



Governance Coordination Manual

**Attachment A
to
Resolution 358**

**A Comprehensive Collection of Meeting Rules,
Coordination Procedures, Administrative Public
Hearing Procedures, and Applicable References from
the Revised Code of Washington**

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ARTICLE I - COUNCIL MEETINGS

- 1.01 Council Meeting - Time and Location.** All regular meetings of the City Council shall be held at the times and locations specified by applicable ordinances and resolutions of the Council.
- 1.02 Council Meetings - Open to the Public.** All meetings of the City Council and of committees thereof shall be open to the public, except as provided for in RCW 42.30.110 or RCW 42.30.140. Councilmembers will notify appropriate staff of Councilmember's plans to attend any of the various outside public meetings hosted by other organizations or agencies, so that notice may be published concerning such attendance in order not to risk any real or perceived violation of the Open Public Meetings Act.
- 1.03 Election of Officers.** Procedures for electing officers are as follows:
- (a) Biennially, at the first meeting of the new Council, the members thereof shall choose a presiding officer from their number who shall have the title of Mayor. In addition to the powers conferred upon him/her as Mayor, he/she shall continue to have all the rights, privileges and immunities of a member of the Council. If a permanent vacancy occurs in the office of Mayor, the members of the Council at their next regular meeting shall select a Mayor from their number for the unexpired term. Following the election of the Mayor, there shall be an election for a Mayor Pro Tempore. The term of the Mayor Pro Tempore shall run concurrently with that of the Mayor. (RCW 35A.13.030)
 - (b) The election for Mayor shall be conducted by the City Clerk. The City Clerk shall call for nominations. Each member of the City Council shall be permitted to nominate one (1) person, and nomination shall not require a second. A nominee who wishes to decline the nomination shall so state at that time. Nominations are then closed. The election for Mayor Pro Tempore shall be conducted by the Mayor, and nominations shall be made in the manner previously described for the election of the Mayor.
 - (c) Except when there is only one (1) nominee, election shall be by written ballot. Each ballot shall contain the name of the Councilmember who cast it. The City Clerk shall publicly announce the results of the election. Thereafter, the City Clerk shall record the individual votes by councilmembers in the minutes of the meeting.
 - (d) In the event the Council is unable to agree on a Mayor by majority vote of members present, the Office of Mayor shall be temporarily filled by an **Acting Mayor**. Ties shall be resolved in a contest by chance. The **Acting Mayor** shall be the Councilmember who just previously served as Mayor Pro Tempore, or if such person is not a member of the Council, the Councilmember with the next highest seniority. The Acting Mayor and Acting Mayor Pro Tempore shall continue in office and exercise such authority as is described in RCW 35A.13 until the members of the Council agree on a Mayor, at which time the role of Acting Mayor and Acting Mayor Pro Tempore shall cease and terminate.
- 1.04 Presiding Officer.** The Mayor shall preside at meetings of the Council and be recognized as the head of the City for all ceremonial purposes. The Mayor shall have no regular administrative or executive duties. In case of the Mayor's absence or temporary disability, the Mayor Pro Tempore shall act as Mayor during the continuance of the

absence. In case of the absence or temporary inability of the Mayor and Mayor Pro Tempore, an acting Mayor Pro Tempore selected by members of the Council shall act as Mayor during the continuance of the absences. The Mayor or Mayor Pro Tempore (in the Mayor's absence) are referred to as "Presiding Officer" from time-to-time in this Governance Coordination Manual.

- 1.05 Mayor/Council Correspondence.** Councilmembers recognize that in the Council/Manager form of government, the Mayor is recognized by community members as a point-of-contact. To facilitate full communications, staff will work with the Mayor to circulate to Councilmembers copies of emails and written correspondence directed to the Mayor from citizens regarding city business. This provision will not apply to invitations for mayoral comments at various functions nor requests for appointments nor other incidental contact between citizens and the Office of the Mayor.
- 1.06 Quorum.** At all meetings of the Council, a majority of the Councilmembers who hold office shall constitute a quorum for the transaction of business. A lesser number may adjourn from time-to-time, provided that written notice of said adjournment is posted on the exterior of City Hall per RCW 42.30.090. Council meetings adjourned under the previous provision shall be considered regular meetings for all purposes. (RCW 35A.13.170, 35A.12.120)
- 1.07 Attendance, Excused Absences.** RCW 35A.12.060 provides that a Councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Presiding Officer, City Clerk, or City Manager prior to the meeting and state the reason for his/her inability to attend the meeting. Following roll call, the Presiding Officer shall inform the Council of the member's absence, and inquire if there is a motion to excuse the member. This motion shall be nondebateable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the City Clerk will make an appropriate notation in the minutes.
- 1.08 Special Council Meetings.** Procedures for setting a special meeting are as follows:
- (a) A special meeting may be called by the Mayor or any three (3) members of the Council. (RCW 35A.13.170, 35A.12.110)
 - (b) Notice of the special meeting shall be prepared in writing by the City Clerk. The notice shall contain the following information about the meeting: date, time, place, and business to be transacted.
 - (c) The notice shall be delivered by regular or electronic mail, or personally to the residence of each Councilmember, the City Manager, and the business office of each local newspaper, radio and television station which has on file a written request for notice of special meetings. The notice must be delivered at least twenty-four (24) hours prior to the meeting.
 - (d) The notices provided in this section may be dispensed within the circumstances provided by RCW 42.30.080, that is: (1) As to any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice, (2) As to any member who was actually present at the meeting at the time it convenes, and (3) 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.

- 1.09 Council Material.** Councilmembers and affected staff should read the agenda material and ask clarification questions of appropriate staff prior to the Council meeting, when possible.
- 1.10 Council Packets.** Agenda packets will be delivered by City staff to each councilmember's home, unless otherwise arranged by the member or further directed by Council.
- 1.11 Council Meeting Agenda/Consent Agenda.** The City Clerk, under the direction of the City Manager in consultation with the Presiding Officer, shall arrange a list of proposed matters according to the order of business and prepare an agenda for the Council. After the proposed agenda has been reviewed and approved by the Mayor, the Presiding Officer shall have the option of adjusting the agenda as necessary. A copy of the agenda and supporting materials shall be prepared for Councilmembers, the City Manager, and the media who have filed a notification request, on or before close of business on a Friday preceding a Thursday regular Council meeting, or at the close of business at least 24 hours preceding a special Council meeting. Any revised agenda thereafter distributed shall contain the date, time and author of the revision. Distribution of the agenda to Councilmembers shall be as directed by Council and may be by mailboxes in City Hall, facsimile, electronic mail or personal delivery when requested.

Requests for presentations to be scheduled on the formal agenda imply that the presentation is the official business of the City. Playing of videos may be pre-screened by the Presiding Officer or designee who shall rule on the appropriateness of the video.

The Presiding Officer, three (3) Councilmembers, a majority of the Councilmembers present, or the City Manager may introduce a new item to the agenda at a meeting.

- (a) The City Manager, in consultation with the Presiding Officer, shall place matters on the consent agenda which: (1) have been previously discussed by the Council; or (2) based on the information delivered to members of the Council by administration can be reviewed by a Councilmember without further explanation; (3) are so routine, technical or "housekeeping" in nature that passage without discussion is likely; or (4) otherwise deemed in the best interest of the City.
- (b) The proper Council motion on the consent agenda is as follows: "I move approval of the consent agenda." This motion will have the effect of moving to approve all items on the Consent Agenda. Since approval of any item on the consent agenda implies unanimous consent, any member of the Council shall have the right to remove any item from the consent agenda. Therefore, prior to the vote on the motion to approve the consent agenda, the Presiding Officer shall inquire if any Councilmember wishes an item to be withdrawn from the consent agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for the current or a future meeting.
- 1.12 Approaching the Dais.** The intent of adding this item specifically to the Governance Manual is to make it clear to Staff, Council and the general public once a Council meeting has been called to order, stepping between the podium and the dais will be discouraged.

This includes, but is not limited to, direct distribution to council of video recording, still photography, tape recording, and written handouts.

Approaching the dais will be discouraged after ten minutes prior to the start of the meeting.

The Council reserves the right to invite anyone forward to be addressed at the dais.

1.13 Study Sessions, Workshops and Retreats. Regular or Special Council meetings, or portions thereof, may be designated as **Study Sessions** by the Presiding Officer. Study Sessions need have no formal agenda, except when required for special meetings under RCW 42.30.080, and may be conducted informally so long as such informality is not in conflict with these rules. The purpose of Study Session discussions is to allow Councilmembers to be made aware of impending business and allow informal discussion of issues that might be acted on at a future meeting. A **Study Session** may be designated as a **Retreat**, if it is conducted at a location other than council chambers. The purpose of **Workshops** is to allow Councilmembers to do concentrated preliminary work with administration on single subjects but time consuming, complex matters (i.e., budget, complex legislation or reports, etc.). **Workshops and Study Sessions shall be in a less formal setting**, council may be seated other than at the dais, but shall not discourage public observation. Public comment is not allowed at study sessions although the Council may request participation in the same manner as a regular Council meeting. The City Clerk, under the direction of the City Manager, shall arrange a Council study session or workshop **worksheet** for the meeting. ***The worksheet shall, for each item, contain the discussion subject, the discussion leader, the activity and the discussion goal.*** After the proposed worksheet has been approved by the Presiding Officer, a copy shall be prepared for Councilmembers, the City Manager, and the press, on or before 4:30 p.m., one (1) day before the Council study session or workshop. ***During the Council study session or workshop, the discussion leader should:***

- (a) Introduce the subject and give background information;
- (b) Identify the discussion goal;
- (c) Act as facilitator to keep the discussion focused toward the goal; and
- (d) Alert the Presiding Officer when it is appropriate to call for a consensus, motion or official direction of the Council.

The role of the Presiding Officer is to facilitate councilmembers engaged in free flowing discussion without the necessity of each councilmember being recognized by the Presiding Officer. The Presiding Officer retains the option of assuming the function of the discussion leader at any time in order to maintain decorum and ensure all councilmembers have the opportunity to be heard, and to keep the discussion properly focused.

1.14 Council Travel Provisions. This section is intended to provide guidance on the utilization of the Council budget for city business-related travel expenses. The total allocation of travel funding budgeted for the Legislative Branch for the fiscal year will be apportioned on a pro rata basis to each Councilmember (e.g., if the council is composed of five councilmembers, each member will receive one-fifth [1/5] of the total travel

allocation). These monies may be used to defray expenses for transportation, lodging, meals and incidental expenses incurred in the conduct of city business. Periodic statements of expenditures to date will be provided each Councilmember by the Finance & Administration Department. Should a Councilmember exhaust their apportionment of funds, that person will be responsible for payment of any travel and related expenses or they may request a voluntary allocation from another Councilmember who has a balance in their travel account.

During the last six (6) months of a Councilmember's current term of office, incurring City business-related travel expenditures requires the prior authorization of the City Manager, except when such travel fulfills the obligations of the Councilmember's service on statewide or regional boards, commissions or task forces.

1.15 "Three Touch Principle." Decision makers and citizens at all levels of the City should have adequate time to thoughtfully consider the issues prior to final decisions. **It is the intent of the Council that the Council and administration shall abide by the "Three touch principle" whenever possible.** The following procedural guidelines are designed to avoid "surprises" to the City Council, citizens and administrative personnel:

- (a) Any request or proposal for adopting or changing public policy, Ordinances, Resolutions or City Council Directives which will require a decision of the City Council, or administration, should **"touch"** the decision makers **three separate times**. This includes oral or written reports, "information only" agenda items, or any combination thereof. To facilitate the Council's strategic use of legislative time at its meeting, staff may satisfy the first touch by issuing an informational memorandum, unless the subject matter is complex in nature. Quasi-judicial matters and any subject discussed in executive sessions are excluded from application of the "Three Touch Principle."
- (b) It is recognized that the hands of decision makers should not be tied unnecessarily. Unexpected circumstances may arise wherein observance of the "Three Touch Principle" is impractical. However, when unusual circumstances arise which justify a "first discussion" decision, the persons requesting the expedited decision should also explain the timing circumstances. **This Principle excludes staff reports** and other general communications not requiring a Council decision.

1.16 City Manager. The City Manager, as the chief executive officer and head of the administrative branch of city government, or his/her designee, shall attend all meetings of the City Council, unless excused by the Presiding Officer or Council. The City Manager shall be responsible to the Council for the proper administration of all affairs of the City. The City Manager shall recommend for adoption by the Council such measures as he/she may deem necessary or expedient; prepare and submit to the Council such reports as may be required by the body or as the City Manager deems advisable to submit; keep the Council fully advised as to the business of the City; and shall take part in the Council's discussion on all matters concerning the welfare of the City. In the event that the City Manager is unable to attend a Council meeting, the City Manager shall appoint a key staff member to attend the meeting as the representative of City administration. (RCW 35A.13.080)

1.17 City Clerk. The City Clerk shall be ex-officio Clerk-of-the-Council and shall keep minutes as required by law, and shall perform such other duties in the meeting as may

be required by the Council, Presiding Officer, or City Manager. In the absence of the City Clerk, the City Clerk shall appoint a replacement to act as Clerk-of-the-Council. The Clerk-of-the-Council shall keep minutes which identify the general discussion of the issue and complete detail of the official action or consensus reached, if any. When practical, and with the exception of Executive Sessions, the City Clerk shall audio record the proceedings of **all regular** City Council meetings, and shall keep and make available an index of the topics of each meeting which will facilitate location of the item in the appropriate meeting minutes. Access to the audio recordings shall be made reasonably available to any party who so requests, according to City public information procedures.

- 1.18 City staff – Attendance at Meetings.** Attendance at meetings by City staff shall be at the pleasure of the City Manager. It is the intent of the Council that the Manager schedule adequate administrative support for the business at hand but also protect the productive capability of Department Heads. When sound system or other monitoring capabilities exist, the Manager may allow personnel to utilize productive time in their offices or other areas while waiting for the specific item of business for which their appearance before the Council is necessary.

End of Article I - Council Meetings

ARTICLE 2 - DUTIES AND PRIVILEGES OF MEMBERS

2.01 Respect and Decorum. It is the duty of the Mayor and Councilmembers to maintain dignity and respect for their offices, City staff and the public. While the Council is in session, the Councilmembers shall preserve order and decorum and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disrupt or disparage any member while speaking. Councilmembers and the public shall obey the orders of the Chair.

Any person making disruptive, disparaging or impertinent remarks or unreasonably disturbing the business of the Council, either while addressing the Council or attending its proceedings, shall be asked to leave, or be removed from the meeting. Continued disruptions may result in a recess or adjournment as set forth in Section 3.04 of this manual.

(a) **Forms of Address.** The Mayor shall be addressed as “Mayor (surname)” or “Your Honor.” The Mayor Pro Tempore shall be addressed as “Mayor Pro Tempore (surname).” Members of the Council shall be addressed as “Councilmember (surname).”

2.02 Seating Arrangement. Councilmembers shall occupy the respective seats in the Council Chamber assigned to them by the Mayor.

2.03 Dissents and Protests. Any Councilmember shall have the right to express dissent from or protest, orally or in writing, against any motion, ordinance or resolution of the Council and have the reason therefore entered or retained in the minutes.

2.04 Filling Council Vacancies. If a vacancy occurs on the City Council, the Council will follow the procedures outlined in RCW 35A.13.020. In order to fill the vacancy with the most qualified person available until an election is held, the Council will publish a notice of the vacancy, the procedure, and distribute the application form for applying. The Council will draw up an application which contains relevant information to answer set questions posed by the Council. The application forms will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Councilmember.

End of Article 2 - Duties and Privileges of Members

ARTICLE 3 - COUNCIL MEETING PROCEDURES

3.01 Rules of Order. Rules of order not specified by statute, ordinance or resolution shall be governed by Robert's Rules of Order, Tenth Edition of the Newly Revised, published by Perseus Publishing in 2000. For convenience, a chart of the most common "Rules of Order" questions is attached as **Exhibit A-1**.

(a) **Out of Order Requests.**

Occasionally a member of the public may wish to speak on an agenda item but cannot remain until the item is reached on the agenda. During Public Comments, such person may request permission to speak by explaining the circumstances. The Presiding Officer in his/her sole discretion shall rule on allowing or disallowing the out of order request.

3.02 Motions and Discussion.

(a) All items of business placed before the Council that require the expenditure of Council and/or administration resources shall be in the form of an affirmative motion. Affirmative motions are preferred to prevent "approval by default" of a failed negative motion.

(b) Agenda items scheduled as Business shall require a motion by a Councilmember before discussion unless the Council shall suspend the requirement by majority vote. Upon failure of either a prior motion or rule suspension, the agenda item shall be passed over and may not be reintroduced until the next regular meeting.

(c) When possible, Councilmembers should direct questions primarily to the City Manager or the designated presenter.

3.03 Order of Business. The business of all regular meetings of the Council shall be transacted as follows provided, however, that the Presiding Officer may, during a Council meeting, rearrange items on the agenda to conduct the business before the Council more expeditiously:

(a) Call to order by the Presiding Officer

(b) Pledge of Allegiance

(c) Roll Call (see Section 1.07 for procedure to excuse an absence)

(d) Late Additions or Changes to the Agenda

(e) Presentations (as needed)

(f) Councilmember Reports of Council or government-related activities (e.g. synopsis of Committee or board meetings). These oral reports are intended to be brief, city work-related, "heads-up in nature" or otherwise of significance in keeping the Council informed of pertinent policy issues or events stemming from their representation of the city on a regional Board or Commission. Extended reports shall be placed as agenda items for presentation or submitted in writing as an informational memorandum.

- (g) Presiding Officer's Report (content expectations same as "f" above)
- (h) Staff Reports (monthly; content expectations same as "f" above)
- (i) Public Comment. Comments from the public shall be limited to subjects not on the agenda for action - limit to three (3) minutes each, unless modified by the Presiding Officer

Note: the City Council desires to allow a maximum opportunity for public comment. However, the business of the City must proceed in an orderly, timely manner. At any time, the Presiding Officer, in the Presiding Officer's sole discretion, may set such reasonable limits as are necessary to prevent disruption of other necessary business.

1. **Subjects not on the current agenda.** The Presiding Officer may invoke a sign-in procedure for speakers. Any member of the public may request time to address the Council after first stating their name, address, and the subject of their comments. The Presiding Officer may then allow the comments subject to such time limitations as the Presiding Officer deems necessary. Following such comments, the Presiding Officer may place the matter on the agenda or a future agenda, or refer the matter to administration or a Council committee for investigation and report.
2. **Subjects on the current agenda.** Any member of the public who wishes to address the Council on an action item on the current agenda shall make such request to the Presiding Officer at the time when comments from the public are requested during the agenda item discussion. **The Council may hear such comments before or after initial Council discussion.** As an option, the Presiding Officer may invoke a sign in procedure. The Presiding Officer, in consultation with the City Attorney, shall rule on the appropriateness of public comments as the agenda item is reached and shall rule on a specific individual or group time limit for public comment. The Presiding Officer may change the order of speakers so that comment is heard in the most logical groupings.
3. Comments shall be made from the microphone, first giving name, address and subject. No comments shall be made from any other location, and anyone making "out of order" comments shall be subject to removal from the meeting.
4. There will be no demonstrations during or at the conclusion of anyone's presentation. Any disruptive behavior, as determined by the Presiding Officer, shall be cause for removal from the meeting room.
5. These rules are intended to promote an orderly system of holding a public meeting, to give persons opportunity to be heard, and to create an environment in which no individuals are embarrassed by exercising their right of free speech.
6. Any ruling by the Presiding Officer relative to the subsections 1 and 2 above may be overruled by a vote of a majority of members present.

7. Public comments received during the public comment period shall not be allowed by the Council if they relate to any matter upon which a public hearing has been required.

- (j) Consent Agenda (see Section 1.11 for procedural details)
- (k) Public Hearings (see Article 6 for procedural details)
- (l) Business
- (m) Public Comment. [same as “i” above]
- (n) Executive Session (as required). Executive sessions may be held in accordance with the Open Meetings Act, RCW Chapter 42.30. The Council may hold an executive session during a regular or special meeting. Before convening in executive session, the Presiding Officer shall publicly announce the purpose for excluding the public from the meeting place and the time when the executive session shall be concluded. Should litigation be announced as the subject matter of the executive session, Council shall confirm the presence of legal counsel prior to entering into executive session. If the Council wishes to adjourn at the close of a meeting from executive session, that fact will be announced along with the estimated time for the executive session. The announced time limit for executive sessions may be extended by announcement of the Chair.

Councilmembers must keep confidential all oral and written information provided during executive sessions to protect the best interests of the City. Confidentiality also includes information provided to Councilmembers outside of executive sessions when the information is considered exempt from disclosure under the Code of Ethics for Municipal Officers.

- (o) Adjournment. No Council meeting should be permitted to continue beyond approximately 10:30 p.m., without approval of a majority of the Councilmembers who are present and eligible to vote. A new time limit must be established before taking a Council vote to extend the meeting. In the event that a meeting has not been closed or continued by Council as herein specified, the items not acted on shall be deferred to the next regular Council meeting, unless the Council, by a majority vote of members present, determines otherwise.

3.04 Adjournment Due to Emergency or Disruption. In the event of emergency, such as a fire, threatened violence, or inability to regain good order, the Mayor shall forthwith declare the meeting adjourned or continued and the City Council shall immediately leave the meeting room.

3.05 Permission Required to Address the Council. Persons other than Councilmembers and administration shall be permitted to address the Council upon recognition and/or introduction by the Presiding Officer or the chair of the appropriate Council committee.

3.06 Voting and Tele/video Conferencing. The votes during all meetings of the Council shall be transacted as follows:

- (a) Unless otherwise provided by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a roll call vote

shall be taken by the City Clerk. The order of the roll call vote shall be determined by the City Clerk.

- (b) In case of a tie vote on any proposal, the motion shall be considered lost.
- (c) Every member who was in the Council chambers when the question was put, shall give his/her vote unless the Council, for special reasons, shall excuse the member by motion. If any Councilmember refuses to vote "aye" or "nay," their vote shall be counted as a "nay" vote unless the Councilmember is abstaining due to actual, or appearance of, a conflict of interest.
- (d) The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution for the removal of the City Manager shall require the affirmative vote of at least a majority of the whole membership of the Council.
- (e) The passage of any public emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity or violence of nature or riot or insurrection or war (except for the statutory powers of the Mayor in accordance with RCW 35A.13.030), and provisions for a lesser emergency, such as a budget amendment, shall require the affirmative vote of at least a majority plus one (1) (or "supermajority") of the whole membership of the Council. (RCW 35A.13.190) In the event calamitous conditions should prevent assembly of such majority through death or injuries, the provisions of RCW 35A.13.035 may be invoked.
- (f) The passage of any motion or resolution not subject to the provisions of Washington law, the Ridgefield Municipal Code, or this Resolution as amended requiring a "super majority" for approval, shall require the affirmative vote of at least a majority of the membership of the Council who are present and eligible to vote.
- (g)
 1. Tele/video conference participation by Councilmembers may be allowed provided technical availability and compatibility of electronic equipment shall enable the Councilmember to hear the proceedings, be heard by those present and participate in Council discussion.
 - (i) Requests to use tele/video conference participation for *voting* purposes shall be limited to extraordinary circumstances and must be ruled upon by the Council-of-the-Whole by specific motion before the Council main agenda begins.
 - (ii) In such case, adequate equipment must allow the tele/video conference participant to engage in Council discussion and be heard. Telephone/computer system charges are to be at the Councilmember's own expense, unless waived in the Council motion. Adequate notice must be given to allow hookup in time for the main agenda.
 2. Requests to monitor by tele/video conference in a *nonvoting* capacity shall be granted provided technical capability exists and adequate notice is given, and shall be at the Councilmember's own expense, unless waived in the Council motion.

3. No tele/video conference participation for voting purposes shall be allowed for public hearings or any quasi-judicial proceedings. Video conferencing may be permitted upon a majority vote of the Council present at the meeting site for such proceedings provided that all documents and exhibits are clearly visible and legible to all participants and provided that a video and audio record of the videoconference is made and provided to the clerk. The cost of such videoconferencing and record thereof shall be paid by the Councilmember requesting videoconferencing, unless waived by vote of the City Council.
4. Examples of extraordinary circumstances would be emergencies or illness, accident, unforeseen urgent business, etc.

3.07 Enacted Ordinances, Resolutions and Motions.

- (a) **An enacted ordinance** is a legislative act prescribing general rules of organization or conduct relating to the corporate affairs of the municipality. Council action shall be taken by ordinance when required by law, or where prescribed conduct may be enforced by penalty.
- (b) **An enacted resolution** is an administrative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.
- (c) **An enacted motion** is a form of action taken by the Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law, and where such motion is not in conflict with existing State or Federal statutes, City Ordinances or Resolutions.

3.08 Ordinances. The procedures for ordinances are as follows:

- (a) A Councilmember may, in open session, request of the Presiding Officer that the Council study the wisdom of enacting an ordinance. The Presiding Officer then may assign the proposed ordinance to the administration, a committee or the Council-of-the-Whole for consideration. The committee or administration shall report its findings to the Council.
- (b) All ordinances shall normally have two (2) separate readings at separate Council meetings. Unless waived by the City Council at each reading, the title of an ordinance shall be read by the City Clerk prior to its passage; provided that should a Councilmember request that the entire ordinance or certain of its sections be read, such request shall be granted. Printed copies shall be made available by the next business day following request of any person attending a Council meeting.
- (c) The provision requiring two (2) separate readings of an ordinance may be waived at any meeting of the Council by a majority vote of all members present.
- (d) Any ordinance repealing any portion of the Ridgefield Municipal Code shall also repeal the respective portions of the underlying ordinance(s). Ordinances

repealing earlier ordinances shall not apply to acts, incidents, transactions or decisions occurring before such repeal.

3.09 Resolutions. A resolution may be put to its final passage on the same day on which it is introduced. A Councilmember may request that the entire resolution or certain portions of its sections be read, and such request shall be granted. Printed copies shall be made available by the next business day following request of any person attending a Council meeting.

3.10 Reconsideration. Any action of the Council, including final action on applications for legislative changes in land use status, shall be subject to a motion to reconsider **except:**

- any action previously reconsidered,
- motions to adjourn or motions to suspend the rules,
- an affirmative vote to lay an item on, or take an item from, the table, or
- a vote electing to office one who is present and does not decline.

Such motion for reconsideration can only be made by a member of the prevailing side on the original action. A motion to reconsider must be made no later than the next succeeding regular Council meeting. A motion to reconsider is debatable only if the action being reconsidered is debatable. Upon passage of a motion to reconsider, the subject matter is returned to the table anew at the next regular Council meeting for any action the Council deems advisable. Any motion for reconsideration of a matter which was the subject of a required public hearing or which is a quasi-judicial matter may not be discussed or acted upon unless and until the parties or their attorneys and the persons testifying have been given at least five (5) days advance notice of such discussion and/or action.

3.11 Legislative Process, Preparation, Introduction and Flow of Ordinances and Resolutions and Motions. Ordinances and Resolutions will customarily be prepared, introduced and proceed in the manner described on the flow chart attached hereto as **Exhibit A-2**, and by this reference incorporated herein. Prior to final passage of all ordinances, resolutions or motions, such documents or proposals shall be designated as **DRAFTS**. All such drafts shall also be dated to include the most recent revision.

3.12 Complaints and Suggestions to Council. When citizen complaints or suggestions are brought before the City Council on matters not on a Council agenda, the Presiding Officer shall, in consultation with the City Manager, first determine whether the issue is legislative or administrative in nature and then:

- (a) If legislative, and a complaint is about the language or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint suggests a change to an ordinance or resolution of the City, the Presiding Officer may refer the matter to a committee, administration, or the Council-of-the-Whole for study and recommendation.
- (b) If administrative, and a complaint regards administrative staff performance, execution of legislative policy or administrative policy within the authority of the City Manager, the Presiding Officer should then refer the complaint directly to the

City Manager for review, if said complaint has not been so reviewed. The City Council may direct that the City Manager brief the Council when the City Manager's response is made.

- 3.13 Photographs, motion pictures or video tape requiring artificial illumination – Prior Permission Required.** No overhead projection, photographs, motion pictures, or video tapes that require the use of floodlights, or similar artificial illumination shall be used by the public at City Council meetings without the prior consent of the Presiding Officer.

End of Article 3 - Council Procedures

ARTICLE 4 - COMMITTEES, BOARDS & COMMISSIONS

4.01 Committees.

- (a) All standing Committees, Boards, and Commissions which are required by State law shall be appointed by the Mayor with confirmation by the Council.
- (b) All other Council Committees, Citizen Task Force groups and rules or operating procedures thereof shall be established by Council Directive with special attention to RCW 35A.13.120, and after consultation with the City Manager. Such committees shall be commissioned for a time certain, not to exceed two (2) years or the term of the appointing Mayor, whichever is less and provided with a clear task description and “sunset” provision. Appointment shall be by the Mayor and approved by Council. Council may waive confirmation in the instrument creating said committee or group. Such Committees shall be subject to review, whenever a new Council is seated following elections, so as to determine whether the committee and its functions continue to be appropriate and necessary. Members of any Committee, Board or Commission which have been appointed or confirmed by the Council, may be removed without cause by a majority vote of the Council.
- (c) Other special ad hoc committees and Council liaisons for a particular purpose may be appointed by the Mayor, with confirmation of Council for a time certain, not to exceed the term of the appointing Mayor, along with a clear task description and “sunset” provision.
- (d) Committees, liaisons and citizen taskforce groups shall be given an opportunity to make a recommendation, when appropriate, on proposed ordinances, resolutions and motions within their area of responsibility or interest, before action is taken by the Council. The appropriate spokesperson shall present the recommendation(s) during discussion of that business item on a Council agenda.
- (e) Council member(s) may be designated by the City Council to take the lead on particular significant issues and to provide an appropriate feedback of information to Council, in order to gain corporate approval and coordination of corporate efforts.
- (f) No Advisory Board or Commission shall take any final action outside of an open public meeting.

4.02 Council Relations with Boards, Commissions and Council Citizen Advisory.

All statutory boards and commissions and Council citizen advisory bodies of the City of Ridgefield shall provide the Council with copies of minutes of all meetings. Communications from such boards, commissions and bodies to the City Council shall be acknowledged by the Council. Any member of the Council may also bring such communication to the Presiding Officer’s attention under the agenda item “Committee, Board and Liaison Reports.” Should any member of the Council determine that any such communication be officially answered by the Council, the Presiding Officer shall place the matter on the agenda under Business for the current meeting or any subsequent meeting.

End of Article 4 - Committees, Boards & Commissions

ARTICLE 5 - RELATIONS WITH CITY MANAGER & ADMINISTRATION

5.01 Role of the City Manager. The City Manager is the chief administrative officer of the City of Ridgefield. The Manager is directly accountable to the City Council for the execution of the City Council's policy directives, and for the administration and management of all City departments. The powers and duties of the City Manager are defined by Washington law, RCW 35A.13.080. Such duties may be expanded by Ordinance or Resolution. Balanced with City Manager's accountability to the City Council for policy implementation is the need for the Council to allow the City Manager to perform legally defined duties and responsibilities without interference by the City Council in the day-to-day management decisions of the City Manager.

5.02 Administrative Interference by Councilmembers. Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his/her removal from, any office by the City Manager or any of his/her subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative branch solely through the City Manager and neither the Council nor any committee or member thereof shall give any orders to any subordinate of the City Manager, either publicly or privately; provided, however, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the City Manager anything pertaining to appointments and removals of City officers and employees and City affairs. (RCW 35A.13.120)

(a) **Informal Communications Encouraged.** The above requirement of RCW is not to be construed as to prevent informal communications with City staff that do not involve orders, direction, or are meant to influence actions or administrative policy. Members of the Council are encouraged to interact informally and casually with City staff for the purpose of gathering information, obtaining explanations of policies and programs or providing incidental information to staff relevant to their assignment. Such informal contacts can serve to promote better understanding of specific City functions and problems. However, Councilmembers must be careful in such interaction to avoid giving direction or advice to members of City staff. While maintaining open lines of communication, City staff responding to information requests from Councilmembers will inform their supervisor of such contact and provide the supervisor with the same information shared with the Councilmember.

5.03 Administrative Complaints Made Directly to Individual Councilmembers. When administrative policy or administrative performance complaints are made directly to individual Councilmembers, the Councilmember shall then refer the matter directly to the City Manager for review and/or action. The individual Councilmember may request to be informed of the action or response made to the complaint. However, the City Manager shall not be required to divulge information he/she deems confidential, in conformity with applicable statutes, ordinances, regulations, policies or practices.

5.04 Administrative Complaints – “Best Practice.” Although citizens' direct access to elected officials is to be encouraged to help develop public policy, City Councilmembers should not develop a “personal intervention” pattern in minor calls for service or administrative appeals which may actually delay a timely customer service response. The best policy is to get the citizen into direct contact with customer service unless an unsatisfactory result has occurred. In that case, refer to Section 5.03 above.

End of Article 5 – Relations with City Manager & Administration

ARTICLE 6 - PUBLIC HEARING PROCEDURES

6.01 There are two types of public hearings, legislative and quasi-judicial:

- (a) Legislative public hearings are hearings held to obtain public input on legislative decisions on matters of policy. Legislative public hearings are required by State law when a city or county addresses such matters as comprehensive land use plans, or the annual or biennial budget. They are generally less formal than quasi-judicial public hearings. They do not involve the legal rights of specific, private parties in a contested setting, but rather affect a wider range of citizens or perhaps the entire jurisdiction. The wisdom of legislative decisions reached as a result of such hearings is not second-guessed by the courts; if challenged, they are reviewed only to determine if they are constitutional or violate state law. For example, a court will not review whether the basic budgetary decisions made by a city were correctly made.
- (b) Quasi-judicial public hearings involve the legal rights of specific parties, and the decisions made as a result of such hearings must be based upon and supported by the “record” developed at the hearing. Quasi-judicial hearings are subject to stricter procedural requirements than legislative hearings. Most quasi-judicial hearings held by local government bodies involve land use matters, including site specific rezones, preliminary plats, variances, and conditional uses. (MRSC Public Hearings When and How to Hold Them by Bob Meinig, MRSC Legal Consultant August 1998)

6.02 Legislative Public Hearings

- (a) State statutes do not specify how public hearings should be conducted. Because legislative hearings are generally informal, the main concern is to provide an opportunity for all attending members of the public to speak if they so desire. Time limits should be placed on individual comments if many people are intending to speak, and the public should be advised that comments must relate to the matter at hand. The “ground rules” for the conduct of the hearing should be stated by the presiding official at the beginning of the hearing.
- (b) Actions for a Public Hearing. Prior to the start of the public hearing, the Presiding Officer announces the following Rules of Order:
 - 1. All public comments shall be made from the speaker’s rostrum, and any Individual 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, and anyone making “out of order” comments or disruptive actions shall be subject to removal from the meeting.
 - 3. Unless otherwise determined by the Presiding Officer, all comments by the public shall be limited to three (3) minutes.

4. There will be no demonstrations, applause or other audience participation, before, during or at the conclusion of anyone's presentation. Such expressions are disruptive and take time away from the speakers.
 5. These rules are intended to promote an orderly system of holding a public hearing, to give persons an opportunity to be heard and to ensure that individuals are not embarrassed by exercising their right of free speech.
- (c) The Presiding officer declares the public hearing on _____ (topic) open and asks staff to make their presentation.
 - (d) After staff presentations, the Presiding Officer calls for public testimony.
 - (e) The presiding officer asks if any members of Council have questions of any of the speakers or staff. If any Councilmember has questions, the appropriate individual will be recalled to the podium.
 - (f) The presiding officer declares the public hearing closed.
 - (g) Council may discuss the issue following closure of the public hearing.

6.03 Quasi-Judicial Public Hearings

- (a) **Specific Statutory Provisions.**
 1. Candidates for the City Council may express their opinions about pending or proposed quasi-judicial actions while campaigning (RCW 42.36.040), except that sitting Councilmembers shall not express their opinions on any such matter which is or may come before the Council.
 2. A candidate for the City Council who complies with all provisions of applicable public disclosure and ethics laws shall not be limited under the Appearance of Fairness Doctrine from accepting campaign contributions to finance the campaign, including outstanding debts. (RCW 42.36.050)
 3. Ex Parte communications should be avoided whenever possible. During the pendency of any quasi-judicial proceeding, no Councilmember may engage in *ex parte* communications with proponents or opponents about a proposal involved in the pending proceeding, unless the Councilmember: (1) places on the record the substance of such oral or written communications; and (2) provided that a public announcement of the content of the communication and of the parties' right to rebut the substance of the communication shall be made at each hearing where action is taken or considered on the subject. This does not prohibit correspondence between a citizen and his or her elected official if the correspondence is made a part of the record, when it pertains to the subject matter of a quasi-judicial proceeding. (RCW 42.36.060)
 4. Public Disclosure File. The City Clerk shall maintain a public disclosure file, which shall be available for inspection by the public. As to elected

officials, the file shall contain copies of all disclosure forms filed with the Washington State Public Disclosure Commission.

5. Procedure On Application. Any person making application for any action leading to a quasi-judicial hearing shall be provided with a document containing the following information: (1) the names and address of all members of the City Council, and the Planning Commission, (2) a statement that public disclosure information is available for public inspection regarding all such Councilmembers, and (3) a statement that if the applicant intends to raise any appearance of fairness issue, the applicant should do so at least two (2) weeks prior to any public hearing. The applicant shall sign a receipt for such document.

(b) **Actions/Procedures for a Quasi-Judicial Public Hearing.**

1. Prior to the start of the public hearing, the Presiding Officer may require that all persons wishing to be heard shall sign in with the City Clerk, giving their names and addresses, and whether they wish to speak as proponent, opponent, or otherwise. Any person who fails to sign in shall not be permitted to speak until all those who signed in have done so. Persons who have signed in and wish to be heard shall be given an opportunity to be heard. However, the Presiding Officer shall be authorized to establish speaker time limits and otherwise control presentations to avoid repetition. The Presiding Officer, subject to concurrence of the majority of the Council, may establish time limits and otherwise control presentations. The Presiding Officer may change the order of speakers so that testimony is heard in the most logical groupings, (i.e., proponents, opponents, adjacent owners, vested interests, etc.).
2. The Presiding Officer introduces the agenda item, opens the public hearing, and announces the following Rules of Order:
 - (i) All comments by proponents, opponents, or the public shall be made from the speaker's rostrum, and any individual making comments shall first give his/her name and address. This is required because an official recorded transcript of the public hearing is being made. If there is any appeal, the court must make its decision on the basis of what was said at the public hearing.
 - (ii) It is not necessary to be a proponent or opponent in order to speak. If you consider yourself neither a proponent nor opponent, please speak during the proponent portion and identify yourself as neither a proponent nor an opponent.
 - (iii) No comments shall be made from any other location, and anyone making "out of order" comments shall be subject to removal from the meeting.
 - (iv) There will be no demonstrations, applause or other audience participation before, during or at the conclusion of anyone's

presentation. The Council is not allowed to consider such expressions and it takes time away from the speakers.

- (v) These rules are intended to promote an orderly system of holding a public hearing, to give persons an opportunity to be heard and to ensure that individuals are not embarrassed by exercising their right of free speech.

(c) **Public Hearing Format:**

1. The Presiding Officer will customarily call for proponents in quasi-judicial proceedings and for speakers in non-quasi-judicial proceedings. When considering a site-specific, Comprehensive Plan and zoning amendment or zoning reclassification, the Presiding Officer shall announce:

“Site plans, artistic renditions, and the like in support of a zoning amendment should be avoided except as they help explain the terms of any proposed or anticipated conditions for approval. Any graphic representations should be used for illustrative purposes only, and the administration or City Council should avoid indicating approval or disapproval of such plans. Such evidence shall remain a part of the record.”

2. The proponents or speakers and persons who do not claim to be either a proponent or an opponent now speak. (Note: if the City of Ridgefield is the proponent, a member or members of the administration shall be designated to give proponent and rebuttal testimony.)
3. The Presiding Officer calls for additional proponents or speakers.
4. The Presiding Officer calls for opponents by announcing the following:

“At this time the opponents will have an opportunity to speak. Should any opponent have questions to ask of the proponents, ask the questions during your presentation. The proponents shall note the question asked, and answer such questions when the proponent speaks in rebuttal. The proponent shall be required to answer any reasonable question, provided that the Presiding Officer reserves the right to rule any question out of order.”

5. Opponents speak.
6. The Presiding Officer calls for additional opponents up to three (3) times.
7. The Presiding Officer calls for proponents to speak in rebuttal. A proponent speaking in rebuttal shall not introduce new materials. If the proponent does, or is allowed to do so, the opponents shall also be allowed to rebut the new elements.
8. The Presiding Officer announces the following:

“At this time I will inquire of the administration whether the administration wishes to introduce any testimony as to subjects raised by the proponents or opponents, or alter in any regard its initial recommendations.”

9. The Presiding Officer inquires as to whether Councilmembers have any questions to ask the proponents, opponents, speakers, or administration. If any Councilmember has questions, the appropriate individual will be recalled to the podium. The Presiding Officer may also permit questions by Councilmembers of any witness at the conclusion of their testimony. Questions of witnesses submitted by proponents or opponents may be asked by the Presiding Officer of such witnesses if deemed relevant.
10. The Presiding Officer closes the public hearing. Additional testimony may not be requested or considered after the closing of the public hearing unless the Presiding Officer declares the record open until a date certain for the purpose of receiving written testimony, such as a legal brief, on a subject(s) specified by the Presiding Officer.
11. The Presiding Officer inquires if there is a motion by any Councilmember. If a motion is made, it shall be in the form of an affirmative motion. Following the motion and its second, discussion occurs among Councilmembers. The Presiding Officer may call on individual Councilmembers in the discussion. The councilmember who makes the motion can't speak against his or her own motion; although he or she can vote against it. The person who seconds the motion, however, can speak against the motion because a second means “Let's discuss it,” not “I agree.”
12. The Presiding Officer inquires if there is any further discussion by the Councilmembers.
13. The Presiding Officer inquires if there are any final comments or recommendations from administration.
14. The Presiding Officer inquires of the Councilmembers as to whether they are ready for the question.
15. The City Clerk shall conduct a roll call vote.
16. The Presiding Officer may direct the administration to prepare findings. The findings may be approved the same night, if ready, or may be placed on the agenda of the next regular meeting.

(d) **Appearance of Fairness Doctrine.**

1. Definition. “When the law which calls for public hearings gives the public not only the right to attend, but the right to be heard as well, the hearings must not only be fair but must *appear* to be so. It is a situation where appearances are quite as important as substance.” Smith vs. Skagit County, 75 Wn.2d 715 (1969). “The test of whether the appearance of fairness doctrine has been violated is ... as follows: Would a disinterested

person, having been apprised of the totality of a board member's personal interest in a matter being acted upon, be reasonably justified in thinking that partiality may exist? If answered in the affirmative, such deliberations, and any course of conduct reached thereon, should be voided." Swift vs. Island County, 87 Wn.2d 348 (1976).

2. Types of Hearings to Which the Doctrine Applies. The Appearance of Fairness Doctrine shall apply only to those actions of the Council which are quasi-judicial in nature. Quasi-judicial actions are defined as actions of the City Council which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide (versus site-specific) significance (RCW 42.36.010). Street vacations are typically legislative actions, unless clearly tied to, and integrated into, a site-specific development proposal which is quasi-judicial in nature.
3. Obligations of Councilmembers - Procedure.
 - (i) Immediate self-disclosure of interests that may appear to constitute a conflict of interest is hereby encouraged. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve the Councilmember or a Councilmember's business associate, or a member of the Councilmember's immediate family. It could involve *ex parte* (outside the hearing) communications, ownership of property in the vicinity, business dealings with the proponents or opponents before or after the hearing, business dealings of the Councilmember's employer with the proponents or opponents, announced predisposition, and the like. Prior to any quasi-judicial hearing, each councilmember should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If the answer is in the affirmative, no matter how remote, the Councilmember should disclose such facts to the City Manager who will seek the opinion of the City Attorney as to whether a potential violation of the Appearance of Fairness Doctrine exists. The City Manager shall communicate such opinion to the Councilmember and to the Presiding Officer.
 - (ii) Anyone seeking to disqualify a Councilmember from participating in a decision on the basis of a violation of the Appearance of Fairness Doctrine must raise the challenge as soon as the basis for disqualification is made known, or reasonably should have been made known, prior to the issuance of the decision. Upon failure to do so, the Doctrine may not be relied upon to invalidate the decision. The party seeking to disqualify the Councilmember shall state with specificity the basis for disqualification; for

example: demonstrated bias or prejudice for or against a party to the proceedings, a monetary interest in outcome of the proceedings, prejudgment of the issue prior to hearing the facts on the record, or ex parte contact. Should such challenge be made prior to the hearing, the City Manager shall direct the City Attorney to interview the Councilmember and render an opinion as to the likelihood that an Appearance of Fairness violation would be sustained in Superior Court. Should such challenge be made in the course of a quasi-judicial hearing, the Councilmember shall either recuse him/herself or the Presiding Officer shall call a recess to permit the City Attorney to make such interview and render such opinion.

(iii) The Presiding Officer shall have authority to request a Councilmember to excuse him/herself on the basis of an Appearance of Fairness violation. Further, if two (2) or more Councilmembers believe that an Appearance of Fairness violation exists, such individuals may move to request a Councilmember to excuse him/herself on the basis of an Appearance of Fairness violation. In arriving at this decision, the Presiding Officer or other Councilmembers shall give due regard to the opinion of the City Attorney.

4. When Council conducts a hearing to which the Appearance of Fairness Doctrine applies, the Presiding Officer (or in the case of a potential violation by that individual, the Mayor Pro Tempore) will ask if any Councilmember knows of any reason which would require such member to excuse themselves pursuant to the Appearance of Fairness Doctrine. The form of the announcement is as follows:

All Councilmembers should now give consideration as to whether they have:

- (i) A demonstrated bias or prejudice for or against any party to the proceedings;
- (ii) A direct or indirect monetary interest in the outcome of the proceedings;
- (iii) A prejudgment of the issue prior to hearing the facts on the record; or
- (iv) Had ex parte contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing. If any Councilmember should answer in the affirmative, then the Councilmembers should state the reason for his/her answer at this time, so that the Chair may inquire of administration as to whether a violation of the Appearance of Fairness Doctrine exists.

6.04 Site-Specific Comprehensive Plan and Zoning Amendments (“Rezoning”). The following are general concepts and not intended to add to or change applicable statutes or ordinances or to be considered a land use control. Under Washington's Growth

Management Act, Chapter 36.70A RCW, as implemented by the City of Ridgefield, site-specific rezone requests (initiated by property owners or developers) are processed not more frequently than once each year, concurrently with the Comprehensive Plan amendment process. This assures that all rezones are consistent with the overarching purposes and intent of the Growth Management Act and the City's Comprehensive Plan. All zoning must be consistent with, and implement the Comprehensive Plan. To that end, at the outset of each public hearing or meeting to consider a zoning amendment or zoning reclassification, the Presiding Officer or City Attorney will announce the legal standards for Comprehensive Plan and zoning amendments and ask the parties to limit their presentations to information within the scope of the standards. The form of the announcement is as follows:

The following are general concepts regarding Comprehensive Plan and zoning amendments under the law of the State of Washington:

- (a) The current zoning is presumed valid.
- (b) The burden of proof is on the applicant for the site-specific Comprehensive Plan and zoning amendment to establish by proof in sufficient measure that the following requirements have been satisfied. In making its decision, the City Council will consider the recommendations made by the Planning Commission and the record developed before the Planning Commission. Requirements 1, 2, and 3 stated below shall be “considered” and weighed by the Council. The Council must affirmatively find that the applicant has satisfied requirements 4 through 11:
 1. Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Ridgefield Comprehensive Plan;
 2. Whether the assumptions upon which the Ridgefield Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the Ridgefield Comprehensive Plan;
 3. Whether the proposed amendment reflects current widely held community values;
 4. The proposed amendment meets concurrency requirements for transportation, sewer, and water, and does not adversely affect adopted level of service standards for other public facilities and services, such as police, fire and emergency medical services, park services, and general government services;
 5. The proposed amendment is consistent with the goals, policies and objectives of the various elements of the Ridgefield Comprehensive Plan;
 6. The proposed amendment will not result in probable significant adverse impacts to the city’s transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

7. In the case of an amendment to the land use map, the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to access, provision of utilities and compatibility with existing and planned surrounding land uses;
 8. The proposed amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term interests of the community in general;
 9. The proposed action does not materially affect the land use and growth projections which are the basis of the Comprehensive Plan;
 10. The proposed action does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall area of the city; and
 11. The proposed amendment is consistent with the GMA, the adopted county-wide planning policy of Clark County, any other applicable inter-jurisdictional policies or agreements, and any other state or local laws.
- (c) The facts in support of the application may come from any source; either the applicant, the administration, or the public. The important consideration is that the decision must be made on the basis of information provided to the Planning Commission and to the City Council at this public hearing or any continued public hearing. All evidence, such as photographs, letters, charts, maps, slides, computer presentations or other evidence must remain in the record in a form which can be reviewed on any appeal. For example, a print out of a computer slide show may be submitted in a format acceptable to the City of Ridgefield. Any exhibit not remaining in the record will not be considered.

End of Article 6 - Public Hearing Procedures

ARTICLE 7 – USE OF RULES

- 7.01 Purpose.** These City Council Rules of Procedure are designed to provide guidance for the City Council. They are not to be considered restrictions or expansions of City Council authority. These rules have been prepared from review of many statutes, ordinances, court cases and other sources but they are not intended to be an amendment or substitute for those statutes, ordinances, court decisions or other authority.
- 7.02 Use.** No action taken by a Councilmember or by the Council which is not in compliance with these rules, but which is otherwise lawful, shall invalidate such Councilmember's or Council action or be deemed a violation of oath of office, misfeasance or malfeasance. No authority other than the City Council may enforce these rules or rely on these rules. Failure of the City Council to follow any of these rules shall be considered a Council decision to waive such rule. No notice of such waiver need be given.
- 7.03 Public Use or Reliance Not Intended.** Because these rules are designed to assist the City Council and not to provide substantive rules affecting constituents, it is expressly stated that these rules do not constitute land use regulations, official controls, "appearance of fairness rules," public hearing rules or other substantive rules binding upon or to be used by or relied upon by members of the public. These rules do not amend statutory or other regulatory (such as ordinance) requirements.

End of Article 7 – Use of Rules

Exhibit A-1
Parliamentary Procedure at a Glance

To do this:	You say this:	May you interrupt speaker?	Must be seconded?	Is motion debatable?	Vote required
Introduce business	"I move that ..."	NO	YES	YES	MAJORITY
Amend a motion	"I move to amend this motion"	NO	YES	YES	MAJORITY
Request information	"Point of information"	YES	NO	NO	NO VOTE
Suspend further discussion	"I move we table it"	NO	YES	NO	MAJORITY
End debate and bring matter to an immediate vote (call for the question)	"I move the previous question ..." or "I call for the question"	NO	YES	NO	MAJORITY
Postpone discussion	"I move we postpone this matter until ..."	NO	YES	YES	MAJORITY
Have something further studied by a committee	"I move we refer ..."	NO	YES	YES	MAJORITY
Ask for a vote count to verify a voice vote	"I call for a division of the house"	NO	NO	NO	NO VOTE
Object to considering some matter	"I object to consideration of this"	YES	NO	NO	MAJORITY
Take up a matter previously tabled	"I move to take from the table ..."	NO	YES	NO	MAJORITY
Reconsider something already disposed of	"I move we reconsider action on ..."	YES	YES	YES	MAJORITY
Consider something in unscheduled order	"I move we suspend the rules and ..."	NO	YES	NO	MAJORITY
Vote on a ruling by the chair	"I appeal the chair's decision"	YES	YES	YES	MAJORITY
Object to procedure or personal affront--chair decides	"Point of order"	YES	NO	NO	NO VOTE
Complain about noise, room temperature, etc.	"Point of privilege"	YES	NO	NO	NO VOTE
Recess the meeting	"I move that we recess until ..."	NO	YES	NO	MAJORITY
Adjourn the meeting	"I move that we adjourn"	NO	YES	NO	MAJORITY

**Exhibit A-2
Legislative Process Flow Chart**

