



PORT ANGELES
WASHINGTON, U. S. A.

CITY COUNCIL
RULES OF PROCEDURE

As of February, 2010

Section 1 - Rules. These Rules shall govern the procedures followed by the City Council of Port Angeles, Washington, for the conduct of Council meetings and the maintenance of order, pursuant to RCW 35A.13.170.

Section 2 - Open Public Meetings Act. The Council shall comply with the provisions of the Open Public Meetings Act, Chapter 42.30 RCW, in the conduct of all meetings to which said Act is applicable.

Section 3 - Executive Sessions. The Council may discuss topics in executive session, which topics are specified in RCW 42.30.110 or relate to potential or pending litigation and are subject to attorney-client privilege. The City Attorney shall inform the Council whenever any proposed discussion in executive session is not legally allowed.

No member of the City Council, employee of the City, or any other person present during executive session of the City Council shall disclose to any person the content or substance of any discussion or action which took place during said executive session.

Section 4 - Work Sessions. Special meetings designated as work sessions shall be advertised and conducted in the same manner as special meetings. Work sessions are for the purpose of in-depth review and discussion of specified issues. Final disposition shall not be taken at designated work sessions.

Section 5 - Quorum. At all meetings of the Council a majority of the Councilmembers shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time

and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the Council. RCW 35A.12.120.

Section 6 - Attendance.

A. Attendance, Excused Absences. RCW 35A.12.060 provides that a Council Member 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 ask to be excused by following the procedure described in this paragraph. The member shall contact the Mayor prior to the meeting and state the reason for his/her inability to attend the meeting. If the member is unable to contact the Mayor, the member shall contact the City Manager or City Clerk, who shall convey the message to the Mayor. Following roll call, the Mayor shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be non-debatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes.

B. Attendance via Speaker phone (AVS). From time to time, a Council Member may not be able to be physically present at a Council meeting, but will want to be involved in the discussion and/or decision on a particular agenda item. The procedure and guidelines for permitting a Council Member to attend a Council meeting via Speaker phone are as follows:

Attendance via Speaker phone should be the exception, not the rule, and AVS is limited to three Council Members per meeting. Examples of situations where AVS would be appropriate include, but are not limited to:

- An agenda item is time sensitive, and AVS is needed for a quorum;

- An agenda item is of very high importance to the Council Member that cannot be physically present;
- It is important for all Council Members to be involved in a decision, but a Council Member is unable to be physically present;

Examples of situations where AVS would not be appropriate include, but are not limited to:

- Quasi-judicial and other hearings when the Council Member is unable to see presentations or read materials that are distributed during the hearing.
- Participation in an executive session, unless the Council Member can assure that he or she is in a secure location and able to maintain confidentiality.

Attendance - Procedure:

1. Each Council Member attending via Speaker phone:
 - a. must be able to hear the discussion on the agenda item taking place in the Council chambers, and
 - b. must be able to be heard by all present in Council chambers.
2. At the beginning of the Council meeting the Mayor (or Deputy Mayor, if the Mayor is not physically present) should state for the record:
 - a. Let the record reflect that Council Member _____ is attending via Speaker phone.
 - b. Council Member _____, can you hear me? [There must then be a clearly audible response in the affirmative.]
 - c. Let the record reflect that Council Member _____, who is attending via Speaker phone, can be heard by all present in Council chambers.

Notification:

If a Council Member wishes to attend a Council meeting via Speaker phone, the Council Member should notify Council of his or her intent at the Council meeting prior to the meeting for which he or she wishes to attend via Speaker phone.

If that is not possible, the Council Member should notify the City Manager of his or her wish to attend the Council meeting via Speaker phone not later than the business day prior to the Council meeting for which he or she wishes to attend via Speaker phone.

Section 7 - Chair of the Council. The Mayor shall be the Chair of the Council and shall preside at all Council meetings. A Mayor Pro Tempore or Deputy Mayor shall be selected biennially at the first meeting of a new Council, for a term to run concurrently with that of the Mayor. In the absence of the Mayor, the Mayor Pro Tempore shall preside. If neither the Mayor nor the Mayor Pro Tempore is present at a meeting, the presiding officer for that meeting shall be selected by a majority of the vote of those Council Members present, provided there is a quorum.

The Chair of the Council may vote on all matters coming before the Council; however, the Chair of the Council shall not be required to vote except in the event of a tie.

The Chair of the Council shall state all questions coming before the Council, provide opportunity for discussion from the floor, and announce the decision of the Council on all subjects. Procedural decisions shall be made by the Chair of the Council, who may request advice on such matters from the City Attorney. Procedural decisions made by the Chair of the Council may be overruled by a majority vote of the Council.

Section 8 - Agenda. The City Manager shall prepare the agenda of business for all Council meetings. Any Council member, department head, or citizen desiring to place a matter on the agenda shall notify the City Manager by twelve o'clock noon on the Wednesday preceding the Council meeting. Every agenda item must be supported by a written explanation informing the Council and staff of the issue, background and/or analysis, and recommendation and/or conclusion, unless the item is self-explanatory or unless the Mayor or City Manager has waived this requirement. All written materials for the agenda shall be delivered to the City Manager by twelve o'clock noon on the Friday preceding the Council meeting. Except for announcements, late items that the City

Manager does not receive by the stated deadlines shall not be considered by the Council except upon a majority vote of the members present.

Each agenda shall reference all ordinances to be considered by the City Council. No ordinances shall be acted upon unless notice of the preliminary agenda referencing such ordinance has been made available to the public in advance of Council meetings, as set forth below. Except in cases of emergency and of final approval of subdivisions, a proposed ordinance shall be presented to the Council at a regular meeting, and the Council may then act to adopt the ordinance at any subsequent regular meeting.

Preliminary agendas for all meetings of the City Council shall be made available at least 24 hours prior to the time scheduled for such meetings. The preliminary agenda will be made available to the public in the following ways:

1. A copy is placed on the City website at www.cityofpa.us .
2. Several copies are placed on the front counter at City Hall.
3. A copy is posted on the bulletin board outside the Council Chambers.

Section 9 - Order of Business. The Mayor may determine the order of business for a particular City Council meeting. The agenda should be arranged to best serve the needs and/or convenience of the Council and the public. The items of business for regular Council meetings may include the following:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Ceremonial Matters/Proclamations/Employee Recognition
5. Late Items to be Placed on This or Future Agendas as determined by the City Manager or City Council Member.

6. Public Comment: During this portion of the meeting, the Mayor will invite citizens to talk with the Council about topics that are not scheduled for public testimony on the evening's agenda. Prior to the start of the "Public Comment" portion of the public hearing, all persons wishing to be heard are asked to sign in with the Clerk, giving their names and addresses, and topic. The Mayor may arrange the order of speakers so that testimony is heard in the most logical groupings.

To allow time for the Council to complete its legislative agenda, comments should be limited to no more than 5 minutes per person and a total of 15 minutes for this comment period. At the discretion of the Mayor, these time periods may be lengthened or shortened. Following any public comment, the Mayor may allow time, limited to five minutes, for response from City Council members and/or City staff. No speaker may convey or donate his or her time for speaking to another speaker. If many people wish to speak to a particular issue, the Mayor may limit the total amount of time dedicated to that single issue.

Written comments may be submitted into the record of a Council meeting by presenting the written document to the Clerk prior to the meeting, in which case a copy of the document will be provided to each Council Member, but the document will not be read aloud; or a document may be distributed to the City Council, with a copy to the clerk, by a speaker while the speaker is addressing the Council.

7. City Council Reports
8. Work Session

9. Consent Agenda
10. Ordinances Not Requiring Public Hearings
11. Resolutions Not Requiring Public Hearings
12. Other Considerations
13. Public Hearings - Quasi-Judicial
14. Public Hearings - Other
15. Finance
16. Executive Session
17. Adjournment

Section 9 - Voting. Each Council Member shall vote on all questions put to the Council unless a conflict of interest or appearance of fairness problem requires a Council Member to excuse him/herself. If a Council Member does not vote when such vote is required, such member shall be determined to have voted "yes" at the time the vote is taken.

Section 10 - Decorum and Debate. When a measure is presented for consideration to the Council, the Chair of the Council shall recognize the appropriate individual to present the matter. When two or more members wish to speak, the Chair of the Council shall name the member who is to speak first. No member of the Council shall interrupt another while speaking except to make a point of order or privilege.

No Council Member shall be permitted to indulge in personalities, use language personally offensive, or use language tending to hold a member of the Council up to contempt.

If a member is speaking or otherwise transgressing the Rules of the Council, the Chair of the Council shall or any Council Member may call him/her to order, in which case he/she shall immediately be quiet unless permitted to explain. The Council shall, if appealed to, decide the case without debate. If the decision is in favor of the member called to order, he/she shall be at liberty

to proceed, but not otherwise. A Council Member transgressing this Rule shall be liable to censure or other such punishment as the Council may deem proper.

Section 11 - Questions of Parliamentary Procedure. Questions of parliamentary procedure not covered by these Rules shall be governed by Robert's Rules of Order, Newly Revised (1990 Edition).

Section 12 - Board and Commission Vacancies. The selection process for filling board and commission vacancies shall be as follows; provided, however, that in specific situations, the Council may by majority vote revise the process:

A. The City Manager or his designee will solicit in the City's official newspaper volunteers who wish to serve on boards and commissions.

B. The City Manager or his designee will mail application forms and specific information as to functions of the preferred board(s) or commission(s) to interested citizens.

C. The City Manager or his designee will submit application forms, questionnaires, and/or related information, to the designated interviewing body, as set forth on Exhibit "A", for review and interviews.

D. The designated interviewing body will interview candidates in open public session. Candidates who have not been interviewed will be excluded from attending the prior interviews.

E. The designated interviewing body will forward a recommendation to the City Council as to the preferred candidate(s) for appointment to a board or commission. The City Council will make appointments by a majority vote. If the City Council is the designated interviewing body, the Council will select its preferred candidate in an open public meeting by roll call vote and the Mayor will make the appointment.

F. The City Manager or his designee will provide written notice of appointment and confirmation, provide introduction to the chairperson of the respective board or commission, and

provide introductory and educational information to the newly appointed member.

G. In the event the number of members of any board or commission fall to the number required for a quorum plus one, the City Manager shall have the authority to make an interim appointment, subject to confirmation by the City Council. The term of an interim appointment shall be for (a) the remainder of the vacant term, (b) 6 months, or (c) until a permanent appointment is made by the City Council, whichever is less.

Section 13 - Notice of Public Hearings. Notice of all public hearings to be conducted by the City Council or any of its advisory boards and commissions shall be given either by publishing written notice at least once in the City's official newspaper prior to the date of the hearing, or by complying with any specific statutory requirements for such notice that may be applicable to the particular type of hearing involved.

Section 14 - Council Vacancies. The selection process for filling Council vacancies shall be as follows, provided, however, that the Council may by majority vote revise the process:

A. Notice of the vacancy and the procedure for filling the vacancy shall be published twice in the City's official newspaper.

B. The Council will open a filing period of not less than 10 days for the vacancy and request each candidate to complete an application form or submit a letter of interest.

C. The candidates will then be interviewed during a public Council meeting.

D. The Council may deliberate on the qualifications of the candidates in a closed session and then vote on the appointment in an open meeting.

E. In all other respects, the procedure for filling a Council vacancy shall be as provided in State law.

Established/Amended by Resolution Nos.: 21-84, 13-86, 9-87, 2-88, 3-88, 19-88, 37-91, 5-92, 2-95, 5-95, 4-96, 20-96, 11-97, 2-98, 6-98, 15-99, 17-04, 2-05, 10-05, 2-06, 11-06, 12-06, 8-07, 3-08, 10-09, and 5-10

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