

MERCER ISLAND CITY COUNCIL RULES OF PROCEDURE



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SECTION 1 GOVERNANCE AND AUTHORITY

1.1 Council-Manager Form of Government

The City of Mercer Island is a Council-Manager form of government. As described in the municipal code and chapter 35A.13 of the Revised Code of Washington (“RCW”), certain responsibilities are vested in the City Council and the City Manager. This form of government prescribes that a City Council’s role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner.

1.2 Rules of Procedure

The Mercer Island City Council hereby establishes the following Rules of Procedure (“Rules”) pursuant to the authority set forth in Mercer Island City Code (“MICC”) 2.06.050(A), for the conduct of Council meetings, proceedings and business. These Rules shall be in effect upon adoption by the Council and until such time as they are amended or new rules are adopted in the manner provided by these Rules.

1.3 Orientation of New Councilmembers

The City Manager will host an orientation program for newly-elected or appointed Councilmembers, including guidance on the Open Government Trainings Act, which requires training in the fundamentals of the Open Public Meetings Act (OPMA), Public Records Act (PRA), and records retention requirements.

1.4 Mentoring of New Councilmembers

Current Councilmembers shall seek out opportunities to mentor newly elected or appointed Councilmembers to help them gain an understanding of their role as Councilmember.

SECTION 2 COUNCIL ORGANIZATION

2.1 Swearing-In. New Councilmembers shall be sworn in by the City Clerk.

2.2 Election of Mayor and Deputy Mayor. The Council shall elect a Mayor and Deputy Mayor for a term of two years. The City Clerk shall conduct the elections for Mayor and Deputy Mayor at the first Council meeting of each even-numbered year as follows:

- (1) Any Councilmember may nominate a candidate; no second is needed.
- (2) Nominations are closed by a motion, second and 2/3 vote of Council.
- (3) If only one (1) nomination is made, it is appropriate to make a motion and obtain a second to instruct the City Clerk to cast a unanimous ballot for that nomination. Approval is by majority vote of Councilmembers present.
- (4) If more than one (1) nomination is made, an open election is conducted by roll call vote.
- (5) To be elected, the nominee needs a majority vote of the Council.
- (6) Elections will continue until a Mayor and Deputy Mayor are elected by a majority vote of the Council.
- (7) The City Clerk shall declare the nominee receiving the majority vote as the new Mayor. The new Mayor shall declare the nominee receiving the majority vote as the new Deputy Mayor. The Clerk shall swear the individuals into office.

2.3 Duties of Officers.

- (1) **Mayor.** The Mayor serves as the Presiding Officer and acts as chair at all meetings of the Council. The Mayor may participate in all deliberations of the Council in the same manner as any other member and is expected to vote in all proceedings, unless a conflict of interest exists. The Mayor does not possess any power of veto. The Mayor may not move an action, but may second a motion. The Mayor is assigned as the ceremonial representative at public events and functions. The Mayor is vested with the authority to initiate and execute proclamations.
- (2) **Deputy Mayor.** The Deputy Mayor serves as the Presiding Officer in the absence of the Mayor and assumes ceremonial representative responsibilities when needed. If both the Mayor and Deputy Mayor are absent, the Mayor will appoint another Councilmember as acting Mayor. If the Mayor fails to appoint an acting Mayor, the Councilmembers present shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor.
- (3) **Presiding Officer.** The Presiding Officer shall:
 - (i) Preserve order and decorum in the Council Chambers;
 - (ii) Observe and enforce these Rules;
 - (iii) Call the meeting to order;
 - (iv) Keep the meeting to its order of business;

- (v) Recognize Councilmembers in the order in which they request the floor. The Presiding Officer, as a Councilmember, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers;
- (vi) Appoint Councilmembers to serve on Council Subcommittees, ad hoc committees and to serve as liaisons to advisory boards and commissions; Appoint citizens to serve on advisory boards and committees (with affirmation from the Council); and
- (vii) Impose Councilmember sanctions for violation of these Rules consistent with Section 11 of these Rules.

2.4 Filling a Council Vacancy. If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 42.12.070. In order to fill the vacancy until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure by which the vacancy will be filled, and an application form. The Process to Fill a Mercer Island City Council Vacancy is outlined in Appendix C to these Rules.

SECTION 3. COUNCIL MEETINGS

3.1 General Meeting Guidelines

- (1) Open Public Meeting Act.** All Council meetings shall comply with the requirements of the Open Meetings Act (chapter 42.30 RCW). All regular meetings and special meetings of the Council shall be open to the public.
- (2) Meeting Cancellation.** Any Council meeting may be canceled by a majority vote or consensus of the Council. The Mayor or City Manager may cancel a Council meeting for lack of agenda items, adverse weather conditions or due to an emergency.
- (3) Quorum.** Four members of the Council shall constitute a quorum and are necessary for the transaction of City business. In the absence of a quorum, the members present may adjourn that meeting to a later date.
- (4) Councilmember Seating.** At the dais, the Mayor shall sit in Chair #4, the center seat at the dais, the Deputy Mayor shall sit to the Mayor's right or left, in Chair #3 or #5. The Mayor will determine the seats of the remaining Councilmembers.
- (5) City Clerk and Minutes.** The City Clerk (or authorized designee) shall attend all regular and special Council meetings and keep an account of all proceedings of the Council (minutes) in accordance with the statutory requirements RCW 35.23.151 and RCW 42.32.030. The minutes from previous meetings will be posted on the City website in draft format prior to Council meetings as part of the Council packet. Councilmembers are encouraged to inform the City Clerk and City Manager of any errors or proposed changes in advance of the meeting. If a Councilmember wishes to make any corrections to the minutes, they must request to have the set of minutes pulled from the Consent Calendar and make a motion to revise the minutes. Any corrections to the minutes will be so noted and the draft minutes will be revised with the corrections. Once the Council has approved the minutes (as presented or revised), the final version of the minutes will be posted to the City's website and archived as the City's official record.
- (7) Council Chambers Code of Conduct.** The City Hall Council Chambers Code of Conduct is attached as Appendix B to these Rules.

3.2 Types of Meetings

- (1) Regular Meetings.** The Council's regular meetings will be held the first and third Tuesdays of each month in the City Hall Council Chambers (9611 SE 36th Street, Mercer Island). Regular meetings will begin at 7:00 p.m. If any Tuesday on which a meeting is scheduled falls on a legal holiday, the meeting shall be held at 7:00

p.m. on the first business day following the holiday, or on another day designated by a majority vote of the Council.

- (2) **Special Meetings.** A special meeting is any Council meeting other than a regular Council meeting. Notice shall be given at least 24 hours in advance specifying the time and place of the meeting and the business to be transacted. A special Council meeting may be scheduled by the Mayor, City Manager or at the request of a majority of the Council.
- (3) **Emergency Meetings.** An emergency meeting is a special Council meeting called without 24-hour notice. An emergency meeting may only be called as a result of an emergency involving injury or damage to persons or property or the likelihood of such injury or damage or when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor. The minutes will indicate the reason for the emergency.
- (4) **Executive (Closed) Sessions.** An executive session is a portion of a Council meeting that is closed except to the Council, City Manager, City Attorney and staff members and/or consultants authorized by the City Manager. The public is restricted from attendance. Executive sessions may be held during regular or special Council meetings and will be announced by the Mayor or the Chair. Executive session may be held for limited purposes consistent with RCW 42.30.110(1) and RCW 42.30.140(4)(a). Permissible topics include: considering real property acquisition and sale, public bid contract performance, complaints against public officers and employees, review of collective bargaining agreements, public employment applications and evaluations, and certain attorney-client discussions. Before convening an executive session, the Mayor or Chair shall announce the purpose of the meeting. Pursuant to RCW 42.23.070(4), Councilmembers must maintain the confidentiality of all written materials and verbal information provided during executive sessions to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of executive sessions when the information is considered exempt from production under the Public Records Act, chapter 42.56 RCW. If a Councilmember unintentionally discloses executive session material with another party, that Councilmember shall promptly inform the City Manager and/or the Council of the disclosure.
- (5) **Planning Sessions.** Each year the Council shall hold an annual planning session (2- or 3-day retreat) during the first quarter of the year. During this planning session, the Council will agree upon City Council Goals for the next two years. The Council may hold additional planning sessions during the year.

3.3 Order of Regular Council Meeting Agenda

- (1) **Call Meeting to Order & Roll Call.** The Mayor calls the meeting to order. The City Clerk will take roll call. The Mayor will announce the attendance of Councilmembers and indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence.
- (2) **Agenda Approval/Amendment.** Agenda items may be added to a regular Council meeting agenda after the meeting notice is published, if a Councilmember or City Manager explains the necessity and receives a majority vote of the Council. The Mayor may, with the concurrence of the Councilmembers, take agenda items out of order.
- (3) **Executive Sessions.** Executive sessions may be held before, during or after the open session portion of either a regular or special meeting. See Section 3.2(4).
- (4) **Study Sessions.** Study sessions will be held, when needed, from 6:00-7:00 p.m. before a regular meeting. They may be called by the Mayor, City Manager or by a majority of Councilmembers. Study sessions will be informal meetings for the purpose of reviewing forthcoming programs and projects, receiving progress reports on current programs or projects, or receiving other similar information. No final decisions can be made at a study session. Decisions on those issues will be scheduled for a regular or special Council meeting.
- (5) **Special Business and Proclamations.** Special Business Items may include the presentation of a proclamation or other presentation to elected officials, staff, or the public by the City or presentations to the City or any official made by someone else. A Proclamation is defined as an official announcement made by the Mayor on behalf of the Council. The purpose of a Proclamation is to recognize the efforts of a particular group or increase awareness of an activity. The Mayor and City Manager shall determine approval of Proclamation requests. Proclamations shall be publicly read at a Council meeting and presented to a representative of the event during the Council meeting.
- (6) **City Manager Report.** In an effort to keep the Council and public informed of City business, the City Manager may provide an oral report, make comments, extend compliments, express concerns, or make announcements concerning any topic during this time.
- (7) **Appearances (Public Comment).** During the Appearances section of the regular meeting agenda, members of the audience are invited to address the Council regarding any matter, except items before the Council requiring a public hearing, any quasi-judicial matters, or campaign-related matters. Each person addressing the Council will step up to the podium, give their name and address for the record, and shall limit their comments to three (3) minutes. No speaker may convey or

donate his or her time for speaking to another speaker. The Mayor may grant additional time for citizen comments. The Mayor may allow citizens to comment on individual agenda items at times during any regularly scheduled Council meeting other than the regularly scheduled Appearances period.

All remarks will be addressed to the Council as a whole, and not to individual Councilmembers or staff members. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested by the Mayor to leave the meeting. The Council cannot accept comments on any campaign-related matters (elections for individual offices or ballot propositions) except under specific circumstances where consideration of a ballot measure is on the Council agenda. RCW 42.17A.555.

The City Clerk will summarize all citizen comments in the minutes. Traditionally, the Council does not respond to comments made at the meeting, however the City Manager may direct staff to follow up with the speaker as appropriate.

- (8) Consent Calendar.** Consent calendar items have either been fully considered by a Council Subcommittee and are routine and non-controversial are approved by one motion. Items on the consent calendar include, without limitation, payables, payroll, minutes, resolutions and ordinances discussed at a previous Council meeting, bid awards, and previously authorized agreements. A Councilmember may remove an item from the consent calendar for separate discussion and action. If removed, that item will become the first item of regular business of the same meeting.
- (9) Public Hearings.** There are two types of public hearings: legislative and quasi-judicial. The Mayor will state the public hearing procedures before each public hearing. Comments are limited to the subject of the public hearing.

 - (i) Legislative Public Hearings.** The purpose of a legislative public hearing is to obtain public input on legislative or policy decisions, including without limitation, review by the Council of its comprehensive plan or biennial budget.
 - (ii) Quasi-Judicial Public Hearings.** The purpose of a quasi-judicial public hearing is to decide issues involving the rights of specific parties including, without limitation, certain land use matters such as site specific rezones and preliminary long plats.

The Council's decision on a quasi-judicial matter must be based upon and supported by the "record" in the matter. The "record" consists of all testimony or comment presented at the hearing and all documents and exhibits that have been submitted.

In quasi-judicial hearings, Councilmembers shall comply with all applicable laws including without limitation the appearance of fairness doctrine (chapter 42.36 RCW). The appearance of fairness doctrine prohibits ex parte (outside the hearing) communications with limited exceptions requiring disclosure on the record; prohibits a Councilmember from making a determination on the matter in advance of the hearing; requires the hearing to be fair and impartial; and prohibits the participation of any Councilmember who has a conflict of interest or financial interest in the outcome of the hearing.

A Councilmember shall consult with the City Attorney to determine whether or not he or she should recuse themselves from the quasi-judicial hearing discussion and decision.

- (10) Regular Business.** Regular Business items are all other regular Council business, including resolutions and ordinances requiring Council action.
- (11) Other Business.** The Council will discuss the Planning Schedule, Board and/or Commission appointments and Councilmember reports. During Councilmember reports, Councilmembers may report on significant activities since the last meeting; provided, however, that Councilmembers may not enter into debate or discussion on any item raised during a Council report.
- (12) Adjournment.** With no further business to come before the Council, the Mayor adjourns the meeting.

SECTION 4. AGENDA PREPARATION

- 4.1** The City Manager in consultation with the Mayor and Deputy Mayor will prepare an agenda for each Council meeting. The City Clerk will prepare an agenda packet for each Council meeting specifying the time and place of the meeting. Each item shall be titled to include a brief description of the item to be considered by the Council.
- 4.2** An item may be placed on a Council meeting agenda by (1) the City Manager; (2) the Mayor; or (3) two or more Councilmembers.
- 4.3** Agenda materials will be posted to the City's website and a link to the online packet will be emailed to an established mailing list (including Council and staff) by 5:00 p.m. on the Thursday before the meeting. If the deadline cannot be met, the Council and the established mailing list will be notified of when it will be posted. Hard copies of agenda materials will be available for pick up in the HAM radio room in the Police Department lobby upon Councilmember request.
- 4.4** The City Manager will prepare and keep current the Planning Schedule, the calendar of agenda items for all Council regular and special meetings.

SECTION 5. COUNCIL PROTOCOLS

- 5.1 Roberts Rules/Council Rules.** All Council discussion shall be governed by *Roberts Rules of Order, Newly Revised* or by these Rules. Examples of parliamentary rules and motions are shown in Appendix A to these Rules. In the event of a conflict, these Rules shall control. The City Attorney shall decide all questions of interpretations of these Rules and other questions of a parliamentary nature that may arise during a Council meeting.
- 5.2 Appearances (Public Comment).** Council agrees to adhere to the following protocols during Appearances:
- (1) Council shall listen attentively to the citizen comments.
 - (2) Council shall avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal, disparaging actions when citizens are speaking.
 - (3) Council shall not engage in debate or discussion with any individual citizen but may be recognized by the Mayor in order to ask the citizen clarifying questions.
- 5.3 Discussion Protocols.** Council agrees to adhere to the following protocols for Council discussion and debate:
- (1) Be courteous and professional at all times.
 - (2) Avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal disparaging actions when colleagues or staff are speaking.
 - (3) Be recognized by the Mayor before speaking.
 - (4) Be respectful of the City Manager and staff.
 - (5) Speak in turn after being recognized.
 - (6) Do not personally criticize other members who vote against or disagree with you.
 - (7) Do not be repetitive in your arguments or discussion.
 - (8) Respect each other's differences, honor disagreements, vote and move on.
- 5.4 Council Decisions.** Councilmembers recognize that they are part of a legislative or corporal body. As such, when the Council has voted to approve or pass an agenda item, the members agree not to contact staff to encourage actions inconsistent with such Council action or take other action adversely impacting staff resources. Councilmembers may not bring any approved action up for reconsideration following Council review and approval of such agenda item except by majority vote. The Council's goal is to make final decisions and not to revisit or reconsider such decisions.
- 5.5 No Surprise Rule.** Councilmembers should use best efforts to contact the City Manager to advise of emerging issues. Generally, Councilmembers agree not to propose substantial amendments and/or revisions to any agenda item unless they provide each other and City staff 24-hours' advance notice to review any written proposal. To provide staff the necessary preparation time, Councilmembers will use best efforts to provide staff advance notice of any questions or concerns they may have regarding an agenda item prior to a public meeting, if possible.

- 5.6 Possible Quorum.** Any member of the Council can attend any City board, commission, ad hoc, or subcommittee meeting; however, if a quorum of the Council (4 or more Councilmembers) is present at any of these meetings, Councilmembers shall “self-police” by not sitting together and not discussing City business. For community or regional meetings where there may be 4 or more Councilmembers in attendance, the City Clerk may notice the meetings for possible quorum.
- 5.7 Councilmember In-Person Representation.** If a Councilmember appears on behalf of the City before another governmental agency or, a community organization, for the purpose of commenting on an issue, the Councilmember must state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position but rather those of the individual Councilmember. Councilmembers must obtain other Councilmember's concurrence before representing another Councilmember's views or positions with another governmental agency or community organization.
- 5.8 Use of City Letterhead.** Use of City letterhead by the Council shall be confined to conduct of official City business or communicating messages of the City. City letterhead of any kind shall only be used by the Council at the direction of the Mayor or his or her designee. Individual Councilmembers shall not use City letterhead to communicate individual or personal messages or opinions.
- 5.9 Mail.** Mail which Councilmembers receive during the week will be placed in their respective mailboxes at City Hall (located outside the City Manager’s office) as it arrives. Councilmembers will have access to their mailboxes during regular business hours. Accumulated mail will be included with hard copy agenda packets or placed on the dais before Council meetings.

SECTION 6. CITY DOCUMENTS

- 6.1 Review.** All ordinances, resolutions, contracts, motions, amendments and other City documents shall be reviewed by the City Attorney. An individual Councilmember may contact the City Attorney to request the preparation of motions for a Council meeting. No ordinance, resolution or contract shall be prepared for presentation to the Council, unless requested by a majority of the Council or by the City Manager.
- 6.2 Signing.** The Mayor, City Clerk and City Attorney sign all ordinances and/or resolutions approved by the Council, immediately following the meeting. If the Mayor is unavailable, the Deputy Mayor signs the ordinances and/or resolutions.
- 6.3 Ordinances.** The following rules shall apply to the introduction, adoption and/or amendment of all ordinances:

- (1) First Reading of Ordinances.** An ordinance shall be scheduled for first reading at any regular or special Council meeting. A majority of the Council may direct the City Manager/City Attorney to prepare any amendments to the ordinance for consideration during second reading and adoption.
- (2) Second Reading/Adoption of Ordinances.** An ordinance that has previously been introduced for first reading may be scheduled for second reading and adoption at any regular or special Council meeting as either regular business or as a part of the consent calendar.

Any amendments that a majority of the Council has directed the City Manager/City Attorney to prepare will be included as proposed amendments in the Council packet for the Council's consideration. If further amendments (other than clerical, punctuation or other non-substantive amendments) are requested at second reading, the ordinance may be continued to the next regular Council meeting for adoption.

- (3) Exceptions.** This Rule shall not apply to:
- (i) any housekeeping ordinances that the City Manager recommends be adopted at first reading;
 - (ii) any budget amending ordinances; or
 - (iii) any ordinances that Council determines require an effective date precluding a second reading;
- so long as Council suspends this Rule pursuant to Section 10 before adopting the ordinance.

This Rule shall not apply to public emergency ordinances, necessary for the protection of public health, public safety, public property or public peace consistent with RCW 35A.11.12.

SECTION 7. COUNCIL RELATIONS/COMMUNICATIONS WITH CITY STAFF

- 7.1** Councilmembers will focus primarily on policy matters and *not* administrative issues.
- 7.2** The City Manager is the primary point of contact between the Council and the staff.
- 7.3** There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities when, and if, expressing criticism in a public meeting.
- 7.4** City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies.
- 7.5** Individual Councilmembers will copy the City Manager on any written requests for information. The City Manager shall copy the entire Council on written responses to an individual Councilmember's request for information.
- 7.6** Councilmembers shall not attempt to coerce or influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications, the granting of City licenses or permits, interpretation and implementation of Council policy, or in any other matter involving the administration of City business.
- 7.7** The Council shall not attempt to change or interfere with the operating rules and practices of any City department.
- 7.8** No Councilmember shall direct the City Manager or Department Directors to initiate any action or prepare any report that is significant in nature, or initiate any significant project or study without the consent of a majority of the Council. A matter shall be deemed to be "significant" if it would require more than one (1) hour of staff time. Once notified that a request for information or staff support would require more than one (1) hour, the Councilmember may seek to place the request on an upcoming Council agenda consistent with Section 4.2.
- 7.9** Individual Councilmember requests for information can be made directly to the Department Director unless otherwise determined by the City Manager. If the request would create a change in work assignments or require the Department Director or his or her staff to work in excess of 1 hour, the request must be made through the City Manager.
- 7.10** Absent emergent situations, staff will respond to Councilmember emails or phone messages during business hours only.

SECTION 8. CITY BOARDS AND COMMISSIONS

- 8.1** Mercer Island's boards, commissions and ad hoc committees provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- 8.2** These advisory bodies originate from different sources. Some are established by Title 3 of the Mercer Island City Code while others are established by motion or ordinance of the Council. It is at the discretion of the Council as to whether or not any advisory body should be established by ordinance. The following advisory boards and commissions are established:
- (1)** Design Commission
 - (2)** Planning Commission
 - (3)** Utility Board
 - (4)** Community Advisory Board
 - (5)** Mercer Island Arts Council
 - (6)** Open Space Conservancy Trust Board
- 8.3** Each board and commission shall adopt rules of procedure (or bylaws) to guide governance of their board or commission.
- 8.4** The Council may dissolve any advisory body that, in their opinion, has completed its working function or for any other reason.
- 8.5** Members and alternate members of all advisory bodies are recommended for appointment by the Mayor, following consultation with the Council Liaison and staff, during a regularly scheduled meeting, subject to Council approval.
- 8.6** Vacancies are advertised so that any interested citizen may submit an application. Applicants must be citizens of the City of Mercer Island if required by the Mercer Island City Code or if required by the Mayor. Councilmembers will be notified of any vacancy in any board or commission. Councilmembers are encouraged to solicit applications from qualified citizens. Application forms shall be available from the City Clerk's Office. The City Clerk will retain completed applications for Council review.
- 8.7** Lengths of terms vary from one advisory body to another, but in all cases overlapping terms are intended. On ad hoc committees, where a specific project is the purpose, there will not be terms of office.
- 8.8** All meetings of advisory bodies are open to the public in accordance with Chapter 42.30 RCW, Open Public Meetings Act and require a minimum 24-hour advance notice.

- 8.9** The number of meetings related to business needs of the advisory group may be set by the individual body, unless set forth in a resolution or ordinance or unless the number of meetings adversely impacts City staff resources, as determined by the City Manager.
- 8.10** Members may be removed, from any advisory committee, prior to the expiration of their term of office, by a majority vote of the Council.
- 8.11** All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage.
- 8.12** The Council transmits referrals for information or action through the City Manager and the Council liaison to the advisory groups. These advisory groups transmit findings, reports, etc., to the Council through the City Manager and Council liaison.
- 8.13** While the City staff's role is one of assisting the boards and commissions, the City staff members are not employees of that body. Boards and commissions shall not direct City staff to perform research, gather information or otherwise engage in activities involving projects or matters that are not listed on the work plan unless approved by the Council or City Manager. The City staff members are directly responsible to his or her Department Director and the City Manager.
- 8.14** Annually, staff for the Planning Commission, Arts Council, and Open Space Conservancy Trust Board shall develop a draft work plan and present the work plan to the Council for review, possible amendments and approval.
- 8.15** **Roles & Duties for Council Liaison.** The Mayor may appoint a Council liaison for certain boards or commissions. The Council liaison shall report objectively on the activities of both the Council and the advisory group. The specific duties of a Council liaison are as follows:
- (1)** Attend meetings of the board or commission on a regular basis and sit or do not sit at the table or dais, as applicable.
 - (2)** Participate in discussion and debate of the board or commission, but not vote on any matter (except for the Open Space Conservancy Trust as the Council Liaison is a voting member).
 - (3)** Represent the majority Council position, if known.
 - (4)** Participate in a manner that will not intimidate or inhibit the meetings and operations of the board or commission. Make comments in a positive manner to promote positive interaction between Council and the board or commission.
 - (5)** Be prepared to give Council regular and timely reports at every regular Council meeting. Take the lead on discussion items before the Council which pertain to the assigned board or commission.
 - (6)** With the Mayor, evaluate potential candidates for appointment to the board or commission. Based upon liaison and Council input, the Mayor will recommend appointment of candidate's subject to Council affirmation.

SECTION 9 COUNCIL SUBCOMMITTEES

- 9.1** Council subcommittees are policy review and discussion arms of the Council. Subcommittees may study issues and develop recommendations for consideration by the Council. Subcommittees may not take binding action on behalf of the Council. Council Subcommittee structure shall be as determined by the Council in January of each year.
- 9.2** Subcommittees shall establish regular meeting schedules as determined by the Chair of the subcommittee.
- 9.3** Each subcommittee will have staff support assigned by the City Manager. Staff will work with the subcommittee chairs to set agendas, provide support materials and prepare reports.
- 9.4** The City Manager or Mayor may send issues directly to subcommittees for their review or a matter may be referred to a subcommittee by Council vote or consensus.
- 9.5** Subcommittee appointments (chairs and members) shall be made by the Mayor. The Mayor will consider the interests and requests of individual Councilmembers in making subcommittee assignments.
- 9.6** Membership of each subcommittee will consist of three (3) Councilmembers.
- 9.7** The Mayor will make subcommittee assignments each January in which there is an election of the Mayor and Deputy Mayor. The City Clerk will maintain the list of appointments to established subcommittees.

SECTION 10 SUSPENSION AND AMENDMENT OF RULES

- 10.1** Any provision of these rules not governed by state law or ordinance, may be temporarily suspended by a two-thirds (2/3) majority vote of the Council.

- 10.2** These rules may be amended or new rules adopted, by a majority vote of the Council.

SECTION 11 SANCTIONS FOR RULE VIOLATIONS

11.1 Councilmembers may be sanctioned for violation of these Rules in any of the following ways:

- (1) Executive Session.** Two (2) or more Councilmembers may call an executive session under RCW 42.30.110(f) to discuss complaints brought against a public officer;
- (2) Public Censure.** Public censure if a majority of Council supports public censure. During a regular Council meeting, the Mayor shall state in detail the Rule(s) violated and the Councilmember's conduct resulting in violation of the Rule. The Councilmember who is the subject of the sanction shall have the opportunity to rebut;
- (3) Liaison Termination.** The Mayor may terminate subcommittee, board or liaison assignments; and/or
- (4) Other.** Any other appropriate action decided by a majority of the Council.

**APPENDIX A
PARLIAMENTARY RULES AND MOTIONS**

- (1) If a motion does not receive a second, it dies and will not be included in the minutes. Motions that do not need a second include: nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- (2) A motion that receives a tie vote is deemed to have failed.
- (3) When making motions, be clear and concise and do not include arguments for the motion within the motion.
- (4) After a motion and second, the Mayor will indicate the names of the Councilmembers making the motion and second.
- (5) No further citizen comments may be heard when there is a motion and a second on the floor and Council should attempt to ask questions of staff prior to such motion and second.
- (6) When the Council concurs or agrees to an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion. Councilmembers may object to such summary if any feel the summary does not reflect the Council consensus.
- (7) If the maker of a motion wishes to withdraw their motion, the Mayor shall ask the Council if there is any objection to the maker withdrawing their motion. If none, the motion is withdrawn. If there is objection, the Council will vote whether the motion can be withdrawn. The text of the withdrawn motion and the fact of its withdrawal will not be included in the minutes.
- (8) A motion to table is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future regular or special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
- (9) A motion to postpone to a certain time is debatable as to the reason for the postponement but not to the subject matter of the motion; is amendable; and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future regular or special Council meeting.

- (10) A motion to postpone indefinitely is debatable as to the reason for the postponement as well as to the subject matter of the motion; is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.
- (11) A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.
- (12) A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- (13) Motions that cannot be amended include: motion to adjourn, agenda order, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.
- (14) Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- (15) The motion maker, Mayor or City Clerk should repeat the motion prior to voting.
- (16) At the conclusion of any vote, the Mayor will announce the results of the vote.
- (17) When a question has been decided, any Councilmember who voted in the majority may move for reconsideration.
- (18) Roll call votes will be taken if requested by a Councilmember.

APPENDIX B
CITY HALL COUNCIL CHAMBERS CODE OF CONDUCT

The Mercer Island City Council welcomes the public to Council meetings and dedicates time at these meetings to hear from the public on agenda items and other issues of concern.

It is important for all community members to feel welcome and safe during Council meetings. Audience members will be expected to treat all attendees with respect and civility.

Appearances Ground Rules:

Appearances is the time set aside for members of the audience to speak to the City Council about any issue during a Council meeting. The ground rules are:

- Please (1) speak audibly into the podium microphone, (2) state your name and address for the record, and (3) limit your comments to three minutes.
- Traditionally, the Council does not respond to comments made at the meeting, but will follow up, or have staff follow up, with the speaker if needed.
- Comments should be addressed to the entire Council, not to individual Councilmembers, staff members, or the audience.
- Audience members should refrain from applause or disapproval of individuals' comments.
- Any person who makes personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting.
- The Council cannot accept comments on any campaign-related matters (elections for individual offices or ballot propositions) except under specific circumstances where consideration of a ballot measure is on the Council agenda. RCW 42.17A.555.

General Rules:

- Please silence cell phones, computers, tablets, and cameras while in the Council Chambers.
- Please limit conversations in the audience seating area. You may be asked to step into the lobby to continue a conversation.

APPENDIX C
PROCESS TO FILL A MERCER ISLAND CITY COUNCIL VACANCY

PURPOSE

To provide guidance to the City Council when a Mercer Island Councilmember position becomes vacant before the expiration of the official's elected term of office.

APPOINTMENT PROCESS

A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010. Under authority of RCW 42.12.070, the remaining members of the Council are vested with the responsibility for appointing a qualified person to fill the vacant position. Accordingly, the process should include all of the remaining Councilmembers in Council interviews, deliberations, and votes to appoint someone to fill the vacant position.

The Council should direct staff to begin the Councilmember appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity. After the schedule is established, staff will notify applicants of the location, date and time of the interviews.

Applications received by the deadline date and time will be copied and circulated to Councilmembers.

NOTIFICATIONS AND SCHEDULING

The notice of vacancy shall be posted on the City's website and published at least two times in the Mercer Island Reporter.

Council shall determine a regular meeting or set a special meeting for interviewing candidates and possibly appointing someone to the vacant position.

Interviews and the appointment process may be continued to another day if any Councilmember is not able to attend or if the selection process is not concluded.

INTERVIEWS

Each applicant shall be given three to five minutes to introduce themselves and present their credentials and reasons for seeking appointment to the City Council. They shall also address the answers to these questions during their allotted time:

1. Why do you want to serve on the City Council?
2. What experiences, talents or skills do you bring to the Council and community that you would like to highlight?
3. Are there any regional issues or forums in which you have a particular interest or expertise? (e.g. transportation, water supply, human services, water quality, fiscal management, solid waste, parks & open space, etc.)
4. Do you want to serve on the City Council because of a particular local issue on which you want to work or are your interests more broadly distributed?

The Council reserves the right to ask additional questions of candidates during the interview.

At the close of Council questions, applicants will be afforded an opportunity to comment on any additional issues relevant to their candidacy.

The applicants' order of appearance will be determined by a random lot drawing.

DELIBERATIONS AND VOTING

Upon completion of the interviews, and as provided in the Open Public Meetings Act at RCW 42.30.110(1)(h), Councilmembers may convene into executive session to evaluate the qualifications of the applicants. However, all interviews and final action appointing a person to fill the vacancy shall be in a meeting open to the public.

In open session, the Mayor shall ask for nominations from the Councilmembers. No second to the motion is needed. Nominations are closed by a motion, a second and a majority vote of the Council.

The Mayor may poll the Council to ascertain that Councilmembers are prepared to vote. The City Clerk shall proceed with a roll-call vote.

Nominations and voting will continue until a nominee receives a majority vote of the remaining Councilmembers.

At any time during the election process, the Council may postpone elections until another open meeting if a majority vote has not been received, or if one of the remaining Councilmembers is not able to participate in a particular meeting.

The Mayor shall declare the nominee receiving the majority vote of all of the remaining Councilmembers as the new Councilmember who shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled Council meeting.

Under RCW 42.12.070(4), if the Council fails to appoint a qualified person to fill the vacancy within 90 days of the occurrence of the vacancy, the authority of the City Council to fill the vacancy ends and the King County Council is given the authority to fill the vacancy.