

City Council Procedures
Revised through Resolution 2079 adopted March 9, 2020

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1 General Provisions

1.1 Authority

- (a) RCW 35A.11.020 provides that “the legislative body of each code city shall have power to organize and regulate its internal affairs...and to define the functions, powers, and duties of its officers and employees.”
- (b) RCW 35A.12.120 provides that “the council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order.”

1.2 Definitions

- (a) “Chair” means the presiding officer of a meeting; for council meetings, usually the Mayor.
- (b) “Clerk/Treasurer” means the City Clerk/Treasurer or designee.
- (c) “Final action” has the same meaning as in RCW 42.30.020: a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

- 1.3 Savings.** These rules are meant to provide assistance to the Council and Mayor for orderly, cordial, and constructive proceedings. The failure to adhere to any of these rules shall not be cause to nullify, invalidate, void or render unenforceable any action taken or any non-action by the Council or any action by the City in reliance thereon. Without affecting rights otherwise provided by law, no person has any cause of action to challenge any ordinance, resolution, motion, decision, or any act whatsoever taken by the Council or the City based on any action or nonaction by the Council in violation of, or in alleged violation of, these rules.

2 Officers

2.1 Mayor

- (a) Per RCW 35A.12.100, the Mayor “shall preside over all meetings of the city council when present.”
- (b) The Mayor is an independently elected official of the City of Anacortes with duties and powers established by statute and city code. These procedures do not affect the Mayor’s duties and powers as established by statute or city code; instead, they govern the role of the Mayor in City Council meetings as presiding officer.
- (c) The Mayor does not have a vote on matters before the City Council except in the case of a tie vote as permitted by RCW 35A.12.100 with respect to matters other than the passage of any ordinance, grant or revocation of franchise or license, or any resolution for the payment of money.
- (d) The Mayor may participate in discussion of all issues that come before the Council.

2.2 Mayor Pro Tem.

- (a) Election. The City Council must elect a Mayor Pro Tem from among the Councilmembers at the first Council meeting in January after each general municipal election, and whenever a vacancy occurs.
- (b) Duties and Powers.
 - (1) In case of the absence or temporary disability of the Mayor, the Mayor Pro Tem may perform the duties of the Mayor.
 - (2) In the event of a vacancy in the office of Mayor pursuant to RCW 35A.12.050 or RCW 42.12.010, the Mayor Pro Tem shall perform the duties of mayor and preside over the Council during the interim period starting when the vacancy commences and ending upon the appointment to fill the vacancy pursuant to RCW Chapter 42.12.
 - (3) When acting for the Mayor, the Mayor Pro Tem has the power to:
 - (i) call special meetings;
 - (ii) administer oaths and affirmations;
 - (iii) take affidavits and certify them;
 - (iv) sign all conveyances made by the City and all instruments that require the seal of the City. See RCW 35A.12.100, Duties and Authority of the Mayor.
- (c) Right to vote. The appointment of a councilmember as Mayor Pro Tem does not in any way abridge that councilmember's right to vote upon all questions coming before the Council.

2.3 Clerk/Treasurer.

- (a) Duties. The City Clerk/Treasurer must:
 - (1) Prepare the council meeting agenda.
 - (2) Maintain and publish the list of council committees and their meeting schedules.

3 Council Meetings—Types

3.1 Regular Meetings.

- (a) Regular meetings of the City Council are held on the first, second, third, and fourth Monday of each month at 6:00 p.m., except that when any of these days falls on a holiday, the City Council meets on the next business day.
- (b) The City Council may cancel, postpone, or advance the date of any regular Council meeting, except per RCW 35A.12.110 the City Council may not hold fewer than one regular business meeting in each month.
- (c) Regular meetings are held in in the Council Chambers at City Hall.
- (d) In the event there are no agenda items to be considered at a scheduled meeting, such meeting may be canceled by notification by the Mayor to members of the City Council, the public, and other affected parties.

3.2 Special Meetings.

- (a) A special meeting is any meeting of the City Council other than a regular meeting.
- (b) Per RCW 35A.12.110, a special meeting may be called at any time by the Mayor or by any three council members.
- (c) Notice of special meetings must be provided in accordance with RCW 42.30.080.
- (d) Per RCW 42.30.080(3), final action at special meetings may only be taken on the items on the agenda.

3.4 Adjournment. Any regular, adjourned regular, special, or adjourned special meeting may be adjourned in the manner set forth in RCW 42.30.090.

3.5 Continuances. Any meeting or hearing being held, noticed, or ordered to be held by the City Council may be continued to a specified time and place in the manner set forth in RCW 42.30.100.

3.6 Executive Sessions.

- (a) The City Council may hold an executive session without the public as allowed by RCW 42.30.110.
- (b) When the Council adjourns to an executive session, the Mayor must:
 - (1) announce the general topic and the specific RCW authorizing the executive session;
 - (2) specify whether or not the City Council will reconvene afterward and the expected time the City Council will reconvene;
 - (3) announce that the Council will not take any final action in executive session.
- (c) Consistent with RCW 42.30.910, the authorized purposes for executive sessions are to be strictly construed.
- (d) Attendance at executive sessions is limited to councilmembers, the Mayor, and those staff necessary to discuss the subject of the executive session.
- (e) No Councilmember, employee of the City, or any other person present during an executive session may disclose the content or substance of any discussion or action that took place during the executive session, unless authorized to make such disclosure.
- (f) Any discussions in an executive session with its City Attorney or other legal counsel are subject to the attorney-client privilege.
- (g) The Council may not take any votes or any "final action" as defined by RCW 42.30.020(3) at any executive session.

3.7 Retreats

- (a) The Council may meet in an informal conversation setting for a variety of purposes related to City business. Such meetings constitute special meetings under RCW 42.30.

4 Council Meetings—Attendance

4.1 Quorum.

- (a) **Defined.** Per RCW 35A.12.120, a majority of all the members of the City Council constitutes a quorum.
- (b) No business may be conducted without a quorum of councilmembers present or participating in absentia.
- (c) If a quorum is not present at the beginning of a meeting, or if the absence of a quorum arises during a meeting, the presiding officer must adjourn the meeting.

4.2 Attendance Required.

- (a) All Councilmembers must attend all regular meetings of the City Council. Any Councilmember who cannot attend a meeting should notify the Mayor of the reason he or she cannot attend. The Mayor must advise the Council of the reason and entertain a motion to excuse the absence, if any.
- (b) At any regular meeting where a Councilmember is absent, any other Councilmember may move to excuse the absent member. A motion to excuse requires a second and majority vote for passage.
- (c) Per RCW 35A.12.060, a Councilmember is automatically removed from office after failure to attend three consecutive regular meetings without being excused.
- (d) A Councilmember participating in absentia is not considered absent for the purpose of RCW 35A.12.120 or RCW Chapter 42.30.

4.3 Participation in Absentia.

- (a) **Defined.** Participation in absentia means participation in a council meeting without being physically present.
- (b) A Councilmember wishing to participate in absentia must request accommodation to attend via telephone or other electronic communications by contacting the Mayor no later than 24 hours prior to the meeting, unless the meeting is a special meeting where the Councilmember must request participation in absentia as soon as reasonably possible.
- (c) The Councilmember participating in absentia must be able to hear the entire proceedings including all participants, and all participants at the meeting must be able hear the Councilmember appearing by telephone or other electronic means.
- (d) No more than one Councilmember may participate in absentia at each council meeting, unless necessary to avoid the absence of a quorum.
- (e) No Councilmember may participate in absentia more than 8 times in any calendar year.
- (f) The recording secretary must note in the meeting minutes the participation of an absent Councilmember.

5 Council Meetings—Agenda

5.1 Preparation.

- (a) The City Clerk/Treasurer is responsible for preparation of the City Council's meeting agenda.

- (b) The City Clerk/Treasurer must distribute the agenda to Councilmembers and publish it to the City website for regular meetings at least five days prior the meeting.

5.2 Form and Standard Order of Business. Unless modified by the Chair for a single meeting, the agenda must list business in the following order:

- (a) Call to Order / Pledge of Allegiance;
- (b) Announcements and Committee Reports (including a list of Council Committees that met since the prior meeting);
- (c) Public Comment;
- (d) Consent Agenda;
- (e) any public hearings;
- (f) any high-priority business that must be conducted at that meeting;
- (g) any other business.

5.3 Addition of items to the agenda

- (a) A City Department Head may request addition of an item to a Council meeting agenda. An agenda item coversheet is required for all such agenda items.
- (b) Any two Councilmembers, by submitting a written request to the Clerk/Treasurer, may add an item to a Council meeting agenda for a specific date at least 6 days after the request. The Mayor may decline to put a requested item on an agenda if it is inappropriate, untimely, or unrelated to the business of the City. However, if three Councilmembers support the agenda request, the item must be included on the agenda. An agenda item coversheet is required for all such agenda items.
- (c) A member of the public may suggest or request, in writing, an item for a future Council meeting agenda. The Mayor has discretion to decide whether to add such an item to a Council meeting agenda, and may recommend the item be presented instead to a Council Committee.
- (d) On the second and fourth regular meeting of each month, items requiring final action, other than those qualifying for the consent agenda, should not be scheduled.

6 Council Meetings—Standard Business

6.1 Call to Order.

- (a) The Clerk/Treasurer must note the absence of any councilmember.
- (b) Attendees stand and recite the pledge of allegiance.

6.2 Announcements and Committee Reports.

Councilmembers and the Mayor should make any announcements related to city business that are relevant to the Council or the public.

6.3 Public Comment. See Rule 8 Council Meetings—Public Comment.

6.4 Consent Agenda.

- (a) The Consent Agenda is a list of routine items not requiring discussion or independent action.
- (b) The Council must approve the items on the Consent Agenda as a group, but any Councilmember may remove any item from the Consent Agenda to be considered separately.
- (c) All items on the Consent Agenda (except for minutes and routine payment of claims) require:
 - (1) a completed agenda item coversheet;
 - (2) the complete document for which approval is requested;
 - (3) approval as to content by the relevant department head;
 - (4) approval as to budget by the Clerk/Treasurer;
 - (5) approval as to form by the City Attorney.
- (d) Items eligible for consent agenda include the following.
 - (1) meeting minutes.
 - (2) payment of claims per AMC Chapter 3.02;
 - (3) street fair applications;
 - (4) resolutions to set the date of a public hearing;
 - (5) final decisions on land use applications that received unanimous preliminary approval at a previous meeting;
 - (6) grant agreements ≤ \$250,000;
 - (7) Public Works contracts that have been publicly bid ≤ \$200,000;
 - (8) purchased or personal services contracts on standard city forms ≤ \$100,000;
 - (9) any item the council has indicated may be placed on the Consent Agenda at a previous meeting.

7 Council Meetings—Motions, Voting, and Types of Action

7.1 Debate. Debate must follow the rules in Attachment B.

7.2 Voting.

- (a) All votes may be taken by voice vote except for final votes on the adoption of an ordinance or resolution, which must be by roll call.
- (b) Per RCW 35A.12.120, any vote must be by roll call vote if a council member requests it.
- (c) Per RCW 35A.12.120, the passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money requires the affirmative vote of at least a majority of the whole membership of the council.

7.3 Resolutions.

- (a) **Defined.** A resolution is a written form of a motion.
- (b) The City Council may use a resolution to formalize rules, recommendations, administrative policies, or expressions of opinion; to authorize contracts; and to take other actions that do not require an ordinance.
- (c) A resolution does not require approval of the Mayor. The Mayor's signature on a resolution indicates the Mayor's certification, as presiding officer, that the Council approved the resolution as written.

7.4 Ordinances

- (a) **Defined.** An ordinance is a law of the City. An ordinance is generally required for the following actions:
 - (1) imposing a tax;
 - (2) establishing fees or charges for city services;
 - (3) regulating the conduct of business;
 - (4) revising the Anacortes Municipal Code and other city regulations;
 - (5) adopting or revising the Comprehensive Plan;
 - (6) other items that State law or City policy requires to be enacted by means of an ordinance.
- (b) **Two-read rule.** An ordinance must be heard at two separate council meetings before it can be adopted.

8 Council Meetings—Public Comment

- (a) **Generally.**
 - (1) The chair should preserve order and decorum at all regular and special meetings of the City Council, in accordance with RCW 43.30.050.
 - (2) Meetings are intended to be of a neutral and businesslike atmosphere.
 - (3) These rules are intended to promote an orderly system of holding a public hearing or meeting, to give every person who wishes to speak an opportunity to be heard, and to ensure that no individual is embarrassed by exercising the right to free speech.
- (b) **Opportunities.**
 - (1) The agenda may indicate when opportunities for public comment are allowed or invited.
 - (2) The mayor or councilmembers may invite additional information, questions, or comments from the public, pertinent to the matters under discussion.
 - (3) Public input for quasi-judicial proceedings and other actions covered by specific rules of procedure are governed by the applicable rules.
 - (4) Comments on certain matters may be restricted to the date and time they are considered under an agenda, such as those requiring a public hearing or subject to a public participation plan.

(c) **Time limits.**

- (1) The chair may set uniform time limits or time allocations for testimony as necessary to manage the orderly progress of the meeting.
- (2) As time allows, additional time may be allowed by the chair to an individual or group, after everyone else has spoken.
- (3) Spokesperson for a group. In order to expedite matters and to avoid repetitious presentation, delay or interruption of the orderly business of the Council, whenever any group of persons wishes to address the Council on the same subject matter, the chair may request that a spokesperson be chosen by the group to address the Council. However, being a member of a group shall not preclude an individual from stating that they agree or disagree with the spokesperson, or from presenting additional comments not addressed by the spokesperson.

(d) **Method of addressing Council.**

- (1) A person desiring to address the Council must first obtain the permission of the chair.
- (2) A person addressing the Council must:
 - (i) speak into a microphone;
 - (ii) provide their name for the record;
 - (iii) for public hearings, provide his or her address for the record;
 - (iv) confine their remarks to those relevant the issues being considered.

(e) **Disruptions.**

- (1) The chair should maintain control over interruptions and disruptive behavior.
- (2) No person may:
 - (i) engage in any indecorous, abusive or inappropriate language;
 - (ii) make personal attacks on any other person;
 - (iii) impugn the integrity, honesty, or motives of any person;
 - (iv) in any way make slanderous remarks;
 - (v) wave signs, cheer or applaud, or take disruptive actions.
- (3) Any person whose comments have been ruled out of order by the chair must immediately cease and refrain from further improper comments. Anyone who persists in making "out of order" comments, interrupting others, or otherwise disrupting the meeting is subject to removal from the meeting.
- (4) In the event that any meeting is interrupted by a person or group 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 Council may vote to 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.

9 Council Meetings—Records

9.1 Recording. City staff must make audio and video recordings of all City Council meetings, and maintain an archive of all such recordings on the City website for access by the public.

9.2 Minutes

- (a) City staff must prepare minutes of all Council meetings and provide to each Councilmember for approval at a subsequent meeting.
- (b) Approved meeting minutes must be published on the City website.

10 Council Committees

10.1 Purpose.

- (a) Council Committees are for the purpose of studying and considering policy issues, and bringing recommendations on issues forward to the full Council for consideration. Issues may be referred to a Committee by the Council for the Committee to review and make a recommendation back to the Council. Issues may also be brought to a Committee's attention by any Councilmember, by City staff, or by the public through a Councilmember or staff. Committees will also assist staff by reviewing issues in advance of their presentation to the full Council.

10.2 Council Committees do not represent, and may not speak for, the City Council.

10.3 Standing Committees.

- (a) The Mayor Pro-Tem must appoint three Councilmembers to each standing committees at the second regular meeting of each year that follows a general municipal election. The appointments must be confirmed by the City Council.
- (b) The following standing committees are established for the purposes described:
 - (1) **Finance**; to make recommendations on the municipal budget, capital facilities financing, and to approve transactions as authorized by municipal code.
 - (2) **Housing Affordability and Community Services**: to develop a draft strategic plan to improve housing affordability and make recommendations on budget and CDBG grant allocations for social services.
 - (3) **Personnel**: to make recommendations regarding positions and personnel policies.
 - (4) **Planning**: to make recommendations regarding land use, comprehensive planning, development regulations, and community and economic development.
 - (5) **Parks and Recreation**: to make recommendations regarding park, recreation, and trail facilities, activities, and policies.
 - (6) **Public Works**: to make recommendations regarding public works and city utilities.
 - (7) **Public Safety**: to make recommendations regarding public safety, including the police and fire departments and emergency medical services.

10.4 Ad Hoc Committees. The Mayor Pro-Tem may appoint Ad Hoc Committees to consider and make reports or policy recommendations on specific topics. The appointments must be confirmed by the City Council.

10.5 Committee Meetings.

- (a) Council Committees may set their own meeting times, agendas, and work programs.
- (b) The regular Council Committee meeting schedule must be posted on the City website and upcoming meeting times should included on Council agendas.
- (c) A Committee may call a special meeting or re-schedule a regular meeting at any time with 24-hour notice consistent with RCW 42.30.080.
- (d) The Committees may prioritize the various issues that are put before them, and determine which ones to work on.
- (e) If an issue is referred to a Committee by Council vote, with a request for the Committee to make a recommendation back to Council, that issue shall have a high priority.
- (f) Duty to avoid a quorum. No more than three Councilmembers may attend any Committee meeting. A Councilmember may attend a committee meeting in the absence of a regular member if asked to do so by the remaining regular Committee members to facilitate the work of the Committee.

10.6 Committee Reports.

- (a) At regular council meetings, each committee that has met since a prior council meeting should provide a report of the committee's business.
- (b) Committees may request time at a full Council meeting for:
 - (1) discussion of an issue that the Committee is working on; or
 - (2) presentation of the Committee's formal recommendations to the Council with a request for Council action.
- (c) When the Committee members are not unanimous in their recommendation, a minority viewpoint may be presented.

10.7 Council Representatives

- (a) The Mayor Pro-Tem may appoint a Councilmember to be a Council representative or liaison to a community organization, a neighborhood group, a committee or group of another governmental entity, or in some way to coordinate between the Council or City and another group. The appointment must be confirmed by the City Council.
- (b) Council representatives must regularly report to the City Council.

11 Suspension and Amendment of these Procedures

- 11.1 Suspension of the Rules.** Any provision of these rules not governed by other laws may be suspended until the next meeting by 2/3 vote of those Councilmembers present.
- 11.2 Amendment of the Rules.** These rules may be amended or new rules adopted by a vote of at least four Councilmembers, provided that the proposed amendments or new rules must have been introduced at a prior Council meeting.

Attachment B—Rules of Debate

1.1 Generally

- (a) Unless otherwise stated in this document, or unless in conflict with state law, the Mayor shall maintain order, control the manner of discussion among the Councilmembers, and implement the City Council's rules. If a question arises regarding the application of the rules, any two members can appeal to the Council for a decision.
- (b) The presiding officer shall determine all points of order subject to the right of any Councilmember to appeal to the Council. If any appeal is taken, the point of order shall be decided by vote of the Council.

1.2 Introduction of Business

- (a) The presiding officer shall state all questions coming before the Council, provide opportunity for discussion from the floor where required by ordinance or statutes, or these rules of procedure, and at other times at his or her discretion, and announce all decisions of the Council.
- (b) The Mayor shall introduce each item of business and refer it to the appropriate spokesperson for explanation to the entire Council.

1.3 Right to Speak.

- (a) Each Councilmember desiring to speak shall address the presiding officer, and the Mayor shall recognize members of the Council in the order that they request the floor.
- (b) Upon recognition, each Councilmember shall confine his or her comments to the issues being considered. At the discretion of the Council, an informal conversational format may be utilized for discussion of some issues.
- (c) Interruptions. A member of the Council, once recognized, shall not be interrupted when speaking unless it is to call him or her to order. The Mayor shall maintain control over interruptions.

1.4 Motion Procedures.

- (a) Any Councilmember may make a motion with respect to the item of business on the floor.
- (b) Motions shall be clear and concise and not include statements for the motion within the motion.
- (c) If a motion does not receive a second, it dies. After a motion and a second, the Mayor shall restate the motion.
- (d) Motions that do not need a second include: nominations, agenda order, point of order, and adjournment. After consideration of the Mayor's ability to break a tie vote, according to State law, a motion that receives a tie vote is deemed to have failed.
- (e)
- (f) A motion to amend a motion, upon a second, may be discussed and must be decided before the principal motion is further considered.

- (g) A motion to postpone to a certain time, including later in the same meeting, is debatable, 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 at a future regular or special Council meeting.
- (h) Where there is insufficient information available to the Council to decide an issue, a motion to postpone to a time when the issue is deemed ready for further consideration may be made. A motion for consideration at such an indefinite time shall state with specificity the conditions to be met or deemed not meetable before the Council is to again consider the issue. If such a motion is seconded, it is debatable, amendable, and may be reconsidered at the same meeting. The question so postponed will be considered when the conditions have been met or are deemed impossible to meet.

1.5 Discussion.

- (a) Discussion of an issue may occur before a motion on the issue has been made. After a motion has been made and seconded, the Councilmembers may discuss their opinions on the issue prior to the vote; the post-motion discussion shall focus on the issue within the context of the merits of the motion.
- (b) All Councilmembers must be afforded an opportunity to speak on the issue. Public comment shall not be allowed when a motion is pending except at the request of a Councilmember to the Mayor to clarify the details of the issue at hand, for limited inquiry made to staff or legal counsel, or to a person who previously provided formal or informal testimony concerning the issue at hand. The Mayor shall insure that any response is limited to the inquiry made.

1.6 Closing Discussion.

- (a) A motion calling for the question shall close discussion on the main motion and is not debatable. Such a motion must receive a second and fails without a two-thirds (2/3) vote of those Councilmembers present.
- (b) Discussion is re-opened if the motion fails.

1.7 Voting.

- (a) The Mayor or recording secretary shall restate the motion prior to voting.
- (b) The recording secretary shall conduct any roll call votes.
- (c) No Councilmember shall be allowed to pass when called upon and then vote later in the order.
- (d) Councilmembers may abstain from the entire vote only where disqualified by reason of conflict of interest or where approved by the Mayor due to the Councilmember's non-participation in earlier proceedings concerning the subject of the motion. Should any Councilmember nonetheless fail to vote when his/her name is called or otherwise abstain, his/her vote will be counted as an "aye" on the question.
- (e) To meet a "two thirds of Councilmembers present" requirement, the vote must be as follows:
 - (1) if seven (7) members are present, then five (5) must vote in the affirmative;
 - (2) if six or five (6 or 5) members are present, then four (4) must vote in the affirmative;

- (3) if four (4) members are present, then three (3) must vote in the affirmative.
- (f) At the conclusion of any vote, the Mayor shall inform the Council of the result of the vote. The recording secretary may confirm the result.

1.8 Informal Concurrence. When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion. Unless objection is made by a Councilmember after such a summary, the summary stands. If objection is made, the matter should be decided by formal motion.

1.9 Reconsideration. When a question other than: (a) a bond resolution; (b) a quasijudicial decision; (c) an ordinance enacting or amending a comprehensive plan, a development regulation, or the Shoreline Master Program; or (d) in reliance on which City staff has already acted and has been decided by vote of the Council, any Councilmember who voted in the majority may move for reconsideration. A motion for reconsideration may occur no later than the next following regular business meeting of the Council. Any such motion must receive a second to be considered.