Business:

Persons or organizations invited or requesting to speak to the Council on specific identified topics will be scheduled under Guest Business. Guest speakers will not be restricted to a limited amount of time for speaking unless requested by Council at the time of the meeting.

5.6. Citizen Comments:

Members of the audience may comment on items relating to any matter not on the meeting agenda under Citizen Comments. Unless this rule is waived by motion of the Council, each speaker will be limited to three minutes to make their comments.

Council may, at its discretion, allow citizen comment on individual agenda items at times during any regularly scheduled City Council meeting after the item is introduced for Council but prior to Council discussion. The Presiding Officer will limit the amount of time permitted for each speaker to three minutes, until all persons have had an opportunity to speak. These agenda items include, but are not limited to, ordinances, resolutions and Council Business issues. Public testimony will be taken during Council's consideration of quasi-judicial matters.

7. Council Business:

Councilmembers may report on any Board/Commission meetings or significant activities or any other matter pertaining to City business since the last meeting. Subcommittee chairpersons will report on the activities of their respective subcommittees.

8. Mayor's Business:

Under Mayor's Business the Mayor usually addresses significant activities since the last meeting and items not previously discussed, such as future meetings of interest to the Council.

9. City Department Report:

City staff updates the Council on current issues or items of Council interest.

10. Consent Agenda:

Consent Agenda items are considered to be routine, non-controversial, or are items which have previously been studied and reviewed so as to not require additional discussion or debate. Such items may be approved by a single motion. Items on the Consent Agenda may include but are not limited to, minutes, resolutions and ordinances discussed at a previous City Council or Committee meeting, and previously authorized agreements. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action.

11. Public Hearing:

Citizens may comment on public hearing items. The Presiding Officer may limit the amount of time permitted each speaker until all persons have had an opportunity to speak. Further testimony from those who have spoken may be allowed at the discretion of the Presiding Officer. The public hearing will be continued to another date to take additional testimony when the existing available time is not sufficient or as determined by the Council.

At the Public Hearing, staff's presentation is to give background and frame the issues for the Council and audience.

During public comment or public testimony, Council shall refrain from interactive exchanges with the audience. Council requests for clarification from audience should occur prior to the closure of the public portion of the hearing. Staff may be asked clarifying questions by Council during Council deliberations.

12. Action Items:

a. Proclamations:

A Proclamation is defined as an official announcement made by either the City Council or the Mayor.

b. Introduction and First Reading of Ordinances:

Discussion and debate by the City Council will be held at this time. Councilmembers shall decide whether to amend the ordinance, direct staff to further review the ordinance, or approve placing the ordinance on the Consent Agenda or as a separate agenda topic for second or third reading at an upcoming Regular Council meeting for enactment as an enforceable City law. The number of ordinance readings shall be considered item by item.

c. Resolutions:

A resolution is adoption of a City policy, practice or decision.

d. Other:

Any contract, agreement, or other form of business that requires formal action that is necessary to conduct City business.

e. Such other and additional items as required by law or by Council direction.

13. Citizen Comments:

Members of the audience may comment on items relating to any matter not on the meeting agenda under Citizen Comments. Unless this rule is waived by motion of the Council, each speaker will be limited to three minutes to make their comments.

Council may, at its discretion, allow citizen comment on individual agenda items at times during any regularly scheduled City Council meeting after the item is introduced for Council but prior to Council discussion. The Presiding Officer will limit the amount of time permitted for each speaker to three minutes, until all persons have had an opportunity to speak. These agenda items include, but are not limited to, ordinances, resolutions and Council Business issues. Public testimony will be taken during Council's consideration of quasi-judicial matters.

~~13.~~14. Executive Session:

Executive session subjects are limited to considering such matters as are authorized under the Open Meetings Act or such other laws that authorize executive sessions. Executive session is a Council meeting that is closed except to the Council and authorized staff members and/or consultants. The public is restricted from attendance. Executive Sessions may be held during Regularly scheduled meetings or Special Council meetings and will be announced by the Mayor.

Before convening an Executive Session the Mayor shall announce the purpose of the executive session and the anticipated time when the session will be concluded and if any action shall be taken. Should the session require more time, a public announcement shall be made that the Executive Session is being extended.

15. Study Session:

Discussion items are generally items of significance that may require future action by Council.

16. Adjournment:

With no further business to come before the Council, the Presiding Officer adjourns the meeting by requesting a motion for adjournment.

17. Transportation Benefit District:

Agenda Items regarding the Transportation Benefit District will be clearly set out and identified as such under the section of the Agenda where they best fit.

SECTION 3. AGENDA PREPARATION

3.1 The City Clerk will prepare an agenda for each Council meeting specifying the time and place of the meeting, and set forth a brief general description of each item to be considered by the Council. The agenda is subject to approval by the Mayor and the City Administrator.

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

1. By a Councilmember if the item does not require staff preparation;
 2. By any two (2) Councilmembers;
 3. By the City Administrator;
 4. By a Council Committee;
 5. By the Mayor.
- 3.3 An item may be placed on a regular Council meeting agenda after the agenda is closed if approved by the Mayor or City Administrator.
- 3.4 The City Clerk will endeavor to schedule sufficient time between public hearings and other scheduled items, so the public is not kept unreasonably waiting, and so the Council will have sufficient time to hear public comment or testimony and to deliberate matters among themselves.
- 3.5 Legally required and advertised public hearings will generally have a higher priority over other time-scheduled agenda items which have been scheduled for convenience rather than for statutory or other legal reasons.
- 3.6 Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.
- 3.7 Agendas will be finalized by the Thursday prior to the Council meeting. Agenda packets will be available electronically to Council by 5:00 p.m. on the Thursday prior to the Council meeting, and available electronically to the public on the City's web page by 5:00 p.m. on the Friday prior to the Council meeting, unless posted otherwise. If late information becomes available after the packet is posted on the City's web page on the Friday prior to the meeting, or if information arrives from other sources, then a recess or delay may be considered by the Council.
(Packets are sent out on the Friday before the meeting)
- 3.8 All agenda item packet reports will be in the format provided by the City Clerk's Office.
- 3.9 The Council may use "Staff Recommendation Statement" language from staff reports or agenda item descriptions for making a motion.
- 3.10 Council agenda and packet material will be available to the public during regular meetings.

SECTION 4. COUNCIL DISCUSSION

- 4.1 All Council discussion shall be guided by **ROBERTS RULES OF ORDER, NEWLY REVISED.**

SECTION 5. COMMENTS, CONCERNS & TESTIMONY TO COUNCIL

- 5.1 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes. All remarks will be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting.
- 5.2 The Presiding Officer has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct and to enforce the Rules of the Council. The Presiding Officer may command assistance of any peace officer of the City to enforce all lawful orders of the Presiding Officer to restore order at any meeting.
- 5.3 Citizens with complaints, concerns or questions, may be referred to separately bring the matter to the Mayor or relevant City staff, or ask that the matter be placed on a future City Council meeting, with the appropriate background information.

SECTION 6. MOTIONS AND VOTING

- 6.1 When making motions, Councilmembers will be encouraged to be clear and concise and to not include arguments for the motion within the motion.
- 6.2 After a motion has been made and seconded, the Council may deliberate and discuss their opinions on the issue prior to the vote. No further citizen comments may be heard when there is a motion and a second on the floor.
- 6.3 When the Council concurs or agrees to an item that does not require a formal motion, the Presiding Officer will summarize the agreement at the conclusion of the discussion and normally, a minute entry will be made.
- 6.4 A motion may be withdrawn by the maker of the motion, at any time, up until the question is called to vote without the consent of the Council.
- 6.5 A motion to table is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future Regular or Special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
- 6.6 A motion to postpone to a certain time is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future Regular or Special City Council meeting.
- 6.7 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.
- 6.8 A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.

- 6.9 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.

Motions that cannot be amended include: Motion to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.

Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).

- 6.10 Discussion of the motion only occurs after the motion has been moved and seconded.

- 6.11 If a motion does not receive a second, it dies. Motions that do not need a second include: Nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.

- 6.12 The Presiding Officer should acknowledge the motion and second prior to voting.

- 6.13 The City Clerk will repeat the motion and/or take a roll call vote, if requested by the Presiding Officer, a Councilmember, or as required by law.

- 6.14 Unless otherwise required by law, the passage or defeat of a motion shall be decided by a majority of those present and voting. Abstentions shall not be included in the vote tally, even if those voting in favor of the motion are less than a majority of the full City Council.

A motion that receives a tie vote is deemed to have failed, except pursuant to RCW 35A.12.100 Duties and authority of the mayor--Veto--Tie-breaking vote, the Mayor "shall have a vote only in the case of a tie in the votes of the councilmen with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money."

At the conclusion of any vote, the Presiding Officer will inform Council of the results of the vote.

- 6.15 When a question has been decided, any Councilmember who voted in the majority may move for a reconsideration and such motion must also be seconded by a member who voted in the majority. No motion for reconsideration of a vote shall be made after the meeting has adjourned but may be made at a subsequent meeting of the Council

- 6.16 The City Attorney shall decide all questions of interpretations of these rules and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these rules shall be guided by Robert's Rules of Order, Newly Revised.

In the event of a conflict, these Council Rules shall prevail.

SECTION 7. ORDINANCES

- 7.1 All ordinances shall be prepared or reviewed by the City Attorney. No Council initiated ordinance shall be prepared for presentation to the Council, unless two Councilmembers support the ordinance and staff has been consulted.
- 7.2 The City Clerk shall assign a permanent ordinance number at the time the ordinance is initiated.
- 7.3 The Presiding Officer shall read the title of the ordinance or the Ordinance number prior to voting unless the ordinance is on the Consent Agenda.
- 7.4 Prior to placement of an ordinance on the agenda, the City Attorney shall approve the ordinance as to form. After the City Attorney's signature, and passage of the Ordinance the City Clerk or designee shall obtain the signature of the Mayor. After the Mayor's signature, the City Clerk or designee shall sign the ordinance.
- 7.5 Ordinances, or ordinance summaries, shall be published in the official newspaper, as a legal publication, immediately following enactment.
- 7.6 Ordinances become effective five (5) days after the date of publication of the ordinance unless otherwise specified.

SECTION 8. MAYOR, COUNCIL PRESIDENT, AND COUNCIL VICE-PRESIDENT

- 8.1 The Presiding Officer at all regular and special meetings of the Council shall be the Mayor and all workshop sessions shall be the Council President.

At regular and special meetings in the absence of the Mayor, the Council President will act as Presiding Officer or in his/her absence the Council Vice-President. If the Mayor, Council President, and Vice-President are absent, the Council present shall elect one of its members to serve as Presiding Officer until the return of the Mayor, Council President or Council Vice-President.

At workshop sessions in the absence of the Council President, the Council Vice-President will act as the Presiding Officer or in his/her absence the Mayor. If the Council President, Vice-President, and Mayor are absent, the Council present shall elect one of its members to serve as Presiding Officer until the return of the Council President, Council Vice-President, or Mayor.

- 8.2 The Presiding Officer shall:
1. Preserve order and decorum in the Council chambers;
 2. Observe and enforce all rules adopted by the Council;
 3. Decide all questions on order, in accordance with these rules, subject to appeal by any Councilmember in which case the Presiding Officer will defer to the City Attorney; and
 4. Recognize Councilmembers in the order in which they request the floor. The Presiding Officer, as a Councilmember, shall have only those rights,

and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers.

5. From time to time, the Mayor and/or Council President may appoint Councilmembers to serve on ad hoc committees.

SECTION 9. COUNCIL RELATIONS WITH CITY STAFF

- 9.1 There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities.
- 9.2 City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies.
- 9.3 All written informational material requested by individual Councilmembers shall be submitted by City staff, after approval of the Mayor or City Administrator, to all Councilmembers with a notation indicating which Councilmember requested the information.
- 9.4 A Councilmember shall not attempt to influence City staff in the selection, evaluation or discipline of personnel, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits.
- 9.5 A Councilmember shall not attempt to change the operating rules and practices of any City department.
- 9.6 Mail that is addressed to the Mayor and Councilmembers shall be copied and circulated by the City Clerk, as soon as practicable after it arrives.
- 9.7 The City Clerk shall not open mail addressed to individual Councilmembers if it is marked personal and/or confidential.
- 9.8 No Councilmember shall direct the City Administrator to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the consent of a majority of the Council.
- 9.9 Individual requests for information can be made directly to the Department Director. If the request would create a change in work assignments or City staffing levels, the request must be made through the Mayor or City Administrator and may be referred to the Council.

SECTION 10. COUNCIL MEETING STAFFING

- 10.1 The City Administrator shall attend all meetings of the Council unless excused by the Mayor. The City Administrator may make recommendations to the Council and shall have the right to take part in the discussions of the Council, but shall have no vote. When the City Administrator has an excused absence, the designated Acting City Administrator shall attend the meeting.
- 10.2 The City Attorney shall attend all meetings of the Council unless excused by the Mayor, and shall, upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian.
- 10.3 The City Clerk, or designee, shall attend Regular and Special meetings of the Council, keep the official journal (minutes), and perform such other duties, unless excused by the Mayor, as may be needed for the orderly conduct of the meeting.

SECTION 11. COUNCILMEMBER ATTENDANCE AT MEETINGS

- 11.1 Councilmembers will inform the Mayor, the Council President, the City Administrator or City Clerk if they are unable to attend any Council meeting, or if they knowingly will be late to any meeting. The minutes will show the Councilmember as having an excused absence if approved by the Council.
(Address remote participation by Councilmembers?)

SECTION 12. PUBLIC HEARINGS

- 12.1 Quasi-judicial hearings require a decision be made by the Council using a certain process, which may include a record of evidence considered and specific findings be made.
- 12.2 Legislative (ordinance or miscellaneous) hearings do not require a decision be made even though information is presented.
- 12.3 Councilmembers shall comply with all applicable laws related to the conflict of interest requirements in the Appearance of Fairness Doctrine.

SECTION 13. MEDIA REPRESENTATION AT COUNCIL MEETINGS

- 13.1 All public meetings of the City Council and its boards/commissions shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting. Seating space shall be provided for the media at each public meeting.

SECTION 14. COUNCIL REPRESENTATION

- 14.1 If a Councilmember appears on behalf of the City before another governmental agency, such as the County Council or State Legislature, a community organization, or through the media, for the purpose of commenting on an issue, the Councilmember needs to state existing City policy and the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position. If a Councilmember wishes to clarify the Council's position on a policy issue, they should do so by requesting a Council resolution be prepared and voted on by the Council.

Councilmembers need to have other Councilmember's concurrence before representing another Councilmember's view or position with the media, another governmental agency or community organization.

SECTION 15. CONFIDENTIALITY

- 15.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions or which are otherwise subject to the attorney-client privilege, to ensure that the City's position is not compromised. Any Councilmember having any contact or discussion needs to

make full disclosure to the Mayor, City Administrator and/or the City Council in a timely manner.

SECTION 16. PUBLIC RECORDS

- 16.1 Public records created or received by the Mayor or any Councilmember should be transferred to the City Clerk's office for retention by the City in accordance with the Public Records Law. Public records that are duplicates of those received by, or in the possession of the City, are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Clerk.

SECTION 17. CITY ADMINISTRATOR EVALUATION ANNUAL PROCESS

- 17.1 The Mayor will determine the evaluation criteria and format for the process. As the City Administrator's immediate supervisor the Mayor shall issue the final annual evaluation. Council members will be given the opportunity to provide their observations, comments and recommendations.
- 17.2 The final step of the City Administrator evaluation process is for the Mayor to prepare amendments, if any, to the City Administrator's employment contract. This contract and any amendment thereto must to be approved by the City Council at a Council meeting.
(This will be removed from the procedures and addressed through a separate Ordinance)

SECTION 18. MAYOR/COUNCIL PRESIDENT/VICE-PRESIDENT SELECTION PROCESS

- 18.1 Mayor. The Mayor is elected per RCW Title 35A and other applicable election laws.
- 18.2 Council President. At the first regular meeting in January of each year, the members of the City Council shall elect, from their number, a Council President.
- 18.3 Council Vice-President. At the first regular meeting in January of each year, the members of the City Council shall elect, from their number, a Vice-President.
(Define the process?)

SECTION 19. CITY BOARDS/COMMISSIONS

- 19.1 Lake Stevens' boards and commissions provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- 19.2 These boards/commissions are generally established by ordinance.
- 19.3 Councilmembers will be assigned as board/commission liaisons in January of each year or as needed. Staff shall provide liaisons with agenda and support material for such meetings. The liaison's role will be as an observer and not an active participant on the board or commission. The liaison may provide updates on City activities, and the liaison may report to Council on actions and activities by their assigned board or commission.

19.4 Appointments and reappointments of board/commission members, when vacancies and term expirations occur, shall be as follows:

1. Vacancies to the City's boards and commissions will be advertised in the City newspaper, on the City's web page, at City Hall and such other locations as are deemed appropriate. Councilmembers will be provided with copies of applications of all qualified applicants received for boards/commissions vacancies.
2. All qualified applicants for a board or commission will be interviewed by a panel consisting of the Mayor, the Department Head and/or staff liaison, the Council liaison or designee to that board or commission, up to two additional councilmembers selected to participate in the interview process for boards and commissions at the beginning of each year, and the Chairperson or designee of the board or commission the applicant applied for.
3. Following the interviews, the interview panel makes a recommendation and the Mayor nominates a candidate for appointment to the vacant position.
4. The nominated candidate will be notified and requested to complete a criminal background check. All criminal background checks will be conducted by The Human Resources Department.
5. Following successful completion of the criminal background check the Mayor reviews nominee recommendation with Council at a regular Council meeting or at a workshop session. The recommendation should include the number of applicants interviewed, qualifications, and reason for the selection.
6. Mayor appoints board/commission member with Council approval at the regular Council meeting or next regular meeting if recommendation is made at a workshop session.
7. The newly appointed board/commission member will be invited to a subsequent Council meeting to be sworn in. In the case where multiple appointments are made in one Council meeting, all appointees will be sworn in as a group.
8. If the City Council does not confirm or reject the Mayor's nomination for appointment within thirty (30) days of submittal, the Mayor may proceed with the appointment.

(Evaluate the process for Board appointments for incumbents?)

SECTION 20. COUNCIL SUBCOMMITTEES

- 20.1 Council subcommittees are policy review and discussion arms of the Council. Subcommittees may study issues and develop recommendations for consideration by the Council. Subcommittees may not take binding action on behalf of the City. Subcommittees generally involve three or fewer councilmembers and therefore are not subject to the Open Public Meetings act.

Subcommittees will be established on an as-needed basis by motion or other action of the City Council

At its first meeting each year, each subcommittee should select from its members a chairperson who will oversee the meeting and report on the activities of the subcommittee to the Council at regular City Council meetings during Council Business.

- 20.2 Each subcommittee will have staff support as needed and assigned by the City Administrator. Staff will work with the subcommittee chairs to set agendas, provide support materials (including any sensitive communications by staff), and prepare reports as needed. The City Clerk or designee will attend subcommittee meetings and may prepare minutes. Subcommittee meetings will not be electronically recorded.
- 20.3 Even though the Open Meetings Act does not generally apply, subcommittee meetings are open to the public for observation only; no citizen comments or participation will be allowed.
- 20.4 The Mayor or City Administrator may send issues directly to subcommittees for their review in lieu of being referred to committee by the entire Council.
- 20.5 Subcommittee appointments shall be made by the Council President or in his/her absence by the Council Vice-President. The Council President will take into account the interests, availability to serve and requests of individual Councilmembers in making subcommittee assignments.
- 20.6 Membership of each subcommittee will consist of a maximum of three (3) Councilmembers unless otherwise approved by Council.
- 20.6 The Mayor and/ or City Administrator shall be an "ex officio" member of each subcommittee.

SECTION 21. AD HOC CITIZEN ADVISORY BOARDS

21.1 PURPOSE

To effectively use valuable resources provided by the citizenry at large to deal with issues on which more citizen input is judged to be needed. Each Board shall be given a clearly defined goal and adequate information to help them understand their role in the governmental structure. Unless determined otherwise by action of the City Council the authority of such Boards will be limited to providing informal input and recommendations to the City Council.

21.2 APPOINTMENT PROCEDURES

The boards will consist of no more than five citizen members (selected by the Mayor and confirmed by the City Council), the Mayor or designee, a staff person, and Councilmember if desired.

21.3 STAFF SUPPORT

Each Ad Hoc Advisory Committee will have staff support as needed and assigned by the City Administrator. Staff will work with the committee to provide support materials and prepare reports.

SECTION 22. FILLING CITY COUNCIL VACANCIES

22.1 PURPOSE

To provide guidance to the City Council when a Lake Stevens Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, wherein the person elected will serve the remainder of the unexpired term.

22.2 REFERENCES

RCW 42.30.110(h) - Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective Office

RCW 42.30.060 - Prohibition on Secret Ballots

RCW 42.12 - Vacant Position

RCW 35A.12.050 - Vacancies - Filling of Vacancies in Council/Mayor Form of Government

22.3 APPOINTMENT PROCESS

1. A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The Councilmember who is vacating his or her position cannot participate in the appointment process.
2. The City Council shall direct staff to begin the Councilmember appointment process and establish a notice, application, interview and appointment schedule, so that the position is filled at the earliest opportunity.
3. The City Clerk's Office shall prepare and submit to the City's Official Newspaper, with courtesy copies to all other local media outlets, a Notice of City Council Vacancy, which announces the vacancy consistent with the requirements necessary to hold public office. The City's web page and other social media may also be used to announce the Council vacancy.
4. The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. Applications will be available at Lake Stevens City Hall, on the City web site, and such other locations that the City Council deems appropriate. Copies of the advertisement will be provided to current members of City of Lake Stevens' boards and commissions.
5. Applications received by the deadline date and time will be copied and circulated, by the City Clerk's Office to the Mayor and City Council.

Packets may also contain additional information received such as endorsements, letters of reference and other pertinent materials.

6. The City Clerk's Office shall publish the required public notice(s) for the meeting scheduled for interviewing applicants for consideration to the vacant position. This meeting may be a regularly scheduled City Council meeting, or a special session City Council meeting.
7. The City Clerk's Office shall notify applicants of the location, date and time of City Council interviews.
8. Prior to the date and time of the interview meeting, the Mayor shall accept one interview question from each Councilmember.
9. Prior to the date and time of the interview the City Clerk or designee will make inquiry of each applicant to determine eligibility to hold office and to fill the Council vacancy in the City.

22.4 INTERVIEW MEETING

Depending on the number of applicants to be interviewed, each interview of an applicant/candidate shall be approximately 15 minutes in length as follows:

1. The City Council shall ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and will answer the same set of questions.
2. An informal question and answer period in which Councilmembers may ask and receive answers to miscellaneous questions.
3. The applicants' order of appearance will be determined by a random lot drawing performed by the City Clerk.
4. The Council may elect not to interview all of the applicants if the number exceeds six (6) candidates. The decision as to which applicants to interview will be based on the information contained in the application forms.

22.5 VOTING

Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, nominations and votes taken by the Council shall be in open public session.

1. The Mayor shall ask for nominations from the Councilmembers.
2. In the case of one vacancy to be filled, balloting will continue until a nominee receives a majority of four (4) votes.
3. At any time during the balloting process, the City Council may postpone balloting until a date certain or regular meeting if a majority vote has not been received.

4. Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the applicant/candidate qualifications.
5. The Mayor shall declare the nominee receiving the majority vote as the new Councilmember. The new Councilmember shall be sworn into office by any person authorized under state law to administer oaths, at the earliest opportunity or no later than the next regularly scheduled City Council meeting.
6. In the case of a tie vote, the Mayor may cast a vote.
7. If the City Council does not fill the vacancy within 90 days of the declared vacancy, the Revised Code of Washington delegates appointment powers to Snohomish County.

SECTION 23. MISCELLANEOUS

- 23.1 When Councilmembers register to attend an official conference requiring voting delegates, such as the Association of Washington Cities, the Council shall designate the voting delegate(s) and alternate voting delegate(s) during a public meeting, by a majority vote; when possible, said selection of voting delegate(s) shall be done on a rotating basis for the purpose of allowing all Councilmembers the opportunity to be an official voting delegate.

SECTION 24. SUSPENSION AND AMENDMENT OF RULES

- 24.1 Any provision of these rules not governed by state law or ordinance, may be temporarily suspended or waived by a two-thirds (2/3) majority vote of the Council.
- 24.2 These rules may be amended, or new rules adopted, by a majority vote of the Council.
- 24.3 While not required, these Rules should be reviewed approximately every 2 years for the purpose of keeping up to date with legal requirements and for purposes of confirming that actual practices conform with these rules.

RESOLUTION NO. 2022-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, AMENDING THE CITY COUNCIL RULES OF PROCEDURE TO AMEND VARIOUS SECTIONS AS RECOMMENDED BY THE COUNCIL RULES OF PROCEDURE AD HOC COMMITTEE, INCLUDING REMOVING STUDY SESSIONS AND ADDING NEW SECTIONS ON COMMITTEE OF THE WHOLE COUNCIL AND STANDING COMMITTEES.

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, in August of 2019, the City Council adopted Rules of Procedure to supplement the provisions in the Issaquah Municipal Code; and

WHEREAS, at the January 25, 2022 City Council Retreat and the February 15 and March 1, 2022 Council Study Sessions, feedback was received on the City Council Rules of Procedure, including transitioning away from Study Sessions and establishing Committee of the Whole Council meetings and three standing Council committees; and

WHEREAS, at the March 7, 2022, City Council meeting the City Council appointed a Council Rules of Procedure Ad Hoc Committee to recommend specific amendments to the City Council Rules of Procedure to formalize these changes; and

WHEREAS, the Council Rules of Procedure Ad Hoc Committee reviewed the City Council Rules of Procedure and recommended changes to multiple sections to incorporate feedback provided by the City Council; and

WHEREAS, the City Council desires to adopt the proposed amendments to the City Council Rules of Procedure as recommended by the Council Rules of Procedure Ad Hoc Committee, including replacing Section 5, Study Sessions with a section on Committee of the Whole Council, establishing a new Section 6, Standing Committees, and making other minor amendments and conforming changes throughout; NOW, THEREFORE,

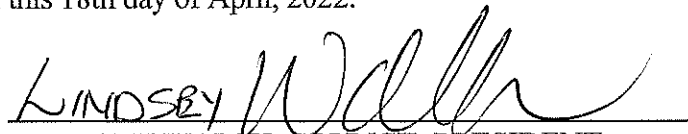
THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON,
HEREBY RESOLVES AS FOLLOWS:

Section 1. Amended. The City Council hereby adopts the amended “Rules of Procedure” provided in Exhibit A, which is attached hereto and incorporated by this reference as if set forth in full.

Section 2. Conflict. In the event of a conflict between any provision of these Rules of Procedure and any other prior Council policy or procedure, the provisions of these Rules of Procedure shall control.

Section 3. Severability. If any sentence, clause or provision of these rules irreconcilably conflicts with an applicable provision of state or federal law or is otherwise invalidated by a court of competent jurisdiction, the offending sentence, clause or provision of these rules shall be severable from the remainder.

PASSED by the City Council this 18th day of April, 2022.


LINDSEY WALSH, COUNCIL PRESIDENT

APPROVED by the Mayor this 18th day of April, 2022.


MARY LOU PAULY, MAYOR

ATTEST:


TISHA GIESER, CITY CLERK

APPROVED AS TO FORM:


RACHEL BENDER TURPIN, CITY ATTORNEY

RESOLUTION NO: 2022-08
AGENDA BILL NO: AB 8347

Exhibits:

A. City Council Rules of Procedure



City Council

Rules of Procedure

Approved by Resolution No. 2019-10

Amended by Resolution Nos. 2020-12, 2020-13, 2021-12, 2022-08

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Section 1. Purpose

1.01 Authority.

These Rules of Procedure together with Chapter 2.04 and 2.06 of the Issaquah Municipal Code (IMC) and applicable provisions of the Revised Code of Washington (RCW) constitute the official Rules of Procedure for the Issaquah City Council. Robert's Rules of Order shall govern the deliberations of the City Council except when in conflict with any of the rules set out in the Issaquah Municipal Code or these Rules of Procedure.

1.02 Effect.

These Rules shall be in effect upon adoption by the City Council and until such time as they are amended or new rules are adopted in the manner provided by these Rules.

Section 2. Council Organization

2.01 Swearing-In.

As provided for in Revised Code of Washington (RCW) 29A.60.280, 35A.12.040 and IMC 2.12.010, Councilmembers shall take an oath of office upon commencement of their term of office. The oath will be recorded with King County. Councilmembers may be given the oath by a municipal judge, Mayor or the City Clerk. The oath will include the wording provided in RCW 29A.04.133.

2.02 Election of Council President and Deputy Council President.

A. Timing.

Per IMC 2.06.070, the election of Council President and Deputy President is to take place at the first ~~regular~~ Regular meeting of each calendar year.

B. Process.

The nomination and election process will proceed as follows:

1. The Mayor calls for nominations for Council President.
2. When there are no further nominations, the Mayor announces that nominations are closed.
3. The nominees are then voted on in the order the nominations were made. The vote is taken by voice and show of hands.
4. The process continues until a nominee receives a majority of the votes. This method requires that a Councilmember wishing to vote for a candidate appearing later in the list of nominees withhold their vote from early nominees in order to reserve their vote for their favored nominee.

5. The first nominee receiving a majority vote is declared the new Council President. If there is a tie vote, the Mayor may choose whether or not to break the tie. If the Council fails to select an appointee from the nominees presented, the Council may:
 - a. Make a motion to revote on the nominees.
 - b. Make a motion to reopen the nominations and add to the initial slate. Once nominated, no candidate is removed from consideration unless they withdraw.
 - c. Make a motion to postpone the vote on nominees.
 - d. Solicit additional information from the nominees.
 - e. Make any other allowable motion under Robert's Rules of Order.

C. Deputy Council President.

The above procedure is then repeated for electing the Deputy Council President.

2.03 Council Vacancy.

A. Authority.

Per RCW 42.12.070, the remaining members of the Council are vested with the responsibility for appointing a qualified person to fill a vacant Council position within 90 days of the vacancy.

B. Schedule.

Upon receiving a notice of resignation, the City Clerk will prepare an interview and appointment schedule for filling the Council vacancy and provide it to the City Council for feedback and approval at an upcoming Council meeting.

C. Notice.

The City Clerk will then distribute and publish notice of the vacancy. The application will be made available on the City's website.

D. Applicants.

The names of the applicants received by the deadline date and time and who have met the minimum qualifications will be circulated to Councilmembers. Applications will be provided in the agenda packet of the Council meeting at which applicant presentations will be made.

E. Presentations.

Applicant presentations will be made at a Regular or Special Council meeting. Each applicant will be allocated ten-minutes to provide a verbal presentation to City Council. The order of the presentations will be determined by a random drawing by the City Clerk's Office.

F. Executive Session.

Upon completion of the presentations, the City Council may convene into executive session to evaluate the qualifications of the applicants. Nominations, voting and selection of an applicant to fill the vacancy will be conducted during an open public meeting.

G. Appointment Process.

At the determined Council meeting in open session, the nomination and election process will proceed as follows:

1. The Mayor calls for nominations.
2. When there are no further nominations, the Mayor announces that nominations are closed.
3. The nominees are then voted on in the order the nominations were made. The vote is taken by voice and show of hands.
4. The process continues until a nominee receives a majority of the votes. This method requires that a Councilmember wishing to vote for a candidate appearing later in the list of nominees withhold their vote from early nominees in order to reserve their vote for their favored nominee.
5. The first nominee receiving a majority vote is declared the new Councilmember. If there is a tie vote, the Mayor may choose whether or not to break the tie. If the Council fails to select an appointee from the nominees presented, the Council may:
 - a. Recess into Executive Session to discuss the qualifications of the applicants.
 - b. Make a motion to revote on the nominees.
 - c. Make a motion to reopen the nominations and add to the initial slate. Once nominated, no candidate is removed from consideration unless they withdraw.
 - d. Make a motion to postpone the vote on nominees.
 - e. Solicit additional information from the applicants/nominees.
 - f. Make any other allowable motion under Robert's Rules of Order.

H. Swearing-In

The new Councilmember will be sworn into office immediately after appointment or as soon thereafter as feasible. The Councilmember shall serve the term as provided in Chapter 29A.24 RCW.

2.04 Appointments.

A. Standing Committees.

The appointments to the standing committees of the City Council will be made annually by the Council President. The committees will consist of three Councilmembers each. The Council President will appoint one of the three members as a Chair. The Council President and Deputy Council President may not serve as committee chairs. Committee chairs may only serve on one standing committee at a time. Those Councilmembers who are not in a leadership position and are not committee chairs will serve on two committees. An exception to this policy may be approved by a majority vote of the City Council.

B. Regional Boards.

In order to best represent the interests of the City, as is described typically in the adopted Regional Agenda, Councilmembers are encouraged to participate in local, regional, state and national committees, agencies and organizations.

There are generally two types of Council representation:

1. Dedicated Seats are defined as seats on a board that is specifically reserved for an elected official of the Issaquah City Council. (Examples: Cascade Water Alliance Board, Eastside Fire & Rescue Board, Eastside Transportation Partnership, Lodging Tax Advisory Committee and Water Resource Inventory Area 8 (WRIA8) Salmon Recovery Council).
2. Optional Seats are defined as seats on regional boards to which the City may nominate or recommend an elected official to serve in, but whose appointment is ultimately made by the Sound Cities Association or other regional entity. (Examples: Eastside Human Services Forum, Puget Sound Regional Council Boards/Committees, various King County Boards/Committees and Sound Cities Association Boards/Committees.)

BC. Survey.

Following the election of the Council President, the City Clerk's Office shall survey Councilmembers to determine their interest in serving on the standing committees of the City Council and regional boards, commissions and committees. The results will be shared with the Council President.

Councilmembers may also be asked to express interest in serving ~~on regional boards, commissions and committees~~ in these positions at other times throughout the year to

accommodate vacancies or appointment deadlines that do not align with the calendar year such as the Sound Cities Association appointments.

CD. Appointment Authority for Dedicated and Optional Seats.

The Mayor has the opportunity to serve on seats that are dedicated to any elected official of the City and not specifically to a City Councilmember. Appointment to any remaining dedicated seats shall be made by the Council President. The Council President will make all efforts to accommodate the Councilmember preferences indicated in the survey when making the appointments.

Appointments to optional seats shall be made by the Mayor in coordination with the Council President. The Mayor's office will notify Councilmembers of upcoming application deadlines to fill seats on vacant positions. Councilmembers desiring to serve in one of these seats shall submit a notice of interest to the Mayor and Council President. All efforts shall be made to accommodate the Councilmember preferences. The Mayor and Council President shall review and discuss all applications and appointments in order to share their perspectives on how the City's interests can be best served.

DE. Notification.

The Council President shall communicate ~~the their~~ appointments ~~to dedicated seats~~ to the City Council, Mayor, City Administrator and the City Clerk. The City Clerk will include the appointments in the agenda packet of the next ~~regular~~ Regular Council meeting. The Council President will announce the appointments under Committee/Regional Reports or Good of the Order at a Regular Council meeting.

The Executive Office will transmit all decisions (applications, nominations or appointments) to the appropriate entity.

EF. Mid-Year Vacancy.

If a vacancy should occur during the year, the appointment opportunity shall be communicated to the City Council. Councilmembers interested in filling the vacant standing committee seats, dedicated seats and optional regional appointment position(s) shall notify the respective appointing authority ~~Mayor and Council President~~ of their interest by the stated deadline. The appointments shall be made as provided in Section 2.04(A)-(D~~C~~) of these Rules.

Section 3. Council Protocols

3.01 Attendance.

A. Expectation.

Councilmembers shall attend all Regular and Special council meetings, Committee of the Whole meetings, study sessions, standing committee meetings, and any ad hoc committees of which they are a member.

B. Excused Absences.

Councilmembers shall relay any scheduled travel or periods of absence to the Council President and City Clerk by email well in advance—at a minimum, five days—of known attendance conflicts. An exception to the advance notification will be made for emergency situations or unexpected situations that prevent attendance. When this notification is provided, the Councilmember shall be granted an excused absence from any meetings that occur during that timeframe.

Councilmembers shall also inform the presiding officer if they will knowingly be late to any meetings.

Any excused absences shall be announced by the presiding officer at the beginning of the meeting and noted in the minutes. Any absences that are not excused in advance will be noted as unexcused in the minutes.

C. Lack of Attendance.

Per RCW 35A.12.060, if a Councilmember has more than three consecutive unexcused absences from Regular Council meetings, their seat shall become vacant. In addition, excessive, continued or prolonged excused absences or tardiness may be addressed by the City Council on a case by case basis.

D. Absence - Mayor.

When the Mayor has a known absence extending over a Regular or Special Council meeting, a notification will be sent in advance of the meeting to the City Council notifying them that the Council President will serve as Mayor pro tem.

3.02 Participation.

A. Quorum.

A quorum of the full City Council consists of four Councilmembers. A quorum is required to convene and conduct business at any City Council ~~meeting or study session~~ Committee of the Whole meeting.

B. Possible Quorum.

If a quorum of the Council is anticipated at a community or regional event or meeting, the City Clerk will evaluate the meeting/event circumstances to determine if ~~special~~ Special

meeting noticing is needed to ensure compliance with the Open Public Meetings Act (OPMA). In the spirit of OPMA, Council shall make all efforts to follow the below protocol:

1. For events not related to City business: Four or more Councilmembers may attend, but may not aggregate in groups nor discuss City business.
2. For events related to City business where a ~~special~~ Special meeting notice has not been issued, three Councilmembers may attend. A fourth arriving member will need to leave.
3. For events related to City business where a ~~special~~ Special meeting has been noticed, four or more Councilmembers may attend.

3.03 Council Leadership Roles & Responsibilities.

A. Council President.

The Council President shall provide leadership to the Council by exercising the following duties:

1. Serve as the Mayor pro tem in the absence of the Mayor.
2. Approve agendas for Regular and Special Council meetings in coordination with the Mayor (IMC 2.06.090).
- ~~2-3.~~ Serve as Chair of the Committee of the Whole meetings.
- ~~3-4.~~ Make appointments to standing committees and dedicated seats as described in Section 2.04 of these Rules.
- ~~4-5.~~ Coordinate with the Mayor and applying Councilmembers to facilitate the application process for optional seats on regional boards and commissions.
- ~~5-6.~~ Set the accounts payables and payroll review schedule.
- ~~6-7.~~ Sign certain official documents, such as minutes and resolutions.
- ~~7-8.~~ Respond to correspondence to the City Council on behalf of the Council.
- ~~8-9.~~ When needed, be the liaison between the Mayor and City Council to relay issues and concerns.
- ~~9-10.~~ Review and ~~make a decision~~ decide on contested committee referrals as requested.
- ~~10-11.~~ Provide input in the planning and coordination efforts for Council retreats/planning sessions.
- ~~11-12.~~ Represent the City Council at events or designate another Councilmember to do so.

B. Deputy Council President.

The Deputy Council President shall:

1. Serve as the Mayor pro tem in the absence of the Mayor and Council President.
2. Fill the duties of the Council President in their absence.

3.04 Councilmember Training.

A. Orientation.

The City Administration shall work to schedule orientations with each of the City's department directors upon appointment/election within 30 days.

B. Open Government Training.

Councilmembers shall receive the training required by the State of Washington on the fundamentals of the Open Public Meetings Act (OPMA), Public Records Act (PRA), and records retention requirements per RCW 42.56.150. The training may be provided by the City Clerk, Washington Cities Insurance Authority (WCIA), Association of Washington Cities (AWC), or any other appropriate entity.

C. General Training.

Councilmembers are also expected to review the AWC Mayor and Councilmember Handbook (see Appendix A) and participate in training on the role of a City Councilmember, such as that offered by the AWC.

3.05 Open Public Meetings Act.

Communication shared among four or more Councilmembers, either concurrently or serially, must be restricted to providing information. Responses to such communication should be limited to ensure that Council business is conducted only at its scheduled meetings. Discussion of City business by a majority of the Council must be conducted in an open meeting. Use of any electronic communication (email, text, social media, etc.) to form a collective decision of the Council is inappropriate and violates the Open Public Meetings Act, RCW 42.56 (see also Appendix B and C).

3.06 Leadership Meetings.

Weekly meetings will be held between the Mayor, City Administrator, Council President and Deputy Council President. ~~A rotating third Councilmember will also be invited to attend.~~

The purpose of the meetings is to:

- Review placement and timing of upcoming meeting agenda items and items on the Council planning calendar
- Share pertinent informational updates

~~An annual leadership schedule will be developed by the City Clerk's Office and confirmed by the Council President. The schedule will ensure the Councilmember assigned to chair the next Study Session is placed within the proper sequence (see Section 5.01(B)).~~

These meetings are not subject to the Open Public Meetings Act as less than a quorum of the Council is in attendance.

3.07 Council Representation.

A. Guidelines.

When meeting with, speaking to, or appearing before a community group or another governmental agency or representative, Councilmembers shall:

1. State the official City position, when a position has been taken, on an issue when representing the City or attending meetings in an official capacity as a Councilmember. Councilmembers will consult with the City Administration, if needed, to ensure they are informed on the City's position on any topics that are anticipated to be addressed.
2. Clearly state whether their comments reflect the official stance of the City Council or their individual position.
3. Consult with the City Attorney or City Administration regarding any topics that relate to City liability or current litigation so that they have a clear understanding of what may be said prior to discussing.

B. Regional Boards.

Councilmembers participating in policy discussions at regional meetings will represent the consensus of the Council, when known, except where regional appointments require regional opinions. Personal positions, when given, will be identified and not represented as the position of the City. If a Councilmember desires to convey the position of the Council on a regional issue, they may solicit feedback under Committee/Regional Reports or Good of the Order at a Regular Council meeting. Information on the issue shall be provided to the Council in advance, when feasible, in order for Councilmembers to make an informed decision.

C. Media Alert.

Councilmembers shall send an email to the Council and City Administration (using the citycouncil@issaquahwa.gov email address) as soon as possible after they have spoken with the media on a City issue.

3.08 Correspondence.

A. Incoming Correspondence.

The following process shall be used for incoming correspondence:

1. E-mail: Messages to citycouncil@issaquahwa.gov or the City Council distribution list are automatically sent to each Councilmember and City Administration including the Mayor's Office and Communications team.
2. Physical mail: All physical correspondence, unless marked "personal" on the outside envelope, will be opened, date stamped and scanned and e-mailed to the City Council distribution list, or, if addressed to a specific Councilmember only, that Councilmember(s). The original is filed with the City Clerk's Office.

Any correspondence dealing with City business that is mailed or e-mailed to a Councilmember at a personal address shall be provided to the City Clerk's Office for normal processing, distribution and filing as noted above.

B. Response Process.

The Council President will respond to correspondence addressed to the full Council and "cc" citycouncil@issaquahwa.gov. The message will include a statement that indicates individual Councilmembers may also respond. If staff time or resources are needed to draft a response, the Council President may request assistance from the Mayor's Office.

For correspondence that includes the Mayor, a separate response will also be provided by the Mayor's Office.

For correspondence sent to a specific Councilmember, a response will be sent by that Councilmember.

C. Response Content.

In providing a response, Councilmembers shall:

1. Clearly state whether their statements reflect the official stance of the City Council or their individual position;
2. State the official City Council position on an issue if responding on behalf of the City Council;
3. Consult with the City Attorney or City Administration on any topics that relate to City liability or current litigation so that they have a clear understanding of what may be communicated prior to responding.

D. Quasi-Judicial Hearing Matters.

Councilmembers shall attempt to not read or reply to any correspondence received on a quasi-judicial matter.

Such correspondence shall be forwarded to the City Clerk or staff lead on the matter, who will provide a reply explaining that Councilmembers are unable to receive information on items that relate to a current or upcoming quasi-judicial decision outside of a public hearing on that matter.

The correspondence will be reviewed by the staff lead who will exclude information that is not contained in the record before submittal to Council.

If Councilmembers inadvertently read correspondence received outside of a public hearing on a quasi-judicial matter, they shall disclose the communication under the Appearance of Fairness Disclosure. Disclosure shall be made at the outset of the City Council taking up the matter on its agenda.

E. Exceptions.

This policy does not pertain to “junk” mail, invitations, meeting notices, newsletters, or materials from outside agencies that do not pertain to City business.

3.09 Council/Staff Interactions.

A. Guidelines.

The following shall guide interactions between Councilmembers and City staff:

1. There will be mutual courtesy and respect from both City staff and Councilmembers toward each other and of their respective roles and responsibilities.
2. City staff will acknowledge the Council as policy makers. Councilmembers will acknowledge City staff as subject matter experts who provide consultation to the Council and administer policies set by the Council.
3. Councilmembers shall not interfere with the operating rules or practices of any department other than by legislative action. Any personnel concerns shall be communicated to the City Administrator.
4. All Councilmember requests for information or staff action shall include or be directed through the Mayor or City Administrator.
5. Councilmembers seeking advice or an opinion from the City Attorney shall first discuss the request with the Mayor or City Administrator to ensure there is sharing of pertinent information and efforts are not duplicated. This is not intended to restrict Councilmembers from seeking legal advice directly from the City Attorney, particularly in cases related to conflicts of interest or appearance of fairness disclosures.
6. No individual Councilmember shall direct City staff.
7. Councilmembers shall not attempt to coerce or influence staff to engage in any act that is in conflict with, or creates an appearance of conflict with, the performance of official duties as cited in the City’s Code of Ethics (see Appendix D).

B. No Surprise Rule.

Councilmembers should use best efforts to:

- Contact the Mayor or City Administrator to advise of emerging issues.
- Provide staff advance notice of any questions or concerns they may have on agenda items prior to a public meeting, if possible, to allow for staff preparation. Staff responses to such requests will be provided to the full Council.
- Provide staff and City Council advance notice if planning to propose substantial amendments or revisions to any agenda item.

3.10 Virtual (Remote) Attendance.

A. Circumstances.

Individual Councilmembers may participate in a Council meeting, Committee of the Whole meeting or Study Session committee meeting virtually when the City has declared an emergency or as otherwise ~~required~~ permitted by law.

B. Role.

Virtual participation will be considered attendance at the meeting and shall be counted toward determination of a quorum. Councilmembers attending virtually shall participate and vote during the meeting.

C. Councilmember Advance Notice.

If planning to participate in a meeting virtually, Councilmembers shall provide advance notice of their intention to attend the meeting virtually to the Mayor, Council President, City Administrator and City Clerk's office. Five days advance notice is requested to ensure that the virtual meeting platform and equipment needs are met. If less notice is provided, it may not be possible to make the necessary arrangements to allow virtual attendance.

D. Equipment Requirements.

Virtual participation must occur using a City-approved virtual meeting platform.

At a minimum, Councilmembers must be able to be audible to all present and have access to any visual presentations being provided during the meeting. However, audio and video participation is recommended.

E. Presiding Officer.

The Mayor, Council President or Committee Chair ~~designated Councilmember presiding officer for Council Study Sessions~~ may attend a meeting virtually but shall pass the presiding officer role to ~~the Council President or, in their absence, the Deputy Council President if they are~~ another Councilmember who is physically present at the meeting, except in such cases when all members of the body attend remotely.

~~If the Council President or Deputy Council President are not physically present at the meeting, the presiding officer may either delegate the role to another Councilmember or preside over the meeting virtually.~~

F. Meeting Requirements & Procedures.

During any meeting that a Councilmember is attending virtually, the presiding officer or staff shall:

- Confirm that the Councilmember is audible to all attendees, that the Councilmember can adequately hear all other attendees, and that the Councilmember has access to any visual presentations.

- State for the record that the Councilmember is attending virtually and the reasons for such attendance. The Councilmember's virtual participation will be noted in the minutes.
- Conduct any votes using roll call vote (see Section 4.24).

If an interruption to a Councilmember's audio or video connection occurs:

- If their attendance is required to maintain a quorum, the meeting will be recessed until their connection can be restored.
- If their attendance is NOT required to maintain a quorum, the meeting will proceed.

Councilmembers participating virtually shall comply with all rules and procedures as if they were physically present at the meeting to the extent possible. In addition, the City Clerk's office will provide Councilmembers attending virtually any specific virtual meeting procedures to be followed.

Section 4. Council Meetings

4.01 General Meeting Guidelines.

All Council meetings shall comply with the requirements of the Open Public Meetings Act (RCW 42.30).

4.02 Meeting Types.

A. Regular Meetings.

Per IMC 2.06.020, the City Council shall hold ~~regular~~ Regular Council meetings at 7:00 p.m. on the first and third Mondays of each month in the Council Chambers of City Hall South, 135 E. Sunset Way. These Regular meetings will be the business meetings of the Council where formal Council action may be taken in the form of motions or the adoption of ordinances and resolutions.

If a Regular Council meeting falls on a legal holiday, the meeting will be held on the first business day following the holiday.

To allow for a summer and winter break, the City Council shall not hold a Regular meeting on the third Monday in the months of August or December, but may schedule a Special meeting, if needed.

B. Special Meetings.

Any meeting scheduled outside of the regular date, time or location of a Regular Council meeting is considered a Special meeting. The provisions for calling and noticing Special meetings are provided in IMC 2.06.030 and RCW 42.30.080. Special meetings may be

called for a variety of reasons, such as to conduct business between ~~regular~~ Regular meetings, devote time to a specific topic or issue, or to plan for the upcoming year. The Council may conduct business at Special Council meetings, including formal Council action in the form of motions or the adoption of ordinances and resolutions, when that business is included in the meeting notice and agenda per RCW 42.30.080.

C. Community Listening Sessions.

The City Council will hold quarterly community listening sessions. The purpose of these meetings will be to provide a forum to hear from the community on a variety of topics. The community listening sessions will be held at various locations throughout the City. These sessions will include one or more agenda items of community interest. The meetings will be chaired by the Mayor and considered Special meetings of the City Council.

CD. Emergency Meetings.

An emergency meeting is a Special Council meeting called without the 24-hour notice. As provided in IMC 2.06.030, an emergency meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

DE. Cancellations and Adjournment (Continuation).

Any Council meeting may be cancelled by the City Council by consensus or a majority vote, or by the Mayor for reasons including, but not limited to, a lack of agenda items, adverse weather conditions or an emergency. Notice of the cancellation will be provided by the City Clerk. In the event of a lack of quorum, adverse weather conditions or any other prohibition to conducting a scheduled Council meeting as planned, the City Administration will attempt to determine an alternate meeting date and time in coordination with Council Leadership. The City Clerk may then adjourn (continue) the agenda of the meeting to the established date and time. The date, time and location of the adjourned meeting shall be posted on the door of the meeting room and on the City's website as soon as is possible.

4.03 Presiding Officer.

A. Defined.

Per IMC 2.06.060, the Mayor shall be the presiding officer of all Regular and Special Council meetings. In the absence of the Mayor, the Council President shall serve as presiding officer. In the absence of the Mayor and Council President, the Deputy Council President shall serve as presiding officer.

B. Duties.

The presiding officer shall:

1. Preserve order and decorum.
2. Observe and enforce all rules adopted by the Council.
3. Open the meetings on time and call them to order.
4. Announce in proper sequence the business on the agenda.
5. Recognize members who are entitled to the floor.
6. Facilitate public comment at the appropriate times.
7. State and put to a vote all motions that arise during the meeting.
8. Protect the Council from frivolous or delaying motions.
9. Enforce the rules regarding debate and keep order.
10. Expedite business in a way compatible with the rights of the members.
11. Make a ruling on any points of order that are raised (see Section 4.24).
12. Respond to inquiries of members, or direct others to provide a response, related to parliamentary procedure or certain factual information on current business before the Council (point of information).
13. Declare the meeting adjourned.
- ~~13.~~14. Carry out any other duties as provided under Robert's Rules of Order.

4.04 Agenda Preparation.

A. Agenda Items.

An item may be placed on a Council meeting agenda by the Mayor, City Administrator or by Councilmembers using the methods identified in Section 4.17.

B. Preparation.

The City Clerk shall prepare a draft agenda for each Council meeting specifying the time and place of the meeting and setting the title and any proposed Council action for each item on the agenda.

Per IMC 2.06.090, the Mayor and/or Council President shall approve the placement (timing and order) of items on the draft agenda.

Following approval, a final agenda will be prepared by the City Clerk, distributed to Councilmembers and made publicly available. This will serve as the official agenda of the meeting.

4.05 Order of Business.

Per IMC 2.06.110, the order of business shall be as follows:

- A. Call to order
- B. Pledge of Allegiance
- C. Special business*

- D. Audience comments
- E. Committee/regional reports
- F. Mayor's report
- G. Informational updates*
- H. Consent calendar
- I. Public hearings*
- J. Regular business
- K. New business*
- L. Good of the order
- M. Executive session

* Listed on the agenda only when needed.

Per IMC 2.06.110, the Mayor may move items up in the order of business. The agenda may be amended by a majority vote of the City Council.

4.06 Call to Order.

The presiding officer will call the meeting to order and indicate any Councilmember who has an excused absence. The presiding officer will then lead the City Council in the Pledge of Allegiance.

4.07 Special Business.

Items include the presentation of proclamations, awards, and certificates of appreciation as well as remarks or reports by special guests.

4.08 Audience Comments.

A. When Accepted.

Public testimony shall be taken at all Regular Council meetings under the Audience Comments section of the agenda, and during any public hearing when City facilities are open to the public. The ability to make comments virtually may not be available for all Special meetings of the City Council.

B. Topic.

During Audience Comments, members of the public are invited to address the Council regarding any matter, except:

- Public hearing items
- Quasi-judicial items
- Campaign-related matters, unless on the agenda (see RCW 42.17A.555)

C. Guidelines for Public Participation.

The following guidelines shall apply to any public comment before the City Council:

1. **Protocol:** Each person addressing Council shall unmute their microphone (virtual attendees) or step to the lectern (in person attendees). Speakers are asked to provide their name and address or relationship to the City for the record. Comments are limited to 5 minutes each. The presiding officer shall have the discretion to make exceptions to the time restrictions.
2. **Conduct:** Personal attacks, obscene language, derogatory remarks and disruptive behavior such as shouting, booing, clapping, and stomping feet will not be permitted. If a speaker is out of order, the presiding officer will direct the speaker to return to his or her seat or, for virtual attendees, may direct staff to mute their microphone. If a speaker does not comply, the presiding officer may take a recess to restore order. If a disruption to the meeting occurs and order cannot be restored, the Mayor may proceed to use one of the options provided for in RCW 42.30.050 to ensure orderly continuation of the meeting.
3. **Large Groups:** For any groups in attendance that may be intending to speak on the same topic, the presiding officer will request:
 - that the group consider identifying a spokesperson
 - that all those who would like to indicate support of a stated position raise their hand
4. **Visual Presentations:** Visual presentations must be provided in advance to the City Clerk's Office. Presentations will be accepted up to two hours prior to the start of the meeting. If a visual presentation cannot be accommodated due to timing, technical or logistical issues, the City Clerk's Office will work with the individual to ensure that the City Council receives the content of the presentation.
5. **Written Comments:** Any written comments or documents provided under Audience Comments shall be submitted to the City Clerk. The City Clerk will provide the documents electronically to the City Council distribution list and copy any relevant City staff. The originals will be filed with the City Clerk's Office.
6. **Format:** Traditionally, Council does not respond to comments made at the meeting; however, the Mayor or City Administrator may direct staff to follow up with the speaker as appropriate.
7. **Availability:** These guidelines for public participation shall be included in the Council meeting agendas.

4.09 Committee/Regional Reports.

This is an opportunity for Councilmembers to verbally report on the following:

- **Standing Committees:** The committee chair or their designee shall report on the preceding committee meeting(s). The report should include a list of topics considered and a brief summary of the committee recommendations. If the committee made a recommendation on an item being considered under Regular Business, the Committee Chair shall wait to report on that item to follow the staff presentation under Regular Business.

- **Ad Hoc Committees:** A designated Councilmember may report on the status of the Ad Hoc Committee's progress on assigned tasks. Final Committee findings shall be reported as identified in Section 6.01(E) of these Rules.
- **Regional Board & Committees:** Councilmembers may provide reports and updates of activities and discussions from each of the regional boards and committees to which they are appointed. If additional discussion or consensus is required on a regional issue, the topic may be brought up under Good of the Order.

Councilmembers shall avoid duplicate reporting and make best efforts to be concise.

4.10 Mayor's Report.

The Mayor's report will be provided to the City Council in writing and will be delivered verbally at the Council meeting.

4.11 Informational Updates.

Updates will consist of informational staff presentations regarding projects, work plan items and other items of relevance that do not require Council action or direction. Written informational updates will be included on the Consent Calendar.

4.12 Consent Calendar.

A. Purpose.

IMC 2.06.090 provides for a Consent Calendar at City Council Regular meetings. The Consent Calendar is an effective time management tool that authorizes action on multiple items by one motion. This allows Council to focus on items that are controversial, have a high level of public interest, require significant financial or policy decisions or require a public hearing and have therefore been placed elsewhere on the agenda (e.g. Special Business, Regular Business, Public Hearings).

B. Placement.

Per IMC 2.06.090, the Mayor and/or the City Council President shall approve the placement of items on the Consent Calendar.

Items will be placed on the Consent Calendar based on whether they are: an exercise of existing City policy, routine, procedural, required by a regulatory change, have limited or no policy options, have minimal or budgeted financial impact or have been reviewed by an advisory body (board, commission, ad hoc committee, etc.) or by Council at a prior ~~study session or meeting(s).~~

Examples of routine items that may be placed on the Consent Calendar include, but are not limited to:

- Approval of accounts payables & payroll

- Approval of minutes
- Capital project bid awards & acceptance
- Items setting a public hearing date & time
- Mayor's boards & commissions appointments
- Grant application submittal & acceptance
- Authorization to enter into contracts, leases and agreements
- Written informational updates

C. Removal.

Any Councilmember may remove an item from the Consent Calendar for separate discussion and action. If removed, the Mayor shall have discretion to place the item at an appropriate place on the agenda for deliberation at the current Council meeting.

4.13 Accounts Payables/Payroll Review.

A. Approval.

The accounts payables and payroll reports shall be included on the Consent Calendar for approval.

B. Review Schedule.

Two councilmembers shall be designated to review the reports for each Council meeting. In January, the City Clerk's Office shall survey Councilmembers to determine their availability to serve as designated reviewers of the accounts payables for the upcoming year. The schedule will be circulated to the City Council. If circumstances prevent the designated reviewer from participating in a scheduled review, Councilmembers shall make arrangements with another Councilmember to replace them.

C. Role of Reviewers.

The role of Councilmembers in conducting their review is to understand where City funds are expended and to provide an additional layer of fraud detection and prevention. The reviewer should ask "Does it seem reasonable that the City has expended for this purpose and for this amount?"

Each transaction listed in the accounts payables report has gone through multiple layers of review. Starting with the individual staff person responsible for such payment, to supervisor, and, if appropriate, to the department director and executive office depending on dollar threshold. Each transaction is then reviewed by designated employees within the Finance Department for final authorization and issuance. In accordance with state law, the City's auditing officer, the Finance Director, then certifies the report for inclusion in the Regular Council meeting agenda packet. As part of their review, Councilmembers shall confirm the attestation of the auditing officer on the summary report.

A Councilmember may request background information or clarification from the Finance Director at any time during their review.

D. Attestation.

The Mayor shall ask the designated Councilmembers to verbally attest to their review prior to approval of the Consent Calendar at the Council meetings occurring in their review months.

E. Meeting Cancellation.

When a Regular Council meeting is cancelled, the accounts payables and payroll for that period shall be approved at the next Regular Council meeting. The designated reviewers shall be asked to attest to their review at that time.

4.14 Public Hearings.

A. Defined.

A public hearing is a formal proceeding for the City Council to receive public testimony on a specific topic. Public hearings shall be held at either a Regular or Special Council meeting.

B. Guidelines for Public Participation.

The guidelines for participation under Audience Comments (see Section 4.08(C)) also apply to public hearings, except that comments are limited to the subject of the public hearing.

C. Procedure.

The following procedures shall be used for public hearing items:

1. Introduction by presiding officer
2. Presentation by City staff
3. Public hearing:
 - a. Formally opened by presiding officer
 - b. Public testimony taken
 - c. Formally closed by presiding office (or continued, see Subsection D)
4. Council Q&A with City staff
5. Council motion: moved and seconded
6. Deliberation and call for vote

This section does not preclude Council from making any other allowable motions under Robert's Rules of Order.

D. Continuation.

Prior to closing the public hearing, it may be continued to a specific date and time by a majority vote of the City Council.

4.15 Quasi-Judicial Decisions and Appeals.

A. Description.

Per RCW 42.36.010, quasi-judicial decisions are those that determine the legal rights, duties, or privileges of specific parties based on a hearing or other contested case proceeding, such as preliminary plats, site-specific rezones and appeals. Quasi-judicial decisions do not include legislative decisions adopting, revising, or amending comprehensive, community, or neighborhood plans or other planning documents, or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance. Quasi-judicial decisions require a decision be made by Council using a specific process.

B. Record.

The Council's decision on a quasi-judicial matter shall be based upon and supported by the "record" in the matter. The "record" consists of all testimony or comment presented at the public hearing before the Development Commission, Planning Policy Commission, Hearing Examiner, or City Council and all documents and exhibits that have been submitted. Quasi-judicial decisions may be either:

1. Open Record: An open record hearing is one in which all appropriate testimony, information, evidence, and documents may be admitted and considered in the hearing before the City Council.
2. Closed Record: In closed record proceedings, City Council is required to take action based on the factual record established at a prior open record public hearing and on the relevant decision criteria in the IMC. For an appeal, the decision is restricted to the facts presented in the proceedings that resulted in the appeal being filed, including any findings or minutes prepared. No new or arguments or issues may be presented.

C. Appearance of Fairness.

In quasi-judicial open record public hearings and closed record proceedings, Councilmembers shall comply with all applicable laws including the appearance of fairness doctrine (Chapter 42.36 RCW). The appearance of fairness doctrine:

1. Prohibits ex parte (outside of the hearing) communications with limited exceptions requiring disclosure on the record.
2. Prohibits a Councilmember from making a determination on the matter in advance of the hearing.
3. Requires the hearing to be fair and impartial.

4. Prohibits the participation of any Councilmember who has a conflict of interest or financial or other personal interest in the outcome of the hearing or proceedings.

A Councilmember shall consult with the City Attorney to determine whether they should recuse themselves from the quasi-judicial discussion and decision. If a member is recused on the advice of the City Attorney, they shall announce their intent under the Appearance of Fairness Disclosures and shall leave the Chamber. They will be considered absent when voting occurs.

D. Closed Record Appeal Procedures.

The following process shall be used for closed record appeal proceedings before the City Council:

1. Announcement of Project & Description of Process
2. Staff Presentation (approx. 5 min.)

The staff will present a description of the project, and a brief history of the project review, based upon the record. No opinions or issues are to be expressed or discussed at this time. Information shall be entirely factual and unbiased in order to set the state for subsequent presentation of opposing views.
3. Appellant Argument (approx. 10 min.)

The appellant will discuss the issues of the appeal and present an argument. Argument shall be made directly by the speakers without questioning from any party. Appellant may reserve rebuttal time.
4. Applicant Argument (approx. 10 min.)

Speakers representing the decision being appealed will discuss the issues of the appeal and present the reasons for positions taken that resulted in the appeal
5. Appellant Rebuttal Argument (if time reserved)
6. Questions from Council

The Council may ask any questions of the staff, appellant, or any person who has previously given testimony.
7. Closing of Argument Portion
8. Council Decision

Per IMC 1.32.020, Council may decide to:

 - a. Affirm the decision of the responsible official or group. The decision of the official group shall be affirmed unless the decision was not supported by substantial evidence or any portion was clearly erroneous. "Substantial evidence" is evidence that would persuade a fair-minded person of the truth of the statement asserted. "Clearly erroneous" means that after reviewing all the evidence the City Council is left with the definite and firm conviction the decision was in error. The City Council shall give substantial weight to the decision of the previous decision maker.
 - b. Remand to the responsible official or group, provided that remand would not result in more than one open record hearing on the matter.

- c. Reverse or modify the decision of the responsible official or group based on the record.

Written findings and conclusions will be prepared for adoption in accordance with the Council's decision.

E. Open Record Appeal Procedures.

In the rare event an open record quasi-judicial appeal or hearing comes before the City Council, the City Attorney and staff lead shall work in coordination to establish the hearing procedures. The City Council decision options shall be the same as those under the Closed Record Appeal in subsection (D) of this section.

F. State Environmental Protection Action (SEPA) Appeal Procedures.

SEPA appeal procedures are established by RCW 43.21C.075 and IMC 18.10.270, 18.04.250, and 18.04.260. Under these regulations, a SEPA appeal must be consolidated with the open record hearing or appeal on the underlying permit. If a SEPA appeal is heard by the City Council consolidated with an appeal of the underlying permit, the procedures for the appeal of the underlying permit shall apply. The City Council shall give substantial weight to the decision of the SEPA responsible official.

4.16 Regular Business.

A. Defined.

Regular business consists of items requiring Council action or direction in the form of agenda bills or staff memos.

B. Procedure.

The following procedures shall be used for Regular Business items requiring Council action:

1. Introduction by presiding officer
2. Presentation by City staff
- ~~2-3.~~ Summary of committee recommendation by Chair or designee (if item had a committee recommendation)
- ~~3.~~ Council Q&A with City staff
4. Council motion: moved and seconded
5. Deliberation and call for vote

This section does not preclude Council from making any other allowable motions under Robert's Rules of Order.

Agenda items may be postponed to a future meeting by a majority of those present, provided the returning meeting date or time frame is included in the motion to postpone.

While motions are the preferred method for directing the Administration, there are situations when direction may be provided by consensus. This is limited to items that do not require formal Council action, and in situations when there is clear consensus (see Section 4.23(C)).

4.17 New Business Request.

A. New Business Process.

The City Council may wish to bring forward items for discussion and action outside of the established annual work plan.

There are multiple ways that an additional work plan item may be brought forward, including:

- Coordination with the Mayor or City Administrator
- Direction provided by a majority of the Council at a meeting by:
 - Amending a meeting agenda (IMC 2.06.110 and Section 4.05)
 - Providing direction under consideration of a current work plan item

As another method, one or more Councilmembers may request that the City Council consider additional work plan items under New Business using the process described in Subsections B-D.

This section is not intended to preclude any other process available under Robert's Rules of Order, the Issaquah Municipal Code, state law or these Rules of Procedure.

B. New Business Request Form.

To use the New Business process, the requesting Councilmember(s) must submit a New Business Request Form provided by the City Clerk's Office. The form will include basic information about the proposal and guiding questions for the Councilmember(s) to address.

The New Business Request Form must be submitted to the City Clerk's Office one full week in advance of the Regular Council meeting at which it is to be presented. If the form is submitted after the deadline, the request will be considered at the next Regular Council meeting.

C. Step 1: Introduction.

When a New Business Request is submitted, the proposal will be added as an agenda item under New Business at a Regular Council meeting. This first step is considered the Introduction phase and allows the advocating Councilmember(s) to provide a verbal

presentation. Following the presentation, the City Council will decide whether to pursue the proposal further.

Approval by a majority of the City Council is required to continue consideration of the item and direct the Administration to gather additional information. Upon approval, this item will be scheduled at a future Council meeting under New Business for a preliminary staff response as outlined in section D.

If majority approval is not received, the item will not proceed. Staff will not invest efforts to develop the item further.

D. Step 2: Returning Proposal.

New Business Request proposals that have received majority approval from Council will return under New Business at a Regular Council meeting. A staff memo providing a preliminary response will be provided with the item. At that time, Council will determine if there remains majority support to add the item to its' work plan and move through the Council ~~study session~~ referral and agenda bill process.

This second step may be waived for time sensitive items if approved by a majority of the City Council at the meeting at which the item is introduced. If the return under New Business is waived, the item will proceed directly from Introduction to being scheduled at a City Council meeting, Committee of the Whole meeting or ~~study session~~ committee meeting.

4.18 Good of the Order.

A. General Purpose.

The purpose of the Good of the Order is to allow the Mayor and City Council the opportunity to offer comments or observations, make announcements, or receive informal feedback.

B. Standing Committee Related Actions.

The Council President's decision on a contested committee referral is to be announced under Good of the Order at a Regular Council meeting (see Subsection 6.01(B)).

A Councilmember shall provide notice of their intent to make a motion to require a standing committee to report out an item by a certain time or make a motion to discharge the item from that committee at the preceding Regular Council meeting under Good of the Order (see Subsection 6.01(I)). The proposed motion will be placed on the next Regular Council meeting agenda.

4.19 Executive Session.

A. Defined.

An executive session is a portion of a Council meeting that is closed except to the Mayor, Council, City Administrator, City Attorney, and others authorized by the presiding officer. The public is restricted from attendance.

B. Procedure.

Executive sessions may be held during Regular or Special Council meetings and will be announced by the presiding officer. Executive sessions may be held for limited purposes as provided by state law as referenced in IMC 2.06.130. Before convening an executive session, the presiding officer shall announce:

1. Purpose of the executive session
2. Anticipated duration of the executive session
3. Whether action will be taken in open session following the executive session

C. Confidentiality.

Per RCW 42.23.070(4), Councilmembers shall maintain the confidentiality of all written materials and verbal information provided during executive sessions to ensure that the City's position is not compromised. If a Councilmember unintentionally discloses executive session material with another party, the Councilmember shall promptly inform the City Administrator and the City Council of the disclosure.

4.20 Minutes/Recording.

A. Responsibility With.

The City Clerk or designee shall attend all Regular and Special Council meetings and keep an account of all proceedings of the Council in accordance with RCW 35.23.151 and 42.32.030. The draft meeting minutes shall be provided in the agenda packet of the meeting at which they are to be approved.

B. Action Minutes.

The minutes shall include the content specified in Robert's Rules of Order, except they shall not include verbatim oral committee reports. In keeping with action minutes, debate and discussion will not be included.

C. Corrections.

Corrections to the minutes shall be made as follows:

1. Before meeting: Provide any corrections/edits to the City Clerk's Office in writing. The changes will be provided to the Council in advance of the meeting and an announcement will be made acknowledging the proposed changes. If there is no

request to remove the revised minutes from the Consent Calendar, they will be considered approved with the proposed changes. The draft minutes shall be revised to include any amendments approved by a majority of the Council.

2. At meeting: Request to have the minutes removed from the Consent Calendar. A motion will be made to amend the minutes to incorporate any corrections/edits. The draft minutes shall be revised to include any amendments approved by a majority of the Council.
3. After meeting: If a correction/edit is desired after approval of the minutes, a Councilmember must make a motion to “amend something previously adopted” per Robert’s Rules of Order. If the amendments are approved by a majority of the full Council (four votes), the approved minutes shall be revised to reference the amendments/corrections in the margin of the minutes.

4.21 Seating.

The Mayor shall sit at the left end of the dais. The Council President and Deputy Council President shall sit next to the Mayor. The remaining Council seats will be arranged in order of seniority, and then alphabetically by last name, with the Councilmember with the most seniority sitting next to the Deputy Council President and so on. If a Councilmember’s service on the City Council is interrupted (break in service), the prior years of service are not counted in determining seniority.

4.22 Rules of Debate.

A. Recognition.

When desiring to speak on an issue, a Councilmember shall signal the presiding officer and wait to be recognized.

B. Rules.

IMC 2.06.140 and Robert’s Rules of Order shall govern the rules of debate. Debate shall:

- Be addressed to the presiding officer
- Be concise and avoid repetitive arguments or discussion
- Be relevant to topic/motion at hand
- Be courteous and not include personal attacks

All Councilmembers shall have the opportunity to speak once on an issue before any Councilmember speaks a second time.

C. Participation of Non-members.

Although not voting members, the right to address Council during debate shall also be extended to the Mayor, City Administrator and City Attorney to ensure that timely information or clarification relevant to the debate is provided.

4.23 Motion Procedures.

A. Authority.

Robert's Rules of Order shall govern the making of motions.

B. Format.

The Mayor or any Councilmember may request that a motion be provided in writing.

C. Second.

Motions are required to have a second to be considered. A second is not required for motions made in standing or ad hoc committees.

C. Consensus.

When the Council reaches a consensus on an item that does not require a formal motion, the presiding officer will summarize Council's consensus at the conclusion of the discussion.

4.24 Voting Procedures.

A. Procedure.

The default method for taking votes shall be voice vote, unless the meeting format makes a voice vote impractical. The presiding officer, Councilmember or City Clerk may request an alternate voting format, such as a roll call vote or voice vote with show of hands.

The procedures for voting shall be those outlined in Robert's Rules of Order, except that for roll call votes conducted at virtual meetings of the City Council, the order in which Councilmembers shall be called upon to vote shall be alternated. The City Clerk shall maintain a record of the voting order.

The outcome of each vote will be announced by the presiding officer and recorded in the minutes.

B. Vote Requirements.

Per RCW 35A.12.120, "the passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council" (four votes).

Per RCW 35A.34.140, an ordinance granting emergency expenditures for nondebtable emergencies without notice or hearing shall require a vote of one more than the majority of all members of the Council (five votes).

Per RCW 35A.12.130, the Mayor may veto an ordinance, but the Mayor's veto can be overruled by a majority plus one of the entire Council (five votes).

For all other votes, the vote requirement is as specified by any applicable state or City law or Robert's Rules of Order. In the absence of a specific requirement, the vote requirement shall be a majority of those present.

C. Tie Vote.

Per IMC 2.06.120 and RCW 35A.12.100, the Mayor may vote in the case of a tie on certain items. If the tie is not broken, the motion fails.

D. Abstentions.

It is the responsibility of each Councilmember to vote when requested on a matter before the full Council. Per IMC 2.06.120, a Councilmember who fails to vote on an issue, when that member has not been excused from voting due to a conflict of interest or appearance of fairness question, will have been determined to vote "yes" on the issue. If a Councilmember intends to abstain from voting, they shall announce this intention prior to the vote on the issue to ensure their abstention is recognized by the presiding officer and City Clerk. The word "abstention" will not be included in the minutes; abstentions will be recorded as a "yes" vote.

E. Conflicts of Interest.

Councilmembers are subject to the conflict of interest laws in Chapters 42.20 and 42.23 of the RCW. If a Councilmember believes they may have a conflict of interest, they are encouraged to discuss the law and any potential conflicts with the City Attorney prior to the meeting(s) at which the item will be addressed.

Councilmembers shall declare a conflict of interest prior to voting on the issue on which they have a conflict. After the conflict of interest is stated, the Council may then, by a majority vote, excuse a member from voting on the issue. If a Councilmember is excused from voting, they shall leave the Chamber. They will be considered absent when voting occurs.

F. Reconsideration.

After the vote on a question has occurred, any Councilmember who voted in the majority may move for reconsideration of the motion. The motion for reconsideration shall be made at the same or next ~~regular~~ Regular Council meeting, providing that the act voted on has not yet been executed. Reconsideration is not available for all motions. See Robert's Rules of Order for a list of motions that are not eligible for reconsideration.

4.25 Points of Order.

A Point of Order may be made by any Councilmember or the City Attorney or City Clerk if they believe the rules of the Council are being violated. A Point of Order stops business temporarily. In response, the presiding officer must rule/advise on the item. A ruling may be made in consultation with the parliamentarian or other staff and may also be submitted to the Council for decision.

4.26 Parliamentary Procedure.

A. Parliamentarian.

The City Attorney, in consultation with the City Clerk, shall act as parliamentarian and advise the presiding officer on inquiries concerning parliamentary procedure, including interpretations of these Rules of Procedure.

B. Parliamentary Authority.

All cases not provided for in these Rules shall be governed by the current edition of Robert's Rules of Order, Revised. In the event of a conflict, these Council Rules of Procedure shall prevail.

C. Suspension of Rules.

A Council vote or other action that is taken that is not in compliance with Robert's Rules of Order or these Rules of Procedure and to which no objection is taken shall be deemed action taken following a suspension of the parliamentary rules, even if no formal suspension of the rules occurs first.

4.27 Staffing at Meetings.

Per IMC 2.06.100, the Mayor designates which City staff are to attend City Council meetings. Typical staffing will include the City Administrator, City Clerk, and City Attorney, or their designees, and any other relevant staff needed to present or respond to anticipated Council questions on scheduled agenda items.

4.28 Rules of Conduct.

A. General.

To honor those speaking and minimize disturbances to others, while a meeting is in session:

1. Cell phones and other electronic devices shall be silenced.
2. Side conversations shall be avoided.
3. Councilmembers should limit the use of electronic devices to access agenda materials and other agenda-related information during meetings. Councilmembers shall not communicate with each other electronically during meetings on agenda

items in order to maintain transparency and to ensure that all discussion and deliberation occurs publicly on the record.

B. Use of Dais.

The dais shall be reserved for the City Council and Mayor (or other designated personnel or officials) whether or not it is in use for that particular meeting.

C. Obstructions.

Individuals may be asked to remove any banners, signs, or other objects or materials that are obstructing the view of those in attendance or are restricting movement through the aisles or exits.

D. Disruptions.

If a disruption to the meeting occurs and order cannot be restored, the presiding officer may proceed to use one of the options provided for in RCW 42.30.050 to ensure orderly continuation of the meeting.

Section 5. Study Sessions

~~5.01 Study Sessions.~~

~~A. Purpose.~~

~~The primary purpose of Study Sessions is to shape significant policy, aiding in the development of items that will ultimately require Council action.~~

~~Study session agenda items are intended to be substantive and not include day to day operational issues or routine, procedural items. Any non-substantive items requiring Council action (i.e., accepting grant, authorizing contract bid award, etc.) shall go directly to a Regular or Special Council meeting for action.~~

~~B. Regular Study Sessions.~~

~~Per IMC 2.06.040, the City Council shall hold Regular Study Sessions at 6:30 p.m. on the second and fourth Tuesdays of each month in the Council Chambers of City Hall South, 135 E. Sunset Way.~~

~~If a Regular Study Session falls on a legal holiday, the meeting will be held on the first business day following the holiday.~~

~~To allow for a summer and winter break, the City Council shall not hold a Study Session on the fourth Tuesday in the months of August or December per IMC 2.06.040, but may schedule a Special meeting, if needed.~~

~~C. — Special Study Sessions.~~

~~Any meeting scheduled outside of the regular date, time or location of a regular study session is considered a Special meeting. The provisions for calling and noticing Special meetings are provided in RCW 42.30.080.~~

~~D. — Presiding Officer.~~

~~Study Sessions shall be presided over by a designated member of the Council on a rotating basis. All seven Councilmembers, including the Council President and Deputy Council President, will be included in the rotation schedule. Further, the Council President will serve as presiding officer:~~

~~During the month of January.~~

~~For any additional (special) study sessions scheduled throughout the year.~~

~~When circumstances prevent designee from presiding.~~

~~An annual schedule will be developed by the City Clerk's Office and confirmed by the Council President. The schedule will align with the Leadership Meeting calendar so that the designated presiding officer is assigned to the Leadership Meeting preceding the Study Session (see Section 3.06).~~

~~A Councilmember's role as presiding officer shall not affect their right to participate in the meeting to the extent afforded all Councilmembers. The presiding officer should facilitate the conversation in a neutral manner and maintain as much impartiality as possible. In this spirit, the presiding officer is encouraged to speak and vote last (when a vote is allowable, see Subsection C) on an issue and refrain from making motions.~~

~~The duties of the presiding officer are identified in Section 4.03(B) of these Rules.~~

~~E. — No Final Action.~~

~~No final action will be taken. The City Council will provide direction and recommendations by consensus facilitated by the presiding officer.~~

~~The presiding officer will summarize consensus or feedback reached at the meeting, or request City staff to provide a summary.~~

~~If there is not clear consensus on an item, a motion may be made and vote taken. However, motions will be limited to 1) providing direction or forwarding an item to a Regular or Special Council meeting for action, and 2) any related procedural motions.~~

~~F. Agenda Preparation.~~

~~The process for placing items on a Council meeting agenda established in Section 4.04(A) of these Rules shall also apply to placement of items on a study session agenda.~~

~~G. Public Comments.~~

~~Unless otherwise noted or announced by the presiding officer, public comment will be allowed on each agenda item following the staff presentation and Council question and answer period.~~

~~The Guidelines for Public Participation in Section 4.08(C) of these Rules apply to public comment provided at study sessions.~~

~~H. Good of the Order.~~

~~Each regular study session agenda shall include Good of the Order as the last item of business. The purpose of the Good of the Order is to allow the City Council the opportunity to offer comments or observations, make announcements, or receive informal feedback as provided in Section 4.18.~~

Section 5. Committee of the Whole

5.01 Committee of the Whole.

A. Establishment.

The Committee of the Whole is established to allow the City Council to consider significant policy issues in an informal committee setting prior to formal Council action at a Regular or Special meeting.

B. Referrals.

The Committee of the Whole will automatically be referred policy items that are broad and overarching including: the budget; racial equity framework; workplan; strategic plan updates and performance measures; and discussions aiding in the development of items that will ultimately require Council action. A schedule of upcoming items being referred to Committee of the Whole shall be distributed to the City Council.

Committee of the Whole agenda items are intended to be substantive and do not include day-to-day operational issues or routine, procedural items. Any non-substantive items requiring Council action (i.e., accepting grant, authorizing contract bid award, etc.) shall go directly to a Regular or Special Council meeting for action (also see Section 4.12).

The City Council may choose to refer or re-refer any items to the Committee of the Whole by a majority vote at a Regular or Special Council meeting.

C. Meetings.

Per IMC 2.06.040, the City Council shall hold Regular Committee of the Whole meetings at 6:30 p.m. on the second Monday of each month in the Council Chambers of City Hall South, 135 E. Sunset Way. Committee of the Whole meetings will automatically be canceled in the months that a Community Listening Session is held.

If a Committee of the Whole falls on a legal holiday, the meeting will be held on the first business day following the holiday.

Any meeting scheduled outside of the Regular date, time or location of a Regular Committee of the Whole meeting is considered a Special meeting. The provisions for calling and noticing Special meetings are provided in RCW 42.30.080.

D. Membership.

The Committee of the Whole shall consist of all members of the City Council.

E. Presiding Officer (Chair).

The Committee of the Whole shall be presided over by the Council President

A Councilmember's role as presiding officer shall not affect their right to participate in the meeting to the extent afforded all Councilmembers. The presiding officer should facilitate the conversation in a neutral manner and maintain as much impartiality as possible. In this spirit, the presiding officer is encouraged to speak and vote last on an issue and refrain from making motions.

The duties of the presiding officer are identified in Section 4.03(B) of these Rules.

F. Recommendation.

No final action will be taken. The Committee of the Whole's recommendation may be determined by informal consensus or a formal vote. The presiding officer will summarize consensus or feedback reached at the meeting, or request City staff to provide a summary.

The recommendation will be summarized in the subsequent staff report or agenda bill; this summary will be considered the Committee's report.

G. Agenda Preparation.

The City Clerk shall prepare a draft agenda for each Committee of the Whole meeting specifying the time and place of the meeting and setting the agenda items requiring the Committee of the Whole's recommendation.

The Council President shall approve the placement (timing and order) of items on the draft agenda.

Following approval, a final agenda will be prepared by the City Clerk, distributed to Councilmembers and made publicly available. This will serve as the official agenda of the meeting.

The process for placing items on a Council meeting agenda established in Section 4.04(A) of these Rules shall also apply to placement of items on a Committee of the Whole agenda.

H. Public Comments.

Unless otherwise noted or announced by the presiding officer, public comment will be allowed at the beginning of each meeting and on each agenda item following the staff presentation and Council question and answer period.

The Guidelines for Public Participation in Section 4.08(C) of these Rules apply to public comment provided at Committee of the Whole meetings.

I. Good of the Order.

Each Regular Council Committee of the Whole agenda shall include Good of the Order as the last item of business. The purpose of the Good of the Order is to allow the City Council the opportunity to offer comments or observations, make announcements, or receive informal feedback as provided in Section 4.18.

If a Councilmember wishes to solicit informal feedback under Good of the Order at a Special Committee of the Whole meeting, advance notice must be provided to the City Clerk a minimum of five days prior to the meeting to allow the item to be listed on the agenda in compliance with RCW 42.30.080.

Section 6. Standing Committees

6.01 Standing Committees.

A. Establishment.

The following standing committees are established. The committees shall review policy matters within their areas of purview and make recommendations to the full City Council. The committees are advisory only and will not take action.

<u>Committees</u>	<u>Purview</u>	<u>Corresponding Boards & Commissions</u>
<u>Mobility and Infrastructure</u>	<u>Asset Management, Capital Improvement Plan (CIP), Mobility, Solid Waste, Streets, Transportation Improvement Program (TIP), Water</u>	<u>Transportation Advisory Board</u>
<u>Planning, Development and Environment</u>	<u>Climate, Comprehensive Plan, Development Projects, Storm and Surface Water, Sustainability</u>	<u>Development Commission</u> <u>Environmental Board</u> <u>Planning Policy Commission</u>
<u>Services, Safety and Parks</u>	<u>City Attorney, City Clerk, Communications, Emergency Preparedness, Economic Development, Equity, Facilities, Finance, Fire, Fleet, Human Services, Information Technology, Open Space, Parks, Personnel Policies, Police, Municipal Court, Surplus Property</u>	<u>Arts Commission</u> <u>Cable TV Commission</u> <u>Cemetery Board</u> <u>Civil Service Commission</u> <u>Economic Vitality</u> <u>Equity Board</u> <u>Human Services Commission</u> <u>Lodging Tax Advisory Committee</u> <u>Park Board</u> <u>Sister Cities Commission</u>

B. Referrals.

The City's work plan items requiring policy review will be automatically referred by the City Administration to the standing committees based on the subject matter indicated in subsection A above. A schedule of upcoming items being referred to committee shall be distributed to the City Council.

The following items will be considered by the Committee of the Whole or the City Council at a Regular or Special meeting and will not be automatically referred to committees:

- Informational updates
- Policy items that are broad and overarching including: the budget; racial equity framework; workplan; and strategic plan updates and performance measures
- Any non-substantive items requiring Council action shall go directly to a Regular or Special Council meeting for action (i.e., accepting grant, authorizing contract bid award, etc.) (see Section 4.12)

Items may be referred to more than one committee if the item significantly impacts the purview of more than one committee and can reasonably be divided and considered separately, such as the Capital Improvement Plan.

If a Councilmember disagrees with the referral of an item, they may request that the Council President review the rationale of the referral. The Council President shall announce the outcome of their decision as to whether to uphold the initial referral or make a different referral under Good of the Order at the next Regular Council meeting.

The City Council may choose to refer any items to the standing committees by a majority vote at a Regular or Special Council meeting.

C. Meetings.

Regular committee meetings will be scheduled monthly. The Regular meetings of the committees will be held at 6:30 PM in the Council Chambers, 135 E. Sunset Way as follows:

<u>Mobility and Infrastructure</u>	<u>The second Tuesday of each month</u>
<u>Planning, Development and Environment</u>	<u>The first Tuesday of each month</u>
<u>Services, Safety and Parks</u>	<u>The third Tuesday of each month</u>

If a Regular committee meeting falls on a legal holiday, the meeting will be held on the first business day following the holiday or rescheduled to another date that allows for a quorum of the committee members to attend.

To allow for a summer and winter break, the City Council shall not hold committee meetings in the last two weeks of August or December, but may schedule Special meetings, if needed.

Any meeting scheduled outside of the regular date, time or location of a Regular committee meeting is considered a Special meeting. The provisions for calling and noticing Special meetings are provided in RCW 42.30.080.

Meetings may be canceled by City staff in consultation with the Committee Chair due to a lack of referred items.

D. Membership.

Three Councilmembers will serve on each committee. No substitutions are allowed.

In order to ensure a quorum of the Council is not in attendance at a committee meeting, Councilmembers who are not on a standing committee are not to attend those committee meetings. Councilmembers wishing to observe a meeting of a committee of which they are not a member are encouraged to view the video recording of the meeting.

Committee appointments will be made in accordance with Section 2.04 of these Rules. Committee members will continue to serve until their successors are appointed.

E. Presiding Officer (Chair).

Committee meetings shall be presided over by a Committee Chair whose role includes:

- a. Preside over meetings (for a specific list of responsibilities, see Section 4.03(B) of these Rules)
 - a. Facilitate public comment
 - b. Facilitate discussion
 - c. Clarify committee recommendations
- b. Review and approve committee agendas
- c. Coordinate with staff to schedule/cancel meetings
- d. Make reports at Council meetings
- e. Serve as liaison for items that received a recommendation from the Committee

A Councilmember's role as presiding officer shall not affect their right to participate in the meeting to the extent afforded all Councilmembers.

F. Agenda Preparation.

The City Clerk shall prepare a draft agenda for each committee meeting specifying the time and place of the meeting and setting the agenda items requiring the committee's recommendation.

The Committee Chair shall approve the placement (timing and order) of items on the draft agenda.

Following approval, a final agenda will be prepared by the City Clerk, distributed to Councilmembers and made publicly available. This will serve as the official agenda of the meeting.

The process for placing items on a Council meeting agenda established in Section 4.04(A) of these Rules shall also apply to placement of items on a standing committee agenda.

G. Public Comments.

Unless otherwise noted or announced by the presiding officer, public comment will be allowed at the beginning of each committee meeting and on each agenda item following the staff presentation and committee question and answer period.

The Guidelines for Public Participation in Section 4.08(C) of these Rules apply to public comment provided at committees.

H. Recommendation.

The Committee shall make recommendations on all City work plan items referred to it. The recommendation shall include any proposed changes to the proposal, timing and a recommendation for placement on the subsequent City Council meeting agenda for action. The recommendation may include a referral to the Committee of the Whole for further deliberation.

The Committee's recommendation may be determined by informal consensus or a formal vote. The Chair will summarize the recommendation reached at the meeting.

The Committee's recommendation will be summarized in the subsequent staff report or agenda bill and provided by the Chair under Committee Reports at the relevant Council meeting (see Section 4.09).

I. Discharge from Committee or Require Report.

If a Councilmember wishes to ensure an item being considered by a standing committee returns to the City Council for discussion or action, either through a motion to require a report by a certain time or a motion to discharge the item from that committee, the Councilmember shall provide notice of their intent to make such a motion at the preceding Council meeting under Good of the Order. The proposed motion will be placed on the next Regular Council meeting agenda.

J. Open Public Meetings Act.

Given that the committees take public comment, per RCW 42.30.020, committee meetings will be held in compliance with the Open Public Meetings Act.

Communication shared among two or more Councilmembers who serve on the same committee, either concurrently or serially, must be restricted to providing information. Responses to such communication should be limited to ensure that committee business is conducted only at its scheduled meetings. Discussion of City business by a majority of the committee must be conducted in an open meeting. Use of any electronic communication (email, text, social media, etc.) to form a collective decision of the committee is inappropriate and violates the Open Public Meetings Act, RCW 42.56 (see also Appendix B and C).

In order to avoid a serial meeting of the Council, committee members should refrain from discussing the committee's conversations and recommendations with a fourth member of the City Council outside of an informational written update or open public meeting.

Section 67. Council Ad Hoc Committees

67.01 Council Ad Hoc Committees.

A. Establishment.

A majority of the City Council may establish ad hoc committees as an advisory committee to make a recommendation to the City Council.

Ad hoc committees shall be convened to address work plan items that require special approach or emphasis that cannot be accommodated by the three standing committees. As part of the establishment of the committee, a specific scope must be provided, including the role of the committee in relation to the City Council and any relevant boards and commissions.

B. Timing.

Ad hoc committees shall be called for a specific time frame and duration ~~(e.g. Rules of Procedure) or for issues requiring intermittent review and recommendation (e.g. Long-term Financial Committee).~~ If the timeframe of the committee spans over three or more months, the action to establish the committee shall include specific time frames that the committee must intermittently report to the City Council.

C. Format.

Ad hoc committees may be established for a wide variety of purposes requiring different levels of transparency and access. As part of the establishment of the committee, the City Council shall specify what level of transparency is required. For example, a committee convened to discuss more internal issues, such as amendments to the Council Rules, may only be required to document their recommendations. An ad hoc committee considering an item of high community interest may be required to record their meetings or conduct them with advance notice in an open, public space.

C. Membership.

Membership may be composed entirely of Councilmembers or a combination of Councilmembers, consultants, staff and members of the public. A staff member may also be appointed by City Administration to serve as a staff liaison to the Committee.

No more than three Councilmembers may serve on an ad hoc committee. Substitutions will not be allowed.

D. Appointment.

Appointments may be made by a majority vote of the City Council or Council President. Councilmembers will be provided an opportunity to express interest in serving on the committee.

If an ad hoc committee includes individuals who are not on the City Council, those members shall be appointed by a majority vote of the City Council in accordance with Robert's Rules of Procedure.

E. Reporting.

The ad hoc committee Chair, as designated by the Council President or by consensus of the committee, shall report to the City Council the findings of the committee as indicated in the authorizing motion, ordinance or resolution. The committee will automatically sunset upon delivering its final report.

F. Open Public Meetings Act.

If public comment is taken by an ad hoc committee, the Open Public Meetings Act will apply per RCW 42.30.020.

Section 78. Boards and Commissions

78.01. General.

The City's boards and commissions are established in the Issaquah Municipal Code. These citizen advisory bodies provide an invaluable role to the City by making recommendations to the Mayor and City Council in their respective areas of focus.

78.02. Confirmation of Appointments.

The City Council is responsible to confirm the Mayor's appointments to the City's boards and commissions annually as provided in [Resolution No. 2006-01](#).

78.03. City Council Interactions.

The City's boards and commissions provide recommendations to the Mayor and City Council on budgetary and policy issues coming to the City Council for action.

While the Mayor provides ultimate oversight to these boards and commissions, the City Council may direct specific work plan items to them through the budget process or separate legislative action.

The City Council encourages the City Administration to continue fostering strong lines of communication between the City Council and advisory boards/commissions to ensure the maximum review and input is received on all items coming to the City Council for action.

If City Councilmembers wish to pose specific questions to boards and commissions as they review existing work plan items which will ultimately come to the City Council for action, they are encouraged to use the following methods:

1. Individual Councilmembers may monitor board and commission work plan items of interest by viewing the board and commission meeting recordings or meeting materials.
2. Individual Councilmembers may communicate directly with the board or commission staff liaison to pose specific questions in advance of the meeting(s) at which the items are to be discussed. The City Administrator shall be copied on such communications.
3. In cases where the item is being considered at a meeting of the City Council prior to returning to a board or commission for review, the City Council may relay specific questions at the meeting to be relayed back to the board/commission. However, the Council should be mindful of questions that may influence the board/commission and thus interfere with the established role of the advisory boards in the public policy-making process.

78.04 Board and Commission Recommendations.

The City Administration will relay informal feedback and recommendations received from boards and commissions on items proceeding to the City Council for action. This input will be included in the City Council agenda materials for the relevant item.

Section 89. Suspension or Amendment of Rules

89.01 Suspending Rules.

Any provision of these rules not governed by state law or ordinance, may be temporarily suspended by a two-thirds majority vote (five votes) of the Council.

89.02 Amending Rules.

These rules may be amended or new rules adopted by a vote of two-thirds of the members present.

Appendix

- A. [AWC | MRSC Mayor and Councilmember Handbook](#)
- B. [MRSC | STATE AUDITOR Electronic Communication Tips](#)
- C. [Information Technology Policy](#)
- D. [Code of Ethics](#)



CITY COUNCIL RULES OF PROCEDURE

Approved by Resolution 2009-23

Revised by Resolution 2012-16

Revised by Resolution 2013-06

Revised by Resolution 2014-04

Revised by Resolution 2019-01

Revised by Resolution 2020-03

(July 6, 2020)

*City of Mukilteo, Washington
Mukilteo, Washington 98275*

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INTRODUCTION

A. Effect/waiver of rules

These rules of procedure set forth herein and/or by other ordinance or resolution, 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 implicitly or by a majority vote, determine to temporarily waive any of the provisions herein. Council action taken in disregard or non-conformity with these rules shall be construed as an implicit waiver thereof. Only a sitting councilmember shall enforce these rules.

RULE 1 - MEETINGS

A. Regular Meeting. The regular meeting of the City Council shall be held at 7:00 p.m. on the first and third Monday of each month in Mukilteo City Hall.

1. If Monday of any week is a legal holiday, the regular meeting of that week shall be held at 7:00 p.m. on the next business day.
2. If Monday of any week shall fall on Christmas Eve or New Year's Eve, the regular meeting of that week shall be held at 7:00 p.m. on the next business day.

B. The Council, by a majority vote, may by motion continue any regular or special meeting to a time specified in the motion.

C. Work Sessions and Committee Meetings. Work sessions and Committee Meetings of the City Council shall be held from 6:00 p.m. – 8:00 p.m. on the second Monday of each month in Mukilteo City Hall. These meetings are either video and/or audio taped. This meeting is open to the public. The public is welcome to visit and observe. Citizens are welcome to address Council and the Mayor by phone, email, mail or at a future regular meeting.

D. Special Meetings. Special meetings, or any change in the time or location of a regular meeting, shall be called by the City Clerk on the written request of the Mayor or by a majority of the members of the Council by delivering personally or by mail, by fax, or by electronic mail written notice to each member of the Council; and to each local newspaper of general circulation and to each local radio or television station which has on file with the City Clerk a written request to be notified of such special meeting or of all special meetings. At least 24 hours before the time of such meeting, notice must be delivered personally or by mail, by fax, or by electronic mail. The call and notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings by the Council. Such written notice may be dispensed with as to any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice. Such waiver may be given by mail, by fax, or by electronic mail. Members who are

present at the time that a meeting is convened do not need to be provided written notice. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage. (Ref. RCW 42.30.080)

E. Quorum. Four Councilmembers shall be a quorum for the transaction of business, but in the absence of a quorum, the members present may adjourn the meeting to a later date.

F. Open Public Meetings Act (OPMA). All Council meetings shall be conducted in conformity with the Open Public Meetings Act (RCW 42.30).

G. Appearance of Fairness/Conflict of Interest. In all its dealings, the Council and its individual members shall be governed by RCW 42.36 (Appearance of Fairness Doctrine), RCW 42.20 (Misconduct of Public Officers) and RCW 42.52 (Ethics in Public Service).

H. Executive Sessions. The Council may hold Executive Sessions during a regular or special meeting to consider matters allowed under RCW 42.30.110 as it now exists or is hereinafter amended including:

1. consideration of acquisition or sale of real property if public knowledge would adversely affect the price;
2. discussion with legal counsel of City enforcement actions or potential or pending litigation in which the City is, or is likely to become, a party;
3. to receive and evaluate complaints against a public employee, unless the employee requests the consideration to be held in an open meeting;
4. evaluate the performance of an employee or qualifications of an applicant for City employment, so long as the final decision to hire and terms of employment, and decisions to terminate or discipline, are taken in an open meeting;
5. to review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs; and to evaluate the qualifications of a candidate for appointment to elective office.
6. See RCW 42.30.110 for complete itemization of executive session topics.
7. Before convening in Executive Session, the presiding officer shall announce the purpose of the session and the anticipated length of such session, and whether further action is anticipated. Should the session require more time, a public announcement shall be made that the session will be extended. The Council will return to Council Chambers, as applicable, for adjournment of the meeting. Confidential discussions during Executive Sessions shall not be disclosed by any Councilmember or City official in attendance to any person unless confidentiality is waived by the majority of the Council. Violation of confidentiality may result in a censure motion by the Council during a regular meeting.

I. City Council Absences. From time to time, it is not possible for a councilmember to attend a City Council meeting

1. In situations where Councilmembers know in advance of their absence, this procedure should be followed:
 - i. Announce at a meeting, on the record, the planned absence at least two weeks in advance, and if a remote attendance option is requested.
 - ii. Follow up with an email to the City Clerk, Council President and Mayor with the absence and remote attendance request, if needed.
2. Absences may be excused via a motion by any Councilmember, in advance of an absence or during the meeting. It is recommended but not required that a motion take place during roll call.

J. Remote Attendance. In limited instances, the City would benefit by a Councilmember's participation by means of remote communication. The Council recognizes the benefits of fullest practicable attendance and participation by its members. Attendance from remote locations is intended to be an alternative and relatively infrequently used method for participation by Councilmembers. Remote attendance protocol and procedures are as follows:

1. The Mayor or Council President may approve a Councilmember's appearance at a Council meeting via remote communication in limited instances, including emergencies that require immediate action or remedy.
2. In the event that subsection I of Rule 1 of the Mukilteo City Council Rules and Procedures has been satisfied and more than one Councilmember is absent, reasonable efforts shall be given to provide all absent members an opportunity to appear via remote communication. In no event shall the Council President approve a Councilmember's remote attendance unless satisfactory equipment is available, use of City-provided devices are preferred. Satisfactory equipment shall mean any telephone or other device equipped with a speaker function capable of broadcasting the Councilmember's voice attending clearly and sufficiently enough to be heard by those in attendance at the meeting. The device must allow the Councilmember to pose and answer questions as posed from time to time.
3. During any meeting that a Councilmember is attending via remote communication, the Mayor or presiding officer shall state for the record that a particular Councilmember is attending via remote communication and the reasons for such attendance.
4. Councilmembers appearing via remote communication will participate and vote during the meeting as if they were physically present at the meeting. The Councilmember's vote must be audibly provided so that any participant may hear their vote. The Presiding Officer will confirm the vote. Councilmembers will have the opportunity to correct their vote immediately following the Presiding Officer's announcement.
5. Councilmembers appearing by remote communication shall comply with all OPMA regulations and the City of Mukilteo Council Rules and Procedures as if they were physically present at the meeting. Any software and devices must comply with the City IT policies.

6. Any technical prohibitions or difficulties that prevent all Councilmembers participating in the meeting from adequately hearing and speaking to each other shall be addressed immediately. The meeting should be recessed or paused until technical issues are resolved.
7. In the case of executive sessions, the Council may permit participation from remote location(s) only when the Council on a case-by-case basis considers such participation to be necessary and the Council is confident in the security of such remote communications.
8. In the event of an emergency, all of City Council may appear by remote communication but per OPMA, it is required that the meeting location shown in the meeting notices be open to the public, and audio must be available so that all actions being taken can be heard. If all elected officials are remote, and the meeting place cannot be opened and set up for public access, the meeting must be cancelled.

K. City Staff. Any officer or employee of the City, when requested, shall attend and remain at the meeting for such length of time as the majority of Councilmembers present may direct.

L. Attendance of Media at Council Meetings. All official meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

M. Attendance of City Attorney at Council Meetings. The City Attorney should attend all regular meetings. A majority of the City Council may request the attendance of the City Attorney at its discretion for special meetings, workshops or committee meetings. The Mayor and Council President may also request the attendance of the City Attorney at special meetings, workshops or committee meetings.

RULE 2 - PRESIDING OFFICER - DUTIES

A. Conduct of Meeting. The presiding officer at all meetings of the Council shall be the Mayor, and, in the Mayor's absence, the Council President, who shall conduct the business and deliberations of the Council under these rules. In the absence of the Council President, the Council Vice President shall conduct the business and deliberations of the Council under these rules. The Council President and Council Vice President shall be elected by a majority of the Councilmembers at the start of the first Council meeting following the New Year. If both the Council President and Council Vice President are absent and a quorum is present, the Council shall, by motion, appoint one of its members to serve as presiding officer of the Council until the return of the Mayor, Council President, or Council Vice President.

The presiding officer shall:

1. Preserve order and decorum in the Council Chambers;

2. Observe and enforce all rules adopted by the Council for its government;
3. Decide all questions on order, in accordance with these rules, subject to appeal by any member to the Council; and
4. Recognize members of the Council in the order in which they request the floor. No member shall be recognized and given the floor to speak on the same matter more than once until after all other members of the Council have had an opportunity to be recognized and be heard.
5. Retain the authority, during Public Comment and Citizens' Forum, to determine whether a speaker's remarks fail to comply with these Rules or exceed the scope of the designated forums, and the presiding officer shall have the authority to suspend such person's right to speak, subject to the Council's right to overrule such decision.
6. Maintain control of any remote or teleconferencing applications. The Presiding Officer will announce to all who is appearing remotely and it will be entered into the record. To avoid unnecessary and distracting noises, the presiding officer will mute all participants until they request the floor or are presenting.

When the presiding officer is a member of the Council, s/he shall have only these rights, and shall be governed in all matters and issues by the same rules and restrictions, as other Councilmembers. When the presiding officer is a member of the Council, s/he does not lose the right to vote.

- B. Questioning.** Any member of the Council shall have the right to question any individual, including members of the staff, on matters germane to the issue properly before the Council for discussion.

RULE 3 - REMARKS AND DEBATES

- A. Courtesy.** All meeting participants should be focused on the meeting agenda. Councilmembers and the presiding officer should use personal electronic devices and computers only in support of the agenda at hand, or council-related business. Text messaging during a meeting is prohibited unless it is an emergency. Phone calls should only be made in an emergency. If emergency texting or phone calls need to be made during a meeting, the Councilmember or presiding officer should leave the Council Chambers. Personal texting should be done during breaks. Councilmembers and the presiding officer expect professional and courteous behavior from each other. During a meeting, Councilmembers and the presiding officer shall not engage in side-discussions or notes with other Councilmembers or the Mayor. All speakers, including members of the Council, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and deportment and shall not engage in contemptuous or disorderly behavior, or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, the Mayor, or any member of the staff or the public, but shall at all times confine their remarks to those

facts which are germane and relevant, as determined by the presiding officer, to the question or matter under discussion.

- B. Interruption.** No member of the Council, or the presiding officer, shall interrupt or argue with any other council member while such member has the floor.
- C. Customs of Formality.** The Mayor, President and Vice President shall be referred to by title as described in Roberts Rules of Order; and address individual Councilmembers as Councilmember _____.
- D. Questioning.** Any member of the Council shall have the right to question any individual or staff member on matters germane to the issue before the Council without interruption from another councilmember or the presiding officer.
- E. Information Requests.** A Councilmember may seek clarification or additional information before voting on an issue. If such request delays consideration to another date, approval of a majority of the Council is required.
- F. Transgression.** The Council has power under state law to impose punishment on its members, short of removal of office, for violation of state law or Council rules. If a member of the Council shall transgress these rules, the presiding officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. If the presiding officer shall transgress these rules or fail to call such member to order, any other member of the Council may, under a point of order, call the presiding officer or such other member to order, in which case the presiding officer or such member, as the case may be, shall be silent except to explain or continue in order. Additional consequences may include a verbal admonition, written reprimand, censure, expulsion from the meeting at which the conduct is occurring, removal of the Councilmember from the Council committee chair positions or committee memberships, or removal of intergovernmental duties, based on an affirmative vote of a majority of the Council. Expulsion for such behavior in the Council's presence shall require the affirmative vote of a majority of the Council, specifying in the order of expulsion the cause thereof.
- G. Challenge to Ruling.** Any member of the Council shall have the right to challenge any action or ruling of the presiding officer, or member, as the case may be, in which case the decision of the majority of the members of the Council present, shall govern.
- H. City Administrator.** Once recognized by the presiding officer, the City Administrator shall have the right to enter into a discussion of any matter coming before the City Council.

RULE 4 – COUNCIL AGENDA

- A. Agenda Planning Committee.** All matters to be presented to the City Council at its regular meetings are reviewed by the Agenda Planning Committee. The Mayor, Council President and City Administrator comprise the Agenda Planning Committee. The Vice President can

attend for observation purposes only to preserve continuity and all other members shall be invited at the discretion of the Mayor and Council President when needs arise. In a timely manner and at a Council meeting, the Council President should inform the requestor if an item is scheduled, or if it is not scheduled.

- B. City Council.** A Councilmember may request an item be considered on a future agenda either by making an oral request at a City Council meeting or submitting the request in writing to the City Administrator, Mayor or Council President at least ten working days prior to the meeting for which the item is requested to be placed on the agenda. The item shall be presented to the Agenda Planning Committee to schedule the item. Items may be scheduled at the next available meeting, or later, if deemed necessary by the Committee.

The City Council may review the extended agenda document at all regular meetings and agree to change the extended agenda if a majority chooses to do so.

Once an item is placed on the agenda, if a Councilmember wishes to make a formal presentation during that item, that Councilmember will coordinate with and bring materials (power point, handouts, etc.) to the Mayor or appropriate staff designee at least by the Wednesday preceding the scheduled meeting date.

Within four months of an election date where Councilmembers positions are up for election, presentations by these Councilmembers should be limited, at the discretion of the Agenda Planning Committee.

- C. Members of the Public.** A member of the public may request an item be placed on a future agenda while addressing the City Council during a regular meeting and/or by submitting the request in writing to the City Council, through the City Clerk's office.

The Agenda Planning Committee and/or City staff will review and research the request within 15 working days. The City Clerk will notify the requester if the item has been placed on the agenda. The Council President will notify the requester if the item has not been accepted.

- D. Emergency Items.** Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disasters, and other severe emergencies. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting.
- E. Removing Items.** During the "Agenda Order" portion of the meeting, any item may be removed from the agenda for any reason upon the request of any Councilmember. However, two Councilmembers may demand the item be reinstated to the agenda. The item shall be brought before the Council as regular business on the agenda and only tabled, continued or rejected by a majority vote.
- F. Adding Items.** Items should be added through a request to the Agenda Planning Committee. If absolutely necessary, during the "Agenda Order" portion of the meeting, any

Councilmember can request that an item be added to that night's agenda. A majority of the Councilmembers present must approve the addition of the item through an affirmative motion. At a Special Meeting, items may be added for discussion but no action may be taken.

- G. Executive Session/Recess.** The agenda may be interrupted for a stated time to adjourn to Executive Session or recess at the prerogative of the Presiding Officer and/or Council President, unless overruled by a Council majority.

At the call of the presiding officer, or with a majority vote, the City Council may recess to Executive Session to privately discuss and consider matters of confidential concern to the well-being of the City. The purposes for which an Executive Session may be held are identified in RCW 42.30.110 and in Rule 1, part G.

- H. Consent Agenda Item.** Matters of business which are routine in nature may be placed on the consent agenda. No discussion shall take place beyond simple questions for clarification. Any Councilmember may request a Consent Agenda Item be moved to the regular agenda, for which no second is required.

- I. Agenda Rearrangement.** During a meeting, the presiding officer may rearrange, change the sequence, or add to or remove items from the Agenda with agreement of a majority of the Councilmembers.

RULE 5 – ORDER OF BUSINESS

- A. Order of Business.** The order of business shall be as follows:

- Call to Order
- Flag salute
- Roll Call
- Agenda Order
- Proclamations
- Special Presentations
- Mayor and Council Comments
- Public Comments
- Consent Agenda

Approval of the Consent Agenda, consisting generally of one or more of the following items:

- Approval of minutes.
- Approval of vouchers.
- Adoption of resolutions fixing dates for hearings, approving final plats, and other such actions.
- Final acceptance of grants, deeds, easements.
- Setting dates of public hearings/meetings.
- Passage of ordinances which the Council has given directions to place on the agenda.

- Other items as necessary.
- Public Hearings
- Business Items
- Old Business
 - This is an opportunity for staff to provide a response to questions or issues previously raised by the Mayor or Council.
- New Business
 - Items or topics that the Mayor/Council wish to bring to the attention of the Council and/or staff that may include a request that the item be added to a future Agenda for further discussion and/or action.
- Public Comments
 - A second opportunity for the public to address the Council, following the same procedures and rules outlined in Rule 10.
- Mayor and Council Reports
 - The Mayor and Councilmembers will share current activities on regional, state and federal committees, board or commissions on which they serve and share other miscellaneous comments.
- Comments from Staff
- Executive Session (as needed)
- Adjournment
 - Adjournment of Meeting is to be no later than 9:30 PM unless a Motion is passed to extend the meeting past 9:30 PM.

RULE 6 – PRECEDENCE OF MOTIONS

A. Precedence of Motions. When a question is under consideration, no motion shall be entertained except as follows, such motions having precedence in order as stated:

1. To Adjourn. (Not debatable.)
2. To Remove an Item from the Agenda.
3. To Lay on the Table. (Not debatable.)
4. For the Previous Question.

The “previous question” shall be as follows: “Shall the main question be put?”, and, until such motion has been put and decided, all amendments or debate shall be precluded. The “main question” shall be on the passage of an ordinance, resolution, or motion, but when amendments are pending, the questions shall be taken first upon such amendments, in their order. (Requires two-thirds vote.)
5. To Limit Debate. (Requires two-thirds vote.)
6. To Postpone to a Certain Time.

Shall be decided without debate only in those instances where the effect of said motion is to postpone or continue a matter for less than 30 days from the time it first appeared on the Council Agenda.

7. To Amend.

8. To Substitute.

9. To Postpone Indefinitely.

10. Main Motion.

11. To Take from the Table. (Not Debatable.)

A motion to “take from the table” having been put and lost, shall not, during the same Council meeting, be renewed either by the mover or by any other member of the Council. No matter shall be taken from the table after a period of two years from the date that it was laid on the table.

12. Motion to Reconsider.

No motion to “reconsider” a vote shall be in order except at the current or following meeting, and by a member who voted with the prevailing side. A motion to reconsider, having been put and lost, shall not be renewed either by the mover or by any other member of the Council. Any member of the Council, including the presiding officer, shall have the right to change his/her vote, in order to be on the prevailing side, at any time before final action is taken on the next ensuring item of business taken up by the Council.

B. Vote. The procedural motions above enumerated shall be decided by a majority vote of Councilmembers present at the meetings, except as otherwise indicated. Ordinances require the affirmative vote of at least four Councilmembers for passage. The Mayor may break a tie in matters other than the passage of an ordinance, a franchise or license, or resolution for the payment of money."

C. Debate. The motions above enumerated are debatable except where designated otherwise.

D. Questions of Order. All questions of order shall be decided by the presiding officer with the right of appeal to the majority of Councilmembers present.

E. Amendments to Motions. All motions to amend must be voted on – there are no “friendly” amendments.

RULE 7 – SUSPENSION OF RULES

No rule shall be suspended except by a two-thirds majority vote of Councilmembers present at the meeting, and a motion to suspend a rule is not debatable. Vote on the motion may be by voice vote of the Council, or by roll call if requested by a member of the Council.

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.

This may be done when a more open discussion would be valuable.

RULE 8 – ORDINANCES AND RESOLUTIONS

No ordinance or resolution shall be read until reviewed as to form and legality by the City Attorney.

Reading of ordinances and resolutions at all Council meetings shall be deemed sufficient by the reading of a brief synopsis of the title of the ordinance or the purpose of the resolution, and the reading in full of the same shall not be required unless the full reading of any particular ordinance or resolution be requested by any member of the Council, in which event said request shall be complied with if a majority of the Councilmembers present concur in the request.

RULE 9 – MISCELLANEOUS

- A. Robert's Rules of Order.** On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in *Robert's Rules of Order Newly Revised* shall prevail.
- B. Amendments to Rules.** An amendment to these rules shall be made by resolution and shall require two readings.
- C. Public Requests for Presentations.** It is the policy of the Council to consider requests for presentations of certain events or causes when such presentations pertain to a Mukilteo event, person, organization, or cause with local implications. The Council will consider requests that are timely, have potential relevance to a majority of Mukilteo's population, and either forward positive messages or call upon the support of the community.

The following guidelines and requirements apply to requests for consideration of presentations:

1. The person(s) or organization making the request to make the presentation must submit a request in writing to the Council President, Mayor or City Administrator.
2. The request should be made 15 working days in advance of the requested Council meeting.
3. The Mayor, City Administrator, and/or staff designee will determine if the proposed presentation meets the intent of this policy. When there is uncertainty in making this determination, the Mayor will consult with the Council President for guidance.
4. The presentation shall not exceed ten minutes in length and the Council will not entertain more than two presentations at one Council meeting.

5. The City retains the right to decide if the presentation will or will not be permitted.
6. Once approved, the presentation will be included on the appropriate Council agenda.
7. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

D. Quarterly Reports. If requested through a motion passed by a Council majority, quarterly reports from each council-confirmed department head may be submitted to Council by the second regular meeting of each month following a calendar year quarter. Reports are to contain information on past quarter activities, future planned activities and such other information as may be directed by the Council.

RULE 10 – PUBLIC COMMENT/PUBLIC FORUM

A. Public Comment. The City Council appreciates hearing from the public about items on its agenda, and desires to set aside time at each Council business meeting for Public Comment. At the start and close of each meeting, the public may address the Council about any matter concerning City operations. Comments regarding items on the agenda will be taken when that agenda item is heard. Comments should not be taken on items subject to quasi-judicial consideration by the Council, unless it is during a specified public hearing. Speakers are asked to identify the specific agenda items they wish to address, if applicable. Speaker sign-in cards will be available for persons wishing to address the Council.

1. All comments by proponents, opponents or other members of the public shall be made from the podium; any individuals making comments shall first give their name and address. This is required because an official recorded transcript of the public hearing is being made.
2. No comments shall be made from any other location. Anyone making “out of order” comments shall be subject to removal from the meeting. If you are disabled and require accommodation, please advise the City Clerk or City’s ADA Coordinator. During this portion of the meeting, the Presiding Officer will invite the public to talk with the Council about topics that are not scheduled for public testimony on the evening’s agenda. Speakers will limit their presentation to 3 minutes, to allow time for all present. No speaker may convey or donate his or her time for speaking to another speaker. If many people wish to speak to a particular issue, Council may limit the total amount of time dedicated to that single issue.
3. During specific agenda items, if the Presiding Officer or City Clerk has received Speaker’s Sign-In cards, public comment will be invited. Following the introduction and briefing if any of each item and prior to the beginning of Council discussion or a motion, the Presiding Officer will call for public comment on the issue. A motion made prior to the call for public comment shall be out of order.

4. If many people wish to speak to a particular issue, Council may choose to continue the time for public comment on that issue to a future Council meeting. In the event of single subject group comment, at the discretion of the presiding officer, single time allocation for a spokesperson greater than three (3) minutes can be allowed. Groups that qualify for this exception shall submit to the presiding officer, prior to comment, a list of present group constituents or others in agreement so that duplication will not occur.
5. Speakers are asked to complete the “Speaker Sign-in Card” provided.
6. Written comments may be submitted into the record of a Council meeting by presenting the written document to the Clerk at the Meeting. A copy of the document will be provided to each Council Member; the document will not be read aloud unless a motion approved by a majority of Council present requests it.
7. The following language will be printed on the published agenda under “Public Comment”:

PUBLIC COMMENTS – Audience participation at Council meetings is encouraged. This is your opportunity to address to the Mayor and Council about any matter concerning City operations.

- a) If you wish to speak, please complete a Speaker Card and submit it to the Clerk. If you will be commenting on an item on the Agenda, write the Agenda Item number on the Card. You will be called when that item is heard.
 - b) You will have three (3) minutes to make your comments. When there are 30 seconds remaining, you will hear a beep to alert you to summarize your comments. At the end of your comments, you will hear a second beep signifying the end of your comment period.
 - c) Testimony during Public Hearings is generally limited to five (5) minutes and should not be presented during this portion of the meeting.
 - d) Responses to questions from elected officials will not count towards the time limit. Information offered in response to questions should be kept to the specific question asked.
8. Length of Comment(s).
Where necessary, due to the number of persons who want to address the Council, the presiding officer shall retain authority to limit all persons’ remarks to an equal period of less than three minutes. The exception to this would be during a public hearing. To further ensure equal opportunity for the public to comment, each person may address the Council only one time during the Public Comment portions of the meeting, and at one time each agenda item.
 9. Manner of Addressing the Council.
All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Presiding Officer, 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 Councilmembers, except through the Presiding Officer.

10. Resolutions and Ordinances.

Comments may be made on resolutions and ordinances. Written comments submitted prior to Council actions shall be considered in the same manner as oral comments.

- B. Courtesy.** All speakers during Public Comment, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant, as determined by the presiding officer, to the questions or matter under discussion. Discourteous behavior may include, but is not limited to, things such as ad hominem attacks or personal insults.

RULE 11 – COMMUNICATIONS

A. Communications – Generally.

1. All letters, memoranda, and interactive computer communication involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function are public records. Copies of such letters, memoranda, and interactive computer communication may not be provided to the public or news media without the filing of a public records request with the City Clerk.
2. Emails, letters or other communications sent to the council as a whole should receive, at minimum, a response from the Council President (or a designee, if appropriate). The Council President's response should be cc'd to all Councilmembers. This should not preclude a response from individual Councilmembers to these communications.

- B. Written Communications.** Written letters and memoranda received by the City, addressed to the Council as a body will be photocopied and provided to all City Councilmembers, and a copy kept according to the City's Records Retention Schedule.

C. Electronic Communications.

1. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes need not be retained. Users may delete these messages once their administrative purpose is served.
2. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.
 - City Council email accounts will be automatically forwarded to elected@mukilteowa.gov.

- Councilmembers will forward any non-city account e-mail that pertains to City business to electeds@mukilteo.gov. If a person sends an e-mail to a Councilmember and requests that it be included in the record of a particular public hearing, the Councilmember will forward said e-mail to the City Clerk at mukilteo@mukilteo.gov.
 - If a Councilmember wishes that an e-mail be distributed to a City staff member, the Councilmember will send that message directly to the City Administrator who will direct it to the relevant department head for a response.
 - Staff will automatically save the e-mail according to an established retention schedule.
 - Staff will not review e-mail unless a public records request is received.
3. Councilmembers should avoid e-mail exchanges which ultimately involve four or more councilmembers. For example, if one Councilmember communicates to two Councilmembers, then that communication is forwarded to a fourth, a quorum has now participated and a meeting subject to the Open Public Meetings Act has occurred. Note that the fourth Councilmember need not reply to participate since a Councilmember may be silent during a regular open meeting without depriving a board of its quorum. This scenario is sometimes referred to as a "rolling quorum."
 4. A Councilmember may send an informational e-mail to the entire Council without creating a meeting subject to the Open Public Meetings Act. Make clear in such e-mails that the e-mail is informational only and that no response is desired.
 5. E-mail should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other "confidential" City business. In general, e-mail is discoverable in litigation, and even deleted e-mail is not necessarily removed from the system. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.
 6. City e-mail accounts will not be used for personal use, since Councilmembers' conventional e-mail addresses include the City's "return address".
 7. Councilmembers are encouraged to use city email accounts to respond to email communications. This allows for proper record retention. If councilmembers choose to use personal email addresses, they should copy the City Clerk at clerk@mukilteo.gov.

RULE 12 – COUNCIL CONFERENCE ROOM

During any recess of a regular or special meeting of the Mukilteo City Council, the Council Conference Room shall be reserved solely for the use of member of the City Council and selected staff of the City of Mukilteo, and no other person or persons shall have access thereto, whether they be members of the press or members of the public at large.

RULE 13 – CITY CLERK’S DUTIES

- A. Record Votes.** As a part of permanent proceedings, the Clerk shall record all votes taken. In those instances where a roll call vote is taken pursuant to a requirement or request, the Clerk shall call the name of each and every member of the Council present, and shall duly record said member’s vote as either an aye, nay, or abstention, whichever may be appropriate. Roll call votes of the Council shall be called alphabetically, except when the Council President (or Council Vice President) is the presiding officer whose vote shall be called last. In subsequent roll call votes, Councilmember names shall be rotated until the entire Council has been called, excluding the presiding officer whose vote shall be called last.
- B. Maintain Record.** The Clerk shall cause to be recorded electronically all of the regular and special meetings of the Mukilteo City Council and each and every part thereof, and shall maintain the same for a period of six years consistent with state law, RCW 40.14.
- C. Prepare Minutes.** At the conclusion of each regular or special meeting of the Mukilteo City Council, the City Clerk shall prepare brief and concise minutes and submit the same to the City Council for its approval.
- D. Verbatim Transcription.** No individual member of the Mukilteo City Council, nor any member of the administrative staff or the City of Mukilteo, shall be authorized or empowered to require the Clerk to insert in said official minutes any verbatim transcript of all or any part of the proceedings. Verbatim transcripts of any part or portion of the proceedings shall be made a part of the minutes only when authorized by a majority vote of the entire Council made at the meeting wherein such request for a verbatim report is made.

RULE 14 – PUBLIC HEARINGS AND APPEALS

- A. Time of Hearings.** The time for commencing a public hearing or appeal shall be noted in the Council meeting agenda. The presiding officer may modify the order of business under Rule 5 in order to conduct the hearing or appeal at or about the designated time.
- B. Quasi-Judicial Body.** In hearing appeals, the Council sits as a quasi-judicial body. It shall conduct the hearing on an appeal in accordance with provisions of the Mukilteo Municipal Code and these rules, as applicable.

RULE 15 – CONFIDENTIALITY

Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City’s position is not compromised, and to comply with RCW 42.23.070(4), relating to disclosure of confidential information.

RULE 16 – STANDING COMMITTEES

A. Ad-Hoc Committees. Council may form ad-hoc committees as needed, by a majority vote of the council.

B. Standing Committees. There are established the following standing committees of the Council that shall consist of three members each. The Council as a whole by mutual agreement chooses the membership of each committee. If the Council cannot come to consensus, the Council President can make assignments. Each standing committee shall elect a chair and may elect a vice-chair.

1. Finance/IT
2. Public Safety
3. Infrastructure Sustainability
4. Land Use/Economic Development
5. Transportation
6. Youth Advisory
7. Economic Development

C. City Council Committee Charter (Resolution no. 98-05)

Purpose. A City Council committee is comprised of not more than three members of the City Council, who have been assigned by the City Council to represent, to more fully investigate or to study specific issues, and/or to evaluate information, when it is inefficient, ineffective, or inconvenient for the entire City Council to be involved. Unless specifically delegated by the Council, City Council committees shall not act on behalf of the Council or City, conduct hearings, or take testimony or public comment.

Authority. The authority of a City Council committee shall be derived solely from the authority granted to it by the City Council.

Committees shall only review, investigate, represent, and/or consider those matters specifically assigned to it by the City Council.

Unless specifically authorized by the City Council, committees shall have no authority to take public testimony, conduct hearings, obligate the City, approve/disapprove any contemplated action, or to direct actions of the City staff or outside agencies.

Notice of Meetings. The City Clerk shall ensure that each member of the City Council receives advance notice of any such meeting of the committee along with a list of the topics to be discussed. Meetings of the committee shall not be subject to the Open Meetings Act. If the City Council delegates certain of its duties and powers to the committee, such as taking public testimony, conducting hearings, or authorizing the committee to act on the Council's behalf, these meetings shall be subject to requirements of the Open Public Meetings Act.

Report on Activities. As necessary or as directed by the City Council, each committee shall report its activities to the City Council and may make recommendations regarding its activities. The Committee Chair shall make these reports to the Council in a timely manner following committee meetings, and may also distribute written minutes.

Quorum. Two voting members shall constitute a quorum. Pre-assigned alternates may attend if a member of the committee is absent. If a councilmember cannot attend, s/he should make every attempt to inform staff with sufficient notice for the alternate to be notified of the meeting time and date.

Assigning Matters to Committee. Any Councilmember, during a regular Council meeting, may make a motion to assign a matter to a committee. Said motion, if seconded, shall require a majority vote of the Council.

Staff Assignments to Committee. The Mayor or City Administrator may designate staff for each standing committee, who shall prepare the agenda, provide proper notice, prepare minutes, and prepare a record of attendance for every meeting, and may refer additional items to the committee.

Mayor. The Mayor is encouraged to attend council committee meetings. The Mayor will not participate as a member for voting or consensus of committee direction.

Youth Advisory Committee. Different rules of procedure apply to this committee. The youth members will elect their own chair and vice chair and set their own agenda.

RULE 17 – COMMITTEES OF THE WHOLE

- A. When the subject matter is not well digested and put into proper form for its definite action, or when for any other reason it is desirable for the City Council to consider a subject with all the freedom of a Standing committee, it is the practice to refer the matter to the “Committee of the Whole.”
- B. The City Council will determine when a topic will be discussed in a Standing Committee format or as a Committee of the Whole.