

REDMOND CITY COUNCIL



RULES OF PROCEDURE

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PREFACE

The City of Redmond is a non-charter code city governed by RCW 35A.12 and the Redmond Code of Ordinances. The Council of any code city organized under the mayor-council plan of government provided in this chapter shall have the powers and authority granted to the legislative bodies of cities governed by this title, as more particularly described in chapter 35A.11 RCW. The following Rules of Procedure are adopted for the sole benefit of the members of the City Council in order to assist in the orderly conduct of Council business, to ensure their presence at all times during business meetings, and are enforceable only by the Members of the Council themselves. The City Council's failure to adhere to or otherwise follow these rules shall not result in any liability to the City, its officers, employees or agents, and shall not result in the invalidation of any Council act. The City Council may, implicitly or by majority vote, determine to temporarily waive any of the provisions herein. Council action taken in disregard of or nonconformity with these rules shall be construed as an implicit waiver thereof.

REVISIONS

November 21, 2017 – Amendment No. 1, passed by Resolution No. 1485

March 27, 2018 – Amendment No. 2, passed by AM No. 18-046

I. SCOPE

A. Name.

The name of the body subject to this Rules of Procedure document is the Redmond City Council.

B. Purpose.

The members of the City Council shall establish rules for its proceedings. The order of procedure and business herein contained shall govern deliberations and meetings of the City Council except as the same may be in conflict with RCW Chapter 35A.12.

II. PARLIAMENTARY AUTHORITY

A. Robert's Rules of Order Newly Revised.

Robert's Rules of Order, Revised, shall govern the deliberations of the Council, except when in conflict with any of the foregoing rules.

III. MEMBERS AND OFFICERS

A. Members.

1. Eligibility to Hold Office.

No person shall be eligible to hold elective office under the mayor-council plan of government unless the person is a registered voter of the city at the time of filing his or her declaration of candidacy and has been a resident of the city for a period of at least one year next preceding his or her election. Residence and voting within the limits of any territory which has been included in, annexed to, or consolidated with such city is construed to have been residence within the city. A mayor or council member shall hold within the city government no other public office or employment except as permitted under the provisions of chapter 42.23 RCW. (*RCW 35A.12.030*)

2. Terms of Members.

Officers shall be elected at biennial municipal elections to be conducted as provided in chapter 35A.29 RCW. The mayor and the councilmembers shall be elected for four-year terms of office and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280. At any first election upon reorganization, councilmembers shall be elected as provided in RCW 35A.02.050. Thereafter the requisite number of councilmembers shall be elected biennially as the terms of their predecessors expire and shall serve for terms of four years. The positions to be filled on the city council shall be designated by consecutive numbers and shall be dealt with as separate offices for all election purposes. Election to positions on the council shall be by majority vote from the city at large, unless provision is made by charter or ordinance for election by wards. The mayor and councilmembers shall qualify by taking an oath or affirmation of office and as may be provided by law, charter, or ordinance.

3. Attendance of Members.

All members are required to attend all regular meetings of the Council, unless otherwise noticed and excused by majority of the Council.

4. Vacancies.

The office of council member shall become vacant if the person who is elected or appointed to that position fails to qualify as provided by law, fails to enter upon the duties of that office at the time fixed by law without a justifiable reason, or as provided in RCW 35A.12.060 or 42.12.010. A vacancy in the office of mayor or in the council shall be filled as provided in chapter 42.12 RCW. An incumbent council member is eligible to be appointed to fill a vacancy in the office of mayor.

5. Vacancies for Nonattendance.

A council position shall become vacant if the council member fails to attend three consecutive regular meetings of the council without being excused by the Council.

B. Officers

1. President.

Biennially, and also whenever the position comes vacant, the Council shall elect from its members a President.

2. Vice-President

Biennially, and also whenever the position comes vacant, the Council shall elect from its members a Vice-president.

IV. MEETINGS

A. Meetings Public.

All regular and special meetings of the Council shall be open to the public. Meetings are defined per RMC 2.08. The Council may hold executive sessions from which the public may be excluded for those purposes set forth in RCW 42.30.110 (Open Meeting Law), may order the removal of individuals who are interrupting the meeting as provided in RCW 42.30.050.

B. Voting.

1. Quorum – Absent Members.

A majority of the members of the Council shall constitute a quorum at all meetings of the Council, and a lower number may adjourn from time to time. Once a meeting has been constituted and called to order, no member present shall absent himself from the same without leave of the presiding officer or a majority of the Council.

2. Passage of Ordinances, Grants or Revocations 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.

3. Conflict of Interest.

Each member present must vote on all questions put to the Council, except as to matters with respect to which the council member may have a conflict of interest or where voting by the Council member would violate the appearance of fairness doctrine. Where a Council member has a conflict of interest or where voting by the Council member would violate the appearance of fairness doctrine, the remaining members of the Council may, by majority vote, compel the Council member to recuse himself or herself from participating in the proceedings or vote. On the passage of every ordinance or resolution, on the appointment of any officer, and upon the award of any bid, the vote shall be taken by ayes and nays and entered in full upon the record. The vote shall be for or against the pending ordinance or resolution, and not on the report submitted thereon.

4. Tie Votes.

In case of a tie vote on any question, the question shall be considered lost subject to the authority of the Mayor to cast a tie-breaking vote as provided

in RCW 35A.12.100. Members abstaining because of a conflict of interest shall be recorded as not having voted.

5. Recording of Votes.

The Clerk shall keep a correct journal of all proceedings and, at the desire of any member, the ayes and nays shall be taken on any question and entered in the journal.

C. Debate Limited.

The presiding officer of the meeting may from time to time establish reasonable, procedurally fair, and equitable limits on debate to ensure an expedient meeting and provides each councilmember at least one opportunity to ask questions and/or make a statement in favor or against a particular item. Any limits on debate must be clearly stated at the start of the meeting.

D. Questions of Order.

All questions of order shall be decided by the presiding officer of the Council, with the right of appeal to the Council by any member.

E. Meeting Participation via Teleconference, Video Conference, or Other Electronic Means

1. Council members may attend regular business meetings, special meetings, study sessions, and committee of the whole meetings by telephone, by video conference, or by other electronic means.
2. When possible, notice of attendance by telephone, video conference, or other electronic means must be provided to the City Clerk's Office and the presiding officer not less than forty-eight hours before the scheduled start time for the meeting.
3. At any meeting where a Council member is attending by telephone, video conference, or other electronic means, there shall be a device that allows the voice of the Council member on the to be heard by everyone present in the meeting room and that allows the Council member to identify himself or herself before speaking. When possible, the Council member shall notify the others prior to disconnecting from the call, conference, or other communication medium. A Council member who is connected remotely shall be considered to be actually present at that meeting for the period of time so connected, and that presence shall count toward a

quorum of the Council for all purposes. The quorum is reduced in number as the member disconnects from the meeting.

F. Regular Business Meetings.

1. When Held.

Regular business meetings of the City Council are held on the first and third Tuesdays of every month at 7:30 p.m. in the Redmond City Hall Council Chambers, unless otherwise duly noticed.

2. Time Certain for Adjournment.

No business shall be considered after eleven p.m. of each meeting except by leave of a majority of the Council members present. Notwithstanding the foregoing, the City Council may complete deliberations and vote on any motion which was pending before the body at eleven p.m. without the necessity of seeking leave of the majority of the Council members to continue.

3. Agenda – Order of Business.

The order of business for any regular Council business meeting is defined as follows:

a. Preparation of Agenda.

An agenda of all regular business meetings shall be prepared by the City Clerk and transmitted to the Mayor and Council members at least ninety-six hours prior to the time of the meeting. The agenda shall consist of the business to come before the City Council, and shall not preclude the Council from considering matters in addition to those set forth on said agenda. The heads of the various departments of the city should report agenda matters and deliver copies of supporting materials to the City Clerk in sufficient time for their inclusion on the agenda.

b. Consent Agenda.

(1) Each agenda shall include a consent agenda in the order of business. Consent agenda items may include, and shall not be limited by this reference, approval of all Council minutes, acceptance of all advisory board and commission minutes, final approval of leases and contracts, final acceptance of grants, deeds or easements, setting dates for public hearings,

approval of change orders, acknowledging receipt of claims for damages against the city, passage of resolutions and/or ordinances requiring no further public hearing and which the Council has given directions to prepare, and such other routine items as the Mayor and/or City Clerk may deem appropriate to be placed upon such a consent agenda.

(2) The reference material for all matters listed within the consent agenda shall be distributed to each member of the City Council for his/her review prior to the meeting. Matters on such consent agenda shall be considered to be routine and may be enacted by a single motion of the Council with no separate discussion unless removed from the consent agenda as hereafter provided.

(3) If separate discussion of any consent agenda item is desired, that item may be removed from the consent agenda at the request of any individual Council member. At the conclusion of passage of the consent agenda, those items removed at the request of any individual Council member shall either be discussed and acted upon before proceeding to the next item of business on the agenda or shall be set to a later position on the agenda for that meeting.

c. Audience Participation.

Items from the audience, limited to a maximum of four minutes per speaker, will be received during the meeting at the appropriate place on the agenda to encourage citizen input and participation in Council meetings. Citizens may, at the end of the meeting, continue to address the Council.

d. Order of Business.

The order of business shall follow as nearly as possible the order of the agenda as follows:

(I.) Special Orders of the Day

(II.) Items from the Audience

(III.) Consent Agenda

Including approval of minutes and voucher and warrant approval.

- (A.) Consent Agenda
- (B.) Items Removed from the Consent Agendas
- (IV.) Hearings and Reports
 - (A.) Public Hearings
 - (B.) Reports
 - (1.) Staff Reports
 - (2.) Ombudsperson Report
 - (3.) Committee Reports

When it is determined that the city council needs to vote on a committee report item other than to establish a meeting date or direct the committee to study any issue, the city council shall place the item needing a vote on the council agenda for a subsequent city council meeting under unfinished or new business)

- (V.) Unfinished Business
- (VI.) New Business
- (VII.) Executive Session
- (VIII.) Adjournment

The order of business set forth in this section is a guideline and shall not be construed in any way as to limit the order in which the Council may elect to proceed with its business.

4. Motions, Resolutions, Ordinances in Writing.

The presiding officer and any member of the Council may require a motion to be reduced to writing prior to a vote upon the same. All resolutions and ordinances shall be in writing before being introduced at the meeting for adoption and shall be assigned a number by the City Clerk when introduced. It shall be sufficient for the Mayor or Mayor's designee to orally read the title of the resolution or ordinance at the meeting to present the same to the Council for its consideration prior to its voting on the question of adoption of the ordinance or resolution; provided, that a majority of the Council may require the entire resolution or ordinance or any part thereof to be read aloud at the meeting prior to its consideration.

5. Motion to Lay on the Table.

Motions to lay any matter on the table shall be first in order. On all questions the last amendment, the most distant day, and the largest sum shall be put first. A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of two-thirds of the members present. This motion shall not be confused with the **Motion to Postpone to a Time Certain, or a Motion to Postpone Indefinitely**, which do require a majority vote to pass, and do not require a separate motion to remove the item from the table to resume discussion on the item.

6. Reconsideration of Non-Quasi-Judicial Items.

a. Any person, including any member of the Council, may request that the Council reconsider a decision on a matter which is not quasi-judicial in nature. Any request or motion for reconsideration of a City Council action which is not quasi-judicial must be made in writing to the City Clerk or orally to the City Council in an open public meeting. The procedure for reconsideration shall be governed by the latest edition of Robert's Rules of Order and shall require that a motion to reconsider be made by a Council member who voted in the majority on the original action for which reconsideration is sought. The motion may be seconded by any other Council member, whether or not that member voted in the majority. A motion to reconsider an action shall be out of order and shall not be acted upon unless made prior to taking up the new business portion of the City Council agenda at the next regular City Council meeting following the meeting at which the action for which reconsideration is sought was taken. "Action" shall mean the vote of the City Council expressing a decision even though followed at a later date by passage of an ordinance or resolution. If anything that the City Council cannot reverse has been done as the result of the Council's vote, e.g., an ordinance voted on has become effective or a contract voted on has been signed by all parties, then the vote cannot be reconsidered.

b. In the event that the City Council votes to reconsider an action which is not quasi-judicial in nature, the effect of the vote is to place the matter back before the Council as if no action had been taken. When a motion to reconsider is passed at a meeting other than the meeting at which the original action was taken, the Council shall not take new action on the

reconsidered matter at that meeting, and shall set the matter over to the next regular City Council meeting following the meeting at which reconsideration was voted upon. The agenda for the Council meeting at which any reconsidered action will be taken up for final action shall reflect that the matter has been brought before the Council upon reconsideration of an earlier action. Public notice provided concerning the agenda shall reflect the nature of the action. No public hearing shall be required on reconsideration of any non-quasi-judicial action, and the Council may allow public input on the reconsidered matter if it so desires. Any matter which the Council has voted to reconsider shall be placed under “unfinished business” on the agenda. Once the Council takes final action on the reconsidered matter, no further reconsideration may take place.

- c. The City Council may, by majority vote of the entire membership, suspend the requirement for deferring action on any reconsidered matter to the next regular business meeting when the Council determines that sooner action is required to avoid undue hardship to the City or any interested person.
- d. As used in this section, “regular business meeting” shall mean any regularly scheduled meeting of the City Council at which final action may be taken. Council study sessions, committee of the whole, and special meetings of the Council shall not be considered regular meetings of the City Council for purposes of this section.
- e. Procedural matters not governed by this section shall be governed by the current edition of Robert’s Rules of Order.

G. Special Meetings.

Special meetings may be called by the Mayor or by a majority of the Council by written notice delivered personally or by mail to each Council member and the Mayor at least twenty-four hours prior to the time set for the meeting as specified in the notice. The requirements of the “open meeting law,” RCW Chapter 42.30 shall apply in all respects to special meetings of the Council.

H. Study Sessions.

Study Sessions of the City Council are held on the second and fourth Tuesdays of every month at 7:30 p.m. in the Redmond City Hall Council Chambers, unless

otherwise duly noticed. The City Council may choose to schedule an additional study session for any fifth Tuesday presenting in a month. The City Council shall not take a final vote on any item that comes before it at such a session. Participation by members of the audience at any designated workshop or study session of the Council shall be permitted only upon the concurrence of a majority of the Council members present.

I. Executive Sessions.

Before convening in executive session, the Mayor shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the Mayor.

1. Privileged Discussion.

Discussions held in Executive Session are privileged and shall not be shared with any person not party to the Executive Session. Per RCW [42.23.070\(4\)](#), "No municipal officer may disclose confidential information gained by reason of the officers position, nor may the officer otherwise use such information for his or her personal gain or benefit."

2. Executive Sessions Held.

An executive session may be held during any regular business or special meeting of the City Council.

3. Legal Rationale for Entering Session.

The Council may only enter into Executive Session for specific reasons allowed by State Statute. Those rationale are found at [\(RCW 42.30.110\)](#).

J. Quasi-judicial Matters.

1. It is the policy of the City Council that its members should not attend meetings of other city boards and commissions concerning quasi-judicial matters which are then pending before the city and which will ultimately be decided by the Council.
2. Whenever a quasi-judicial matter pending before the City Council involves a specific site, each member of the Council may visit the site prior to the making of a final decision in order to better understand the evidence to be presented. What the members of the Council observe at the site is not evidence and Council members are to rely solely on the record presented to them during the proceedings before the Council in deciding issues regarding

the quasi-judicial matter. During the site visit, the Council may not ask questions or discuss the site with any other person present, including other Council members. If the Council is to consider the matter in an open record public hearing, Council members should disclose what information was observed during any site visit at the outset of the hearing.

3. Whenever a quasi-judicial matter pending before the City Council has been the subject of a public hearing before the Hearing Examiner or Planning Commission, the Council shall allow each side (proponents and opponents) to speak for a maximum of ten minutes each. No new evidence may be presented by either speaker, and testimony shall be limited to argument based upon the Hearing Examiner's or Planning Commission's record. All quasi-judicial items shall be noted on the agenda as being quasi-judicial and a statement shall appear on the agenda indicating that each side may speak for a maximum of ten minutes each.
4. Whenever the Council holds a public hearing on a quasi-judicial matter, each speaker testifying before the Council shall be allowed to speak for a maximum of four minutes, provided, that the Council may, in its discretion, allow additional time where the complexity of issues involved requires more time in order to give the speaker a reasonable opportunity to be heard on the matter.
5. **Reconsideration of Quasi-judicial Actions.**
 - a. Any request for reconsideration of a quasi-judicial action of the City Council made by a party to the proceeding must be made in writing to the City Clerk. A motion to reconsider made by a Council member does not need to be in writing. A motion to reconsider a quasi-judicial action shall be out of order and shall not be acted upon unless made by a Council member who voted in the majority prior to taking up the new business portion of the City Council agenda at the next regular City Council meeting following the meeting at which the action was taken. Any Council member may second the motion, whether or not that Council member voted in the majority. During the reconsideration period, no ex parte communication shall be made to any City Council member concerning the quasi-judicial action. "Action" shall mean the written decision by the City Council

- b. The effect of passing a motion for reconsideration is to place the original motion on the matter back before the City Council. In the event the City Council elects to reconsider a quasi-judicial action, no revision to the action shall be made prior to giving those parties directly affected by the proposed revision notice of the proposed revision and a reasonable opportunity to be heard concerning it.
- c. No quasi-judicial action of the City Council shall be final for any purpose until completion of the period for reconsideration established by subsection (1) of this section.
- d. As used in this section, “regular business meeting” shall mean any regularly scheduled meeting of the City Council at which final action may be taken. Council study sessions, committee of the whole, and special meetings of the Council shall not be considered regular meetings of the City Council for purposes of this section.
- e. Procedural matters not governed by this section shall be governed by the current edition of Roberts Rules of Order.

6. Appearance of Fairness Doctrine.

The appearance of fairness doctrine is a rule of law requiring government decision-makers to conduct non-court hearings and proceedings in a way that is fair and unbiased in both appearance and fact. It was developed by the courts as a method of insuring that due process protections, which normally apply in courtroom settings, extend to certain types of administrative decision-making hearings, such as rezones of specific property. The doctrine attempts to make sure that all parties to an argument receive fair and equitable treatment. The doctrine requires that adjudicatory or quasi-judicial public hearings meet two requirements:

- a. they must be procedurally fair, and
- b. they must appear to be conducted by impartial decision-makers.

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, for a maximum of four minutes per person, unless otherwise prohibited in this section.
- 2. Members of the public shall present all testimony from the testimony podium, and shall not approach the dais unless requested.

3. All meeting materials submitted by the public during testimony shall be handed to the City Clerk for further distribution to the 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 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.

a. Exceptions:

i. The City Council may vote on a motion or resolution to express support or opposition to a ballot proposition provided that: (1) the notice for the meeting must include the title and number of the ballot proposition and (2) Members of the Council and members of the public must be allowed an approximately equal opportunity to express an opposing view;

ii. A Member of the Council may make a statement at an open press conference in support or opposition to a ballot proposition or in response to a specific inquiry;

iii. Where the City prepares an objective and neutral presentation of facts concerning a ballot measure (example: details could be provided to citizens concerning the financial impacts of an initiative on the local government, such as how revenues would be affected by its passage; care must be taken that information is presented in a fair and objective manner)

*Note: Many local governments allow use of meeting room facilities on a nondiscriminatory, equal access basis to the public, usually for a rental fee. If this is the case, it would be allowable to hold a public forum for citizens with pro and con representatives discussing an initiative in a public meeting hall.

*Note: RCW 42.17A.555 does not restrict the right of an individual, whether that person is an elective or appointed public official or a public employee, to express his or her personal views supporting or opposing a ballot proposition so long as that expression does not involve using public facilities. This means that elected officials and appointed staff may campaign on their own time, using their own supplies and equipment, for or against a ballot proposition by preparing brochures, mailings, doorbelling, and other such activities.

- 6.** Testimony or public comment on quasi-judicial matters pending before the City Council shall be heard only as provided in Rule IV(J) above and may not be presented under Items from the Audience.

V. COMMITTEE OF THE WHOLE

A. Establishment and Scope.

Committee of the Whole (“Committee”) is hereby established as regular meetings of the Council with the purpose of studying matters of Parks and Human Services; Planning and Public Works; Public Safety; Finance, Administration, and Communications; and Regional Affairs, as codified in RCW 2.08 and 2.32.

B. Membership.

Committee of the Whole shall consist of the Members of the City Council.

C. Calling of Meetings.

Committee of the Whole meetings are regularly held per RMC 2.08. Special meetings of the Committee of the Whole may be called by the Mayor or three Council members, and shall follow the noticing procedures for special meetings provided for in RCW 42.30.080. No final action shall be taken in special meetings of Committee of the Whole. Committee of the Whole meetings shall be presided over by a designated member(s) of the Council, as selected by the Council President and confirmed by a majority vote of the Council at a regular business meeting, such designation(s) to occur every other year in January following a regular election.

D. Meetings and Quorum.

The date, time and place of each meeting shall be the first four Tuesdays of each month at 4:30 p.m., at Redmond City Hall, unless otherwise noticed. The Committee of the Whole may be called as needed to discuss regional affairs matters, such meetings shall be advertised as special meetings of the committee. Notice of meetings shall be given in compliance with RCW Chapter 42.30, the Open Public Meetings Act. At their first meeting in each year the Committee of the Whole should adopt annual committee goals identifying what the committee intends to accomplish. A majority of the committee shall be the quorum necessary for the transaction of business. In the event a quorum cannot be sustained for a committee meeting, the meeting shall convene on the record and cancel for lack of quorum.

E. Duties and Responsibilities.

1. The Committee of the Whole shall consider and review matters referred to it. The Mayor and boards and commissions are encouraged to suggest items to

the Committee of the Whole for review or study. The scope of authority of the committee is defined in RCW 2.32 to investigate, collect, and review appropriate information for the formulation of possible Council action. Agendas for meetings are set by designated presiding officers in coordination with city staff. Final action shall not be taken in Committee of the Whole.

2. In carrying out its duties and responsibilities, the committee shall have the power and authority to examine all records, registers, minutes and papers pertaining to the subject matter under review or consideration, including those kept by boards and commissions of the city. The city officers, department heads, board and commission chairpersons shall cooperate with and assist the committee in carrying out its duties and responsibilities and in furnishing necessary information, except where prohibited by law or excluded under Section 31, Chapter 1, Laws of 1973; provided, that in the event any city officer, department head or board or commission chairperson deems the release of requested information not in the best interests of the city, authority for that release shall be vested in the Mayor.

F. Reports.

At the Council meeting immediately following each committee meeting, in the appropriate place on the Council agenda, a report from the Committee of the Whole presiding officer, or designated alternate shall be made. A minority report may be given by any Committee of the Whole member who dissents from the report by the majority. Oral reports shall be sufficient, unless a Council majority feels that a written report should be furnished.

G. Staffing.

When needed, staff assistance to the committee shall be assigned by the Mayor.

H. Absence of Members.

Committee member absences are understood to be excused.

I. Summary of Meetings.

Minutes of Committee of the Whole meetings shall be produced in summary format and shall not require formal approval.

VI. COUNCIL COMMUNICATIONS

A. Email.

- 1.** All City Council email correspondence shall be sent through a designated City email account.
- 2.** All City Council email shall be copied to the City Clerk for preservation in the Council records archive.
- 3.** Email correspondence sent via the designated Council Ombudsperson shall be copied to the Mayor and all members of the Council in the original reply to sender.
- 4.** No Council member shall send correspondence from a City email account that purports to represent the views of the Council, unless the Council has, by majority vote, established the same as the Council's position. Council Members may use City email accounts to state the position of the individual Council Member as long as it is made clear that the position is that of the individual Council Member and that the Council Member is not speaking on behalf of the entire Council.
- 5.** Members of the City Council will not use email to transact business of the Council in violation of the Open Meetings Act.

B. Use of Electronic Devices During Council Meetings

- 1.** Council Members shall not access, send, or receive electronic communications concerning any matter pending before the Council during a Council meeting. Exceptions to this Rule are:
 - a.** Accessing Council meeting-specific agenda and packet information;
 - b.** Accessing meeting notes and/or resource or research material specific to matters pending before the Council;
 - c.** Reporting to the official record regarding Ombudsperson citizen comments received;
 - d.** Family or emergency situations that may time to time arise. With respect to this exception, a Council Member shall take an at-ease from the meeting to avoid distraction of other Members from

discussions, should such interaction exceed more than a few moments in length; or

- e. Local, state, or federal news alerts, announcements, and matters when deemed appropriate.

2. Council Members shall not use electronic communication/media/applications to review or access information regarding matters not in consideration before the Council during a Council meeting.
3. The use of electronic communications/media/applications for personal, non-city business, during Council meetings, is expressly prohibited. Official meeting breaks are excluded from this provision. Violation of these rules by any member may result in an official Motion to Censure of said member by the Council, per Roberts Rules of Order.

VII. COUNCIL CONTINGENCY FUND

A. Fund Allocations.

The Council Contingency Fund, if budgeted, is used at the sole discretion of the City Council. The fund can be designated for any use deemed necessary by a majority of the Council. Reoccurring requests for funding from this account shall not be granted to outside groups or organizations, and rather, the budget process should be explored for an appropriate place to allocate funds for such ongoing requests.

VIII. AMENDMENTS TO RULES OF PROCEDURE

A. Amendments.

Any amendments to these Rules of Procedure shall be made through a majority vote of the City Council.

Appendix A

Council Values – 2020-2021

The Redmond City Council for the 2020-2021 biennium adopts the following five values sourced from the suggestions of all seven councilmembers.

- **Perspective**
- **Dialogue**
- **Respect**
- **Preparation**
- **Inclusiveness**

Appendix B

Glossary of Terms

This Appendix to the Council Rules of Procedure defines some commonly used terms to enable clear communications between of the City Council and Mayor. Rules of engagement and business procedures are defined by the adopted Rules of Procedure.

Action. The transaction of the official business of the City Council including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions; [RCW 42.30.020\(3\)](#).

Agenda item. An action that requires specific consideration, discussion, and a decision of the body made at a regular business meeting of the City Council. This decision constitutes a “formal” action of the City Council.

Call for, calling for. To schedule.

Conflict of Interest. A City Council member may not vote in the authorization, approval, or ratification of a contract in which they are beneficially interested, above that of any other member of the general public. Conflicts must be disclosed to the governing body and noted in the official minutes or similar records. *see* [RCW 42.23.030](#). *Also see* **Prohibited Acts**.

Consent Agenda. Consists of routine items for which a staff recommendation has been prepared, and which do not require further Council discussion.

Emergency. An urgent situation or issue that poses an immediate, serious and/or dangerous risk to health, life, property, or environment requiring urgent interventions, mitigation, and recovery.

Executive Sessions. Executive sessions are meetings that are closed to the public for special purposes identified in [RCW 42.30.110](#).

Ex-officio. By virtue of office, role, or position.

Final action. A decision or vote by a majority of the members of the City Council, positive or negative, on a motion, proposal, resolution, order, or ordinance that directs the Mayor and Administration, enabling successful execution of the decision, according to a majority vote of the Council; [RCW 42.30.020\(3\)](#).

Items From The Audience. An agenda item that provides an opportunity for citizens to address the Council regarding any issue.

Meetings public. Per RMC 2.08.

New Business. Subjects which have not previously been considered by the Council and which may require discussion and action.

Ombudsperson. An Official appointed to investigate individuals' complaints about city services and administration, especially that of public authorities.

Ordinances. Legislative acts or local laws. They are the most permanent and binding form of Council action and may be changed or repealed only by a subsequent ordinance. Ordinances normally become effective five days after they are published in the City's official newspaper.

Procedural action. A decision of the City Council that is administrative in nature and necessary to conduct or process Council business in an orderly manner according to these Rules that may or may not be followed separately by a final action at the same or later meeting. Examples of procedural actions are adoption of agendas, referring actions to or from committees, setting a public hearing, suspension of these Rules to enable special accommodations during a meeting.

Prohibited Acts. No City Council member may use their position to secure special privileges or exemptions, or directly or indirectly give, receive, or agree to receive any compensation, gift, reward, or gratuity for a matter connected to their role unless otherwise noted by law; see [RCW 42.23.070](#).

Public Hearings. Opportunities for the Council to receive public comment on important issues and/or issues requiring a public hearing by State statute.

Quasi-Judicial proceedings. Closed record proceedings or open record public hearings. Proceedings are those in which the City Council determines the rights or privileges of specific parties (Council Rules of Procedure, Section IV., J).

Regular business meeting. Any regularly scheduled meeting of the City Council at which final action may be taken per RMC 2.08.

Resolutions. Expressions of Council policy or statements by the Council to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution.

Serial meeting (also serial communications). A series of private meetings or communications by which a majority of the members of a legislative body commit to a decision or engage in collective deliberation concerning public business in violation of an open public meeting.

Special meeting. Any irregularly scheduled meeting of the City Council at which Final Action may be taken per RMC 2.08.

Staff Reports. Presentations or prepared memos to the Council by the department directors on issues of interest to the Council which do not require Council action.

Unfinished Business. Business or subjects returning to the Council for additional discussion or resolution.

Virtual meeting. A virtual meeting is one where at least one Councilmember is participating via teleconference, video conference, or other electronic means enabling real-time interaction in the meeting.

Written. A tangible document, where required by applicable law, or electronic written communication, such as email, word processing documents or other written communication.

Appendix C

Roles & Responsibilities

This Appendix to the Council Rules of Procedure outlines the roles and responsibilities of the City Council and Mayor. Rules of engagement and procedures for the conduct of business are defined by the adopted Rules of Procedure. This addendum is intended to clarify who is responsible for managing and implementing the operating procedures in normal and emergency conditions. This section is intended as a plain language explanation of existing law incorporated by References for routine use and quick reference, and is not intended to supersede any legal requirements.

- It explains the separation of powers between the Council and Administration, including in times of emergency as defined in these rules.
- It also describes different roles the Mayor, individual Councilmembers, Council as a body, and presiding officers may play based on the most common situations as well as in an emergency.

a. **POWERS RESERVED FOR THE COUNCIL**

- **Legislation.** Passage of any ordinance or resolution.
- **Authorization.** Granting or revocation of franchise or licenses.
- **Approval.** Confirmation of key administration positions and appointments to boards and commissions reporting to the body.
- **Appropriations.** Acceptance of funds, resolutions, and ordinances for the payment of money.
- **Land use.** Real property actions, transfer, sale, surplus of assets of the City.
- **One voice.** When council acts as a body, it speaks with the voice of the majority through the Council President.
- **Override veto.** An action vetoed by the Mayor may be overturned with a majority plus one vote of the Council.

b. **POWERS OF A COUNCILMEMBER**

- **One vote.** Councilmembers shall vote in support or in opposition of an action, unless recused.
- **One perspective.** Each Councilmember has equal privileges for the floor during deliberations and meetings.
- **Initiative.** A Councilmember may introduce new business for Council consideration.

c. POWERS RESERVED FOR THE MAYOR

- **Personnel.** Management and supervision of staff, including hiring and removal of key administration positions.
- **Operations.** Supervise the administration of city government and all City interests.
- **Safety.** Maintain law and order, life safety, and preserve and protect the health, wellbeing, and quality of the community and environment.
- **Approval.** Approval of official bonds and bonds of contractors.
- **Execution.** Execution of contracts and agreements made with the city or for its use and benefit within the limits on authority.
- **Oversight.** Ensure satisfactory performance of all contracts and agreements made with the City or for its use and benefit.
- **Litigation.** Cause any legal proceedings to be instituted and prosecuted in the name of the City, subject to approval by majority vote of all members of the Council.
- **Veto.** The Mayor may veto certain actions taken by Council within 10 days of taking effect.
- **Tie-breaking vote.** In the case of a tie vote from Council, the Mayor may vote on a matter other than the passage of an ordinance, the grant or revocation of a franchise or license, or resolution for the payment of money.

d. DUTIES OF THE MAYOR IN COUNCIL BUSINESS

- **Duty of care.** Avoid any behaviors or omissions that could reasonably be foreseen to cause harm to others or the interests of the City.
- **Duty of loyalty.** Make all decisions in their powers as fiduciaries without conflict of interest.
- **Duty of obedience.** Abiding by all applicable laws and regulations and do not engage in illegal or unauthorized activities.
- **Facilitation.** Preside over regular business meetings of the Council according to the Council Rules of Procedure.
- **Information.** Report to the Council concerning the affairs of the City and its financial and other needs on a regular basis.
- **Leadership.** Make recommendations for Council consideration and action.
- **Budget.** Prepare and submit to the Council a proposed budget biennially as required by law.
- **Spokesperson.** Serve as the official and ceremonial head of the City.
- **Oversight.** Ensure due diligence is completed by staff prior to placing an item before the Council.

- **Communication.** Provide an open, transparent, and timely line of communication between the Council and the Administration.
- **Recommend.** Recommend policy for adoption by the Council.
- **Execution.** Represent and implement the majority voice of the Council.
- **Responsiveness.** Ensure timely follow-up and appropriate responses are delivered by Administration staff for items presented to the Council during Items from the Audience.

e. **DUTIES OF THE COUNCIL IN THE ADMINISTRATION OF CITY BUSINESS**

- **Input.** Provide advice and support to the Mayor as relates to routine business of the City, when such advice and support is solicited or otherwise welcomed.
- **Oversight.** Ask questions and participate in conversations regarding city business during meetings and establish reasonable controls.
- **Empower.** Proactively remove barriers in legislation to enable policy initiatives.
- **Support.** Volunteer when asked by staff if available and act under the direction of staff.

f. **DUTIES OF A COUNCILMEMBER**

- **Duty of Care.** Avoid any behaviors or omissions that could reasonably be foreseen to cause harm to others or the interests of the City.
- **Duty of Loyalty.** Make all decisions in their powers as fiduciaries without conflict of interest.
- **Duty of Obedience.** Abiding by all applicable laws and regulations and do not engage in illegal or unauthorized activities.
- **Advocacy.** Accurately convey decisions made by present and past Councils when communicating externally to the best of your knowledge and understanding.
- **Input.** Provide comment and advice on issues through the Mayor or their delegate and support staff when invited or assigned.
- **Initiative.** Proactively seek opportunities to develop or modify city legislation for the betterment of the community.
- **Lobby.** When an issue is outside of City regulations or control, and when acting in the best interest of our community, Councilmembers may lobby their State and Federal representatives.
- **Accountability.** Councilmembers should hold each other and the Mayor accountable to the highest level of service to the community.
- **Delegate.** Assist the Council President and Vice President in the execution of their duties or Council business as requested.
- **Ambassador.** Represent the community's voice during council decisions and share information with the community.

g. DUTIES OF THE COUNCIL PRESIDENT

- **Leadership.** Provide leadership to the Council and be an advocate for the majority position of the body at all times.
- **Facilitator.** Actively explore policy viability when asked by a Councilmember and provide opportunities for conversation with the body.
- **Stewardship.** Observe and uphold all rules adopted by the Council for its governance and operations.
- **Programming.** Schedule Council meetings and the Annual Retreat, determine topics to explore at study sessions within the powers of the body, and review the Administration proposals for operations items for regular meeting.
- **Appointments.** Appoint from the body presiding officers of Committees of the Whole (committee chairs) considering Councilmembers' requests, individual strengths, and experience for these appointments.
- **Assignments.** Assign at least four members to each committee of the whole to ensure quorum responsibilities are known.
- **Strategic Direction.** Advance and organize the priorities in the strategic plan, in partnership with the Mayor and Administration staff.
- **Communication.** Represent the Council at biweekly meetings with the Mayor and relay key information to the Council.
- **Spokesperson.** Represent the Mayor and Council at important functions in absence of the Mayor.
- **Scheduling.** Establish a biennial calendar of Council Advocate for each month of the respective biennium and a Council calendar of events.
- **Coordination.** Keep track of items and due dates that are referred to committee by the Council or such other items on which the Council requests follow-up actions.
- **Strategic Plan.** Lead on the development and execution of the Council Strategic Plan and ensure its satisfactory achievement in collaboration with the body and City Administration.
- **Mayor Pro-Tem.** Resolution No. 789, adopted February 21, 1989, designates the Council President to serve as Mayor Pro Tempore in the Mayor's absence.

h. DUTIES OF THE COUNCIL VICE PRESIDENT

- **Assistance.** Assist the Council President in the execution of their duties as requested.
- **Alternate Presiding Officer.** Serve as Presiding Officer in the absence of the Council President.
- **Alternate Mayor Pro-Tem.** Serve in the absence of both the Mayor and Council President as Mayor Pro-Tem.

i. **DUTIES OF A PRESIDING OFFICER, COMMITTEES**

- **Facilitation.** Preside over meetings of the Committee of the Whole according to the Council Rules of Procedure.
- **Discussion.** Determine how business is to be conducted during the meeting at the start of each committee meeting.
- **Planning.** Work in collaboration with appropriate city staff and Council leadership to propose committee work plans and agendas for which they preside within their committee scope for approval by the committee and adoption by the Council.
- **Reporting.** Briefly summarize committee activities during regular business meetings.
- **Leadership.** Make recommendations for Council consideration and action within the scope of their committee.

j. **EMERGENCY POWERS & DUTIES OF THE BODY**

During an emergency, the Council maintains its powers of the body. Procedural exceptions apply to ensure timely addressing of the situation. Examples are exceptions to public notice requirements for certain legislation and funding appropriations that apply outside of normal business operations.

- **Preparedness.** Ensure the City is adequately prepared for emergencies through setting aside funds ahead of time.
- **Confirm.** Approve Mayoral appointments to the Emergency Preparedness Council.
- **Cooperation.** Work with the Mayor to address the emergency.
- **Collaboration.** Approve mutual aid agreements.
- **Declarations.** Adopt a Declaration of Emergency by resolution or by ordinance, as deemed necessary by the body for the protection of the public health, public safety, public property, public peace, and the public environment by majority vote.
- **Ratification.** Ratify any emergency proclamation, rules or regulations issued by the Mayor or Emergency Preparedness Director within two weeks by resolution or ordinance, and every month thereafter, for any extended emergency incident.
- **Emergency Expenditures.** Council may permit emergency expenditures to exceed budgeted amounts by adopting ordinances stating the facts justifying the emergency passed by a majority plus one of the entire Council.
- **Emergency Reserves.** Council may authorize emergency expenditures from any funds designated as emergency reserves by adopting ordinances stating the facts justifying the emergency passed by a majority vote of the entire Council.
- **Notice Waived.** Budget amendment ordinances to address certain emergencies may optionally have no notice or public hearing.

- **Procedures Waived.** Waive or delegate authority for waiving competitive bidding requirements by establishing an emergency within two weeks following award of the contract.
- **Oversight.** Approve and adopt the Comprehensive Emergency Management Plan (CEMP).

k. EMERGENCY POWERS & DUTIES OF THE MAYOR

During an emergency, the Mayor maintains their powers. Some procedural exceptions apply to ensure timely addressing of the situation. Some actions that normally come to Council as recommendations before action is taken may be reported to Council and then ratified by Council after executive action, including examples of acceptance of funds and waiving of competitive bidding requirements to enable a prompt response.

- **Key Contact.** Provide leadership to the community, act as spokesperson in communicating incident-related information to the public, and accompany visiting officials from other jurisdictions and levels of government.
- **Coordination.** Serve as Chair of the Emergency Preparedness Council.
- **Cooperation.** Work with the Council to address the emergency, and increase communication frequency with the Council or provide access to means for Council to receive information through the Council President.
- **Initiative.** Propose policies and strategies to address emergency public needs.
- **Proclaim Emergency.** Establish a State of Emergency as deemed necessary for the protection of the public health, public safety, public property, public peace, and the public environment. The proclamation shall take effect and be in full force immediately, shall be time bound with terms for extension, and shall be ratified by City Council within two weeks of proclamation.
- **Emergency Orders.** Enact curfews and limit street use, to protect public safety.
- **Procedures Waived.** If necessary, waive competitive bidding and award all necessary contracts for purchases and public works construction. Report to Council if this action occurs.
- **Execution.** Sign mutual aid agreements with other municipalities, the County and other governmental subdivisions, which have been approved by the City Council.
- **Fund Acceptance.** Accept and use gifts, grants and loans of state and federal funds, services, equipment and supplies on behalf of the City. These actions must be reported to and ratified by Council.
- **Command.** Enlist the service and equipment of citizens.

I. EMERGENCY POWERS & DUTIES OF OFFICERS

Additional responsibilities apply in emergency situations.

- **Communication.** The Council President, or their Councilmember delegate or successor, shall make reasonable attempts to contact all Councilmembers to ensure their safety and report to the Mayor.
- **Coordination.** The Council President, or their Councilmember delegate or successor, shall work with the Mayor and the Administration during an emergency to assign individual Councilmembers to support activities necessary for the routine operations of city business.
- **Meetings.** The Council President may call for additional meetings of the Council to enable emergency action by Council.
- **Assignments.** The Presiding officer of a meeting shall authorize and assign a designated recordkeeper in absence of the Clerk, and shall not designate themselves as recordkeeper.
- **Notice.** The Presiding officer is responsible for reasonable meeting notice requirements where feasible.

m. EMERGENCY DUTIES OF INDIVIDUAL COUNCILMEMBERS

Additional responsibilities apply in emergency situations.

- **Notification.** Report their location and safety to the Council President, Mayor and City Clerk as soon as possible.
- **Leadership.** Provide visible leadership to the community.
- **Volunteer.** Individual Councilmembers may voluntarily accept direct assignments from the Council President, the Mayor and the Administration during an emergency.

n. REFERENCES FOR THIS SECTION

- Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995)
- Municipal Research Services Center and Association of Washington Cities, Mayor & Councilmember Handbook, MRSC Report No. 44. (2019 ed.) Available at <http://mrsc.org/getmedia/034f13b6-7ec2-4594-b60b-efaf61dd7d10/Mayor-And-Councilmember-Handbook.pdf.aspx?ext=.pdf>
- Ogden, Murphy, Wallace. Letter from City Attorney to Mayor and Council Re: Emergency Powers of Mayor and Council dated 31 March 2020.

Redmond Municipal Code

- RMC Chapter 2.08. Council Meetings.

- RMC Chapter 2.20 Emergency Preparedness.

Revised Code of Washington

- RCW 35A.11 Laws governing noncharter code cities and charter code cities—powers
- RCW 35A.11.020 Powers vested in legislative bodies of noncharter and charter code cities.
- RCW 35A.12.100 Duties and authority of the mayor – Veto – Tie Breaking Vote
- RCW 35A.12.130 Ordinances – Style – Requisites – Veto.
- RCW 35A.12.190 Powers of Council.
- RCW 35A.34 Biennial Budgets
- RCW 35A.34.140 Emergency expenditures – Nondebatable emergencies.
- RCW 35A.34.150 Emergency expenditures – Other emergencies – Hearing.
- RCW 35A.34.160 Emergency expenditures – Warrants – payment.
- RCW 35A.34.200 Funds – Limitations on expenditures – Transfers and adjustments.
- RCW 35A.34.210 Liabilities incurred in excess of budget.
- RCW 38.52.020 Declaration of policy and purpose
- RCW 38.52.070 Local organizations and joint local organizations authorized—Establishment, operation—Emergency powers, procedures—Communication plans.
- RCW 38.52.100 Appropriations-Acceptance of funds, services, etc.
- RCW 38.52.110 Use of existing services and facilities—Impressment of citizenry—First informer broadcasters.
- RCW 39.04.280 Competitive bidding requirements – Exemptions.