

RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, AMENDING THE CITY COUNCIL RULES OF PROCEDURE SECTION 4, COUNCIL MEETINGS; AND SECTION 6, 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, the Rules of Procedure have been subsequently amended as needed; and

WHEREAS, at the February 6, 2023 City Council meeting the City Council directed the Administration to modify the order of business in Section 2.06.110 of the Issaquah Municipal Code to prioritize the business items that are actionable before the more passive informational agenda items; and

WHEREAS, the City Council desires to amend the Rules of Procedure to conform to the amendments to IMC 2.06.110 and make other amendments to procedures impacted by these changes; 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. These Amendments are effective on March 23, 2023.

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 21st day of February, 2023.



LINDSEY WALSH, COUNCIL PRESIDENT

APPROVED by the Mayor this 21st day of February, 2023.



MARY LOU PAULY, MAYOR

ATTEST:



TISHA GIESER, CITY CLERK

APPROVED AS TO FORM:

A handwritten signature in blue ink that reads "Rachel Bender Turpin" followed by a stylized monogram.

RACHEL BENDER TURPIN, CITY ATTORNEY

RESOLUTION NO: 2023-04
AGENDA BILL NO: AB 8565

Exhibits:

A. City Council Rules of Procedure



CITY OF
ISSAQUAH
WASHINGTON

City Council Rules of Procedure

Approved by Resolution No. 2019-10

Amended by Resolution Nos. 2020-12, 2020-13, 2021-12, 2022-08, 2023-01, 2023-XX

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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 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.)

C. 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 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.

D. 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.

E. Notification.

The Council President shall communicate their appointments 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 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.

F. 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 of their interest by the stated deadline. The appointments shall be made as provided in Section 2.04(A)-(D) 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, 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 or 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 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 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 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).
3. Serve as Chair of the Committee of the Whole meetings.
4. Make appointments to standing committees and dedicated seats as described in Section 2.04 of these Rules.
5. Coordinate with the Mayor and applying Councilmembers to facilitate the application process for optional seats on regional boards and commissions.
6. Set the accounts payables and payroll review schedule.
7. Sign certain official documents, such as minutes and resolutions.
8. Respond to correspondence to the City Council on behalf of the Council.
9. When needed, be the liaison between the Mayor and City Council to relay issues and concerns.
10. Review and decide on contested committee referrals as requested.
11. Provide input in the planning and coordination efforts for Council retreats/planning sessions.
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.

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

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 committee meeting virtually when the City has declared an emergency or as otherwise 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 may attend a meeting virtually but shall pass the presiding officer role to another Councilmember who is physically present at the meeting, except in such cases when all members of the body attend remotely.

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 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 or cultural or religious holiday on which the City Council has determined public meetings will not be held, the meeting will be held on the first business day following the holiday or another date determined by a majority of the City Council.

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 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 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. The frequency of these meetings will be determined by the City Council annually. 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.

D. 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.

E. 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.
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~~14.

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. Consent calendar
- F. Public hearings*

- G. Regular business
- ~~D.H. New business*~~
- E.I. Committee/regional reports
- F.J. Mayor's report
- G.K. 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.~~

4.1209 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 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

Items may also be placed on the Consent Calendar upon the recommendation of a City Council Committee.

C. Committee Reports on Consent Calendar Items.

If a City Council Committee has made a recommendation on an item being considered under the Consent Calendar and the verbal report on the item has not yet been made, the Committee Chair may choose to make the report prior to the motion to approve the Consent Calendar.

Pertinent informational announcements on Consent Calendar items may also be made by the Mayor prior to the motion to approve the Consent Calendar.

If other discussion on Consent Calendar items is desired, an individual Councilmember may remove the item from the Consent Calendar as provided in Subsection D.

D. 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.

4.1310 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.

4.1411 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.

4.1512 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.

4.1613 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
3. Summary of committee recommendation by Chair or designee (if item had a committee recommendation)
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.

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)).

4.1714 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 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 committee meeting.

4.0915 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 the Consent Calendar and the verbal report on the item has not yet been made, the Committee Chair may choose to make the report prior to the motion to approve the Consent Calendar (see Section 4.09).
 - 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 following 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.

4.1016 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.

4.1117 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.

4.18 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 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. 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 4.1209).

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.

If a Committee of the Whole falls on a legal or cultural or religious holiday on which the City Council has determined public meetings will not be held, the meeting will be held on the first business day following the holiday or another date determined by a majority of the City Council.

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.

<i>Committees</i>	<i>Purview</i>	<i>Corresponding Boards & Commissions</i>
<i>Mobility and Infrastructure</i>	Asset Management, Capital Improvement Plan (CIP), Mobility, Solid Waste, Streets, Transportation Improvement Program (TIP), Water	Transportation Advisory Board
<i>Planning, Development and Environment</i>	Climate, Comprehensive Plan, Development Projects, Storm and Surface Water, Sustainability	Development Commission Environmental Board Planning Policy Commission
<i>Services, Safety and Parks</i>	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	Arts Commission Cable TV Commission Cemetery Board Civil Service Commission Economic Vitality Equity Board Human Services Commission Lodging Tax Advisory Committee Park Board Sister Cities Commission

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 [4.124.09](#))

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:

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

If a Regular committee meeting falls on a legal or cultural or religious holiday on which the City Council has determined public meetings will not be held, 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 as provided for in Section 4.0915)~~.

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 7. Council Ad Hoc Committees

7.01 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. 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 8. Boards and Commissions

8.01. 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.

8.02. 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](#).

8.03. 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.

8.04 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 9. Suspension or Amendment of Rules

9.01 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.

9.02 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](#)