

Attachment A

Council Rules of Procedure

Rule IV

K. Public Participation

1. Anyone may address the City Council ~~, on any topic,~~ during any regular business meeting, under the Items from the Audience section of the agenda. ~~Such public comment must pertain to City Business. Anyone wishing to provide public comment must identify the matter of City Business they wish to comment upon on the sign-in sheet prior to providing public comment. City Business is considered something germane to the ongoing and regular operations of the City and/or topics which would routinely involve the government of the City of Redmond.~~

~~Public commenters may not provide any comments which would be considered incitement (comments where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action), fighting words (words likely to provoke the average person to retaliation, and thereby cause a breach of the peace), true threats (occur when the speaker “means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals), obscenity (material which appeals to the prurient interest in sex, depict or describe sexual conduct in a patently offensive way, and lacks serious literary, artistic, political, or scientific value), or any other type of speech which is not legally protected speech under the First Amendment of the Constitution of the United States. The explanations provided are examples only and the true scope of those prohibited topics is based on then-current controlling law.~~

~~If a commenter fails to directly associate their comments with City Business or such comments stray from the City Business initially identified on the sign-in sheet, or they speak to topics prohibited by these rules, the speaker will be provided one opportunity to correct the identified issue with their comments. If the public comment continues to be in violation of these rules, the public comment will be deemed to be disruptive and the commenter’s opportunity for public comment will be terminated.~~

~~Public comments will be invited, for a maximum of three minutes per person, unless otherwise prohibited in this section. All speakers must conclude their public comments when the applicable time-period ends. Any public comments made after the conclusion of the provided time are considered disruptive and may result in removal of the speaker from the meeting.~~

~~The City requests that public commenters avoid conduct which is unreasonably loud, disruptive, or discourteous.~~

The Items from the Audience portion of the meeting is designed to allow for public comment made to the Council through the Mayor. Public comment should not directly address staff or the audience.

The City respects and values a diversity of opinions and perspectives and asks that all comments be free from hate, harassment, obscenities, or other derogatory language about other people or groups based on age, race, ethnicity, country of origin, sexual orientation, gender identity, ability, religion, income, political persuasion, or cultural practices.

2. Members of the public shall present all testimony from the testimony podium, and shall not approach the dais unless requested.

3. ~~All Paper meeting~~ materials submitted by the public during testimony ~~shall may~~ be handed to the City Clerk for possible further distribution to the Council. The City Clerk and Chair of the meeting will review the materials for safety before distribution to Council. No other item types will be distributed to City Council.

4. Unruly, disruptive behavior shall not be permitted by any person attending a Council meeting and shall result in removal of said person from the premises. Per RCW 42.30.050, in the event that any meeting is interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are interrupting the meeting, the members of the governing body conducting the meeting may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members. In such a session, final disposition may be taken only on matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the governing body from establishing a procedure for readmitting an individual or individuals not responsible for disturbing the orderly conduct of the meeting.

5. General Prohibition on Use of Public Facilities. RCW 42.17A.555 prohibits the use of facilities of a public office to support or oppose a ballot measure or an election campaign for public office. This provision applies to all units of local government and their officials and employees. The term “public facilities” is defined to include the use of stationery, postage, equipment, use of employees during working hours, vehicles, office space, publications of the office, or lists of persons served by the local government. This prohibition means that elective or appointed personnel of local governments may not work to support or oppose a 20 ballot proposition during work time or allow public facilities to be used for that purpose. This provision includes, and is not limited to, the use of the “Items from the Audience” section of regular Council business meetings for members of the public to speak in support or opposition of any campaign or ballot proposition.

NEW SECTION

Enforcement of Rules – Attendees

1. The Chair of the meeting shall preserve the order and decorum of meeting at all times. If an individual fails to comply with these rules, the Chair of the meeting, or any council member may, by way of a point of order to the chair of the meeting, issue a warning to the individual that the individual's behavior is out of order. If the individual continues to engage in activity that these rules prohibit, the Chair of the meeting may:

- a. Terminate the individual's comment period;
- b. Direct security staff to assist an individual to the individual's seat; or
- c. Direct security staff to remove the individual from the meeting room.

2. Any individual ordered to be removed from a meeting pursuant to this rule shall be excluded from returning to that same meeting from which the individual was removed.

3. If an individual fails to comply with the requirements of these rules over the course of two or more meetings occurring within a 30-day time period, or over the course of two or more consecutive meetings of the same body, the Chair of the meeting, or any council member, by way of point of order to the Chair, may propose to exclude the individual from participation in future public comment periods before the Council, or exclude the individual from attendance at future meetings by a majority vote of the council.

- a. The individual shall be informed of the specific reason for, and the specific terms of, the exclusion.
- b. An initial and any subsequent exclusion of an individual from future participation in public comment periods or future attendance at meetings may be issued for up to 28 calendar days.
- c. If an individual is subject to an exclusion from future attendance at meetings for a period of 28 calendar days, and further engages in activity that violates these rules, within 60 days after the termination of the exclusion period, an additional exclusion from future attendance at meetings may be issued for up to 90 calendar days.
- d. If an individual is subject to an exclusion from future attendance at meetings for a period of 90 or more calendar days, and further engages in activity that violates these rules, within 60 days after the termination of the exclusion period, an additional exclusion from future attendance at meetings may be issued for up to 180 calendar days.
- e. The length of the period of any exclusion may depend upon the seriousness of the disruption, the number of disruptions, and the individual's prior record with conduct at meetings.
- f. When excluded from future public comment periods, or from future attendance at meetings, the excluded individual may submit written comments to the City Clerk for distribution to the Council at future public comment periods.

4. Any decision to issue a warning or impose a sanction or exclusion for disruptive activity may be overruled by a majority vote of those council members in attendance either at the meeting where the disruption takes place or at the next regularly scheduled City Council business meeting.

5. Any individual excluded from participation in future public comment periods or from attendance at future meetings for a period of more than two calendar days may appeal the exclusion by submitting a written appeal to the City Council within five business days after receiving notice of the exclusion. Upon receipt of a written appeal, the City Council shall consider the appeal at its next regularly scheduled business meeting. The individual's exclusion from public comment periods or from attendance at meetings shall remain in effect during the Council's consideration of the appeal.