

SECTION 1. GENERAL.

These rules constitute the official rules of procedure for the Covington City Council. In all decisions arising from points of order, which are not covered by these rules, the Council shall be governed by Robert's Rules of Order (newly revised 1990 edition, ninth edition), a copy of which is maintained in the office of the Covington City Clerk. The City attorney shall decide all questions of interpretations of these rules and other questions of a parliamentary nature that may arise at the Council meeting.

SECTION 2. ORGANIZATION.

A. Swearing in of New Councilmembers. New Councilmembers shall be sworn in either:

1. Up to ten days prior to the day they are scheduled to assume their office; or
2. At the first meeting of the Council in January; or
3. At any other time after their term of office is scheduled to begin.

B. Election of Officers. The Council shall elect a Mayor and Mayor Pro Tem for a term of two years and organize itself at the first Council Meeting during even-numbered years (effective January 1, 2000). The term of Mayor and Mayor Pro Tem shall run from the first meeting of the Council held in January to the first meeting of the Council held in January two years later. In the temporary absence of the Mayor, the Mayor Pro Tem shall perform the duties and responsibilities of the Mayor with regard to conduct of meetings and emergency business. In the event the Mayor is unable to serve the remainder of the term, a new Mayor shall be elected at the next Regular Meeting. In the event the Mayor Pro Tem is unable to serve the remainder of the term, a new Mayor Pro Tem shall be elected at the next Regular Meeting

A supermajority vote (5) shall be required to approve a motion to remove the Mayor or Mayor Pro Tem from office for cause.

No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second vote. The Chair will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, comments take place followed by voting for Mayor in the order nominations were made. Councilmembers will be asked for a voice vote and a raise of hands. As soon as one of the nominees receives a majority vote of the whole City Council (four votes), then the Chair will declare him/her elected. No votes will be taken on the remaining nominees. If none of the nominees receives a majority vote, the Chair will call for nominations again and repeat the process until a single candidate receives a majority vote of the whole City Council before the office of Mayor Pro Tem is opened for nominations. A tie vote results in a failed nomination.

The Councilmembers nominating and the nominees for Mayor will have an opportunity to make public comment before voting commences.

C. Quorum. At all Council Meetings, a majority of the whole City Council (four members) shall constitute a quorum for the transaction of business, but a lesser number may recess or adjourn from time to time and may request the attendance of absent members.

D. Voting. The votes during all Council Meetings shall be conducted as follows:

Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote shall be taken by the Clerk (Robert's Rules of Order, Newly Revised, 1990 edition).

In Case of a tie vote on any motion, the motion shall be considered lost.

All final actions on resolutions and ordinances must take place within the corporate limits of the city. Special meetings may be called by the mayor or any three members of the council by written notice delivered to each member of the council at least twenty-four hours before the time specified for the proposed meeting.

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.

The affirmative vote of the majority of those members present will be necessary for the adoption of any motion or other voting matter, unless otherwise specified in these Rules of Procedure but no proxy will be allowed.

Remote participation will be allowed only if prearranged and only if the Councilmember(s) is in communication for the entire meeting.

Each Councilmember shall vote on all questions put to the Council. If a Councilmember must recuse him or herself because of that councilmember's perceived conflict of interest or an appearance of fairness on any item of business before the City Council, then that councilmember shall remove him or herself from the chambers during discussion, deliberation and/or voting on that particular item of business. An abstention shall be recorded as a vote in favor of the question. A Councilmember's silence shall be recorded as an affirmative vote.

E. Attendance, Excused Absences. RCW 35A.12.060 provides that a Councilmember shall forfeit his or her office by failing to attend three consecutive Regular Meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the City Manager, City Clerk, or any Council Member prior to the meeting and state the reason for his or her inability to attend the meeting. The City Manager, City Clerk, or Council Member shall convey the message to the Council. Following roll call, the Presiding Officer shall inform the Council of the member's absence, and state the reason for such absence. 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. As a courtesy, Councilmembers shall also notice their absence for Study Sessions in a similar manner as set forth for Regular Meetings.

F. General Decorum. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the

peace of the Council, nor disrupt any member while speaking, nor refuse to obey the orders of the Council or the Presiding Officer, except as otherwise provided in these Rules.

Any person making personal or slanderous remarks or who becomes disorderly while addressing the Council or while in the Council Chamber while the Council is in session, shall be asked to leave by the Presiding Officer.

G. Confidentiality. Pursuant to RCW 42.23.070, *Prohibited Acts*, Councilmembers shall keep confidential all written materials and verbal information provided to them 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 to be exempt from disclosure under the Revised Code of Washington or under Public Disclosure Ordinance adopted by the Council.

If the Council, after Executive Session, has provided direction or consensus to City staff on proposed terms and conditions for any confidential or privileged issue, all contact with any other party shall be made by the designated City staff representative handling the issue. Councilmembers should consult with the City Manager and/or City Attorney prior to discussing such information with anyone other than other Councilmembers, the City Attorney, or City staff designated by the City Manager. Any Councilmember having any contact or discussion with any person other than those listed above on any such confidential or privileged issue shall make full disclosure to the City Manager and Council in a timely manner.

H. City Clerk. The Clerk or an authorized Deputy Clerk shall attend all Council Meetings. If the Clerk and the Deputy Clerk are absent from any Council Meeting, the City Manager shall appoint a Clerk Pro Tempore for that meeting only.

I. Attendance of Officers or Employees. Any City officer or employee shall have the duty when requested by the City Manager to attend Council Meetings and shall remain for such time as the City Manager may direct.

SECTION 3. OFFICERS.

A. Presiding Officers. The Mayor, or in his or her absence, the Mayor Pro Tem, shall be the Presiding Officer of the Council. In the absence of both the Mayor and the Mayor Pro Tem, the Council shall appoint one of the members of the Council to act as a temporary Presiding Officer.

B. Presiding Officer's Duties. It shall be the duty of the Presiding Officer to:

- Call the meeting to order
- Keep the meeting to its order of business
- Control discussion in an orderly manner
- Every Councilmember who wishes an opportunity to speak must be recognized by the Chair.
- Permit audience participation at the appropriate times.
- Require all speakers to speak to the question and to observe the rules of order.
- State each motion before it is discussed and before it is voted upon.
- Put motions to a vote and announce the outcome.

C. Presiding Officer, Question or Order. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.

D. Presiding Officer, Participation. The Presiding Officer may at his or her discretion call the Mayor Pro Tem or, in his or her absence, any member to take the chair so the Presiding Officer may make a motion or for other good cause yield the Chair.

E. Request for Written Motion. Motions shall be reduced to writing when required by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

SECTION 4. DUTIES AND PRIVILEGES OF COUNCIL MEMBERS.

A. Forms of Address. The Mayor shall be addressed as “Mayor (surname),” “Your Honor,” or Mr./Madam Mayor. Members of the Council shall be addressed according to their preference as “Councilmember (surname),” Councilor (surname),” or Mr./Mrs./Miss/Ms. (surname).

B. Seating Arrangement at Regular Meetings. The Mayor shall sit at the center of the Council, and the mayor Pro Tem shall sit adjacent to the Mayor. Other Councilmembers are to be seated in a manner acceptable to the Council. If there is a dispute, seating shall be in position order.

C. Dissents and Protests. Any Councilmember shall have the right to express dissent from or protest against any ordinance or resolution of the Council and have the reason therefore entered in the minutes.

SECTION 5. CITY ADVISORY COMMITTEES.

A. Establishment of Advisory Bodies. The City of Covington’s Commissions, committees, and task forces provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Council in the decision-making process. Effective citizen participation is an invaluable tool for local government.

All City Advisory Committees are advisory to the City Council and are not authorized to take independent action representing the city with other agencies or bodies.

These advisory bodies may be established by City Resolution or Ordinance if required by state statute.

The enacting resolution will set forth the size of each advisory group, which will be related to its duties and responsibilities, the term of office of its members; a statement of its purpose and function; and time lines, if relevant to the scope of work.

All Advisory Committee Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30).

The Council may dissolve any advisory body that, in their opinion, has completed its working function or for any other reason.

B. Appointment to Advisory Bodies. Vacancies may be advertised so that any interested citizen may submit an application. Applicants are urged to be citizens of the City of Covington, but applications from residents living outside of the corporate boundaries may be considered if authorized by the resolution or ordinance establishing the advisory body.

Appointments to advisory bodies will be made by the City Council during a regularly scheduled meeting.

Newly appointed members will receive a briefing by the Commission, Committee, or Task Force Chairperson and/or City staff regarding duties and responsibilities of the members of the advisory body.

C. Removal of Appointees. Appointees to advisory bodies may be removed prior to the expiration of their term of office by a supermajority vote of the City Council.

SECTION 6. COUNCIL COMMITTEES/APPOINTMENTS.

A. Council Committees. Council committees are policy review and discussion arms of the City Council. Committees may study issues and develop recommendations for consideration by the City Council. Committees may not take binding action on behalf of the City.

The City Council may meet for study or special project purposes as a Committee of the Whole or may establish Council subcommittees with three or fewer members.

Council Committee structure shall be as determined by the City Council and may include:

Council Committee of the Whole – (Seven Councilmembers)

Council Committees – Standing Committees established for special purposes, tasks, or time frames (three or fewer Councilmembers)

Subcommittees of the City Council – Ad hoc and informal working or study group (three or fewer Councilmembers)

Councilmember Appointments – to task teams or City advisory boards, commissions and committees (three or fewer Councilmembers)

Liaison/Representative Appointments – to other advisory bodies or groups.

All Council Committee Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30).

SECTION 7. MEETINGS.

The Mayor, or in the absence of the Mayor the Mayor Pro Tem, or any three members of Council may schedule or cancel a meeting, subject to the notice and call requirements prescribed by State Law or City Ordinance or rule.

All Council Meetings shall comply with the requirements of the Open Public Meetings Act (RCW Section 42.30). All Regular Meetings, Special Meetings and Study Sessions of the Council shall be open to the public.

The City Manager, or his or her designee, shall attend all meetings of the City Council including Regular Meetings, Special Meetings, Study Sessions, and Executive Sessions, except if council meets in Executive Session with the City Attorney on matters of potential conflict for the City Manager.

A. Council Meetings. The Council shall hold Regular Meetings on the second and fourth Tuesday of each month. Study Sessions may be held on the first Tuesday of each month. The third Tuesday of each month is reserved for an additional Study Session, if so required, or special events such as Open House/Round Table Meetings and/or City Council/Commissions Joint Focus Meetings. The Council will not hold meetings on the fifth Tuesday of any month, unless otherwise noticed. All meetings will begin at 7:00 p.m., unless otherwise noticed. If an Executive Session is scheduled, it will be held at the end of the agenda distributed, unless otherwise noticed. Should any meeting occur on a legal holiday, the meeting shall be held at the same hour and place on the following Tuesday. Should any meeting occur on a general or primary election day, or special election called within the City of Covington, the meeting shall be held at the same hour and place on the following Tuesday.

B. Special Meetings. Special Meetings may be held by the Council.

C. Executive Sessions. The Council may hold Executive Sessions, from which the public may be excluded, for those purposes set forth in Chapter 42.30.110 RCW.

Before convening to an Executive Session, the Presiding Officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. No formal action or decision of the Council may be taken in Executive Session.

D. Emergency Meetings. If at any time there is a need for expedited action by the City Council to meet an emergency situation, the Council may hold an Emergency Meeting and the noticing requirements of Chapter 42 RCW or City Ordinance or rule may be waived.

E. Adjournment. Regular and Special Meetings shall adjourn at or before 10:00 p.m.; Study Sessions shall adjourn at or before 10:00 p.m. The adjournment times established hereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. During regular and special meetings, any Councilmember may call for a "Point of Order" at 9:30 p.m. to review agenda priorities.

F. Meeting Place. Council Meetings will be at a time and place as Council directs, except that Regular and/or Special meetings at which final actions on resolutions and ordinance will take place shall always be held within the boundaries of the City of Covington.

G. Public Notice. The City shall comply with the provisions of RCW 35A.12.160.

SECTION 8. COUNCIL ORDER OF BUSINESS.

A. Order of Business for Regular Meetings.

The suggested order of business for each Regular Meeting should be as follows:

- Regular Session
- Call to Order
- Roll Call, Flag Salute
- Approval of Agenda
- Commendations/Presentations
- Public Comments
- Approve Consent Agenda:
 - Approval of Minutes of Previous Meetings and Approval of Payroll/Claims
- Reports of Commissions
- Public Hearings
- Continued Business
- New Business
- Council/Staff Comments
- Public Comment
- Executive Session
- Adjournment

The suggested order of business for each Study Session should be as follows:

- Study Session
- Call to Order
- Roll Call, Flag Salute
- Approval of Agenda
- Public Comments
- Discussion
- Executive Session
- Adjournment

B. Council Agenda. Pursuant to the authorities specified in RCW 35A.13.080, the City Manager shall set the Council agenda for the meeting, following the suggested order of business listed in Section 8.A whenever practical. When necessary, the Mayor or other Councilmember, with the consent of the Council, may change the order of business. No legislative item not on the agenda shall be voted upon; a motion to suspend the rules would be necessary to add a legislative item to the agenda, in order to facilitate a vote on a legislative item not listed in the published agenda.

SECTION 9. CONDUCT OF BUSINESS.

A. Public Comment. During meetings of the Council, public comments will be invited during the Public Comment portion(s) of the agenda. The public is also invited to provide written comment on any non-quasi-judicial or legislative matter. It is encouraged that such written comments be filed with the

City Clerk by Noon of the Thursday preceding the meeting. If written comments are given at the meeting, the presenter should provide fourteen copies for the Council and staff.

In addition, public oral testimony may be taken on other non-quasi-judicial or legislative matters as they arise during the course of the meeting agenda. However, once a motion is pending, debate is limited to Councilmembers and no further public comment will be taken, unless a Councilmember requests further testimony.

Public comments should be limited to no more than four minutes per person and no more than ten minutes per group. No person or group may donate time to another person or group. If additional time to speak is needed, by either an individual or a group, the City shall be notified in advance and background information shall be submitted in writing regarding the topic that will be addressed. The City reserves the right to deny any request, based upon time constraints.

Individuals may petition to appear on the agenda of a future Study Session to address the Council on specific issues or requests. Such petitions should be directed to the City Clerk or the City Manager for scheduling of up to 15 minutes on a future Study Session Agenda as time allows.

B. Identification of Speakers. Persons testifying shall identify themselves for the record as to name, address, and organization.

C. Instructions for Speakers. An instruction notice and/or sign up sheet will be provided at the entrance to the Council chambers. Speakers will be advised by the Mayor that their testimony is being recorded. Persons testifying should address their comments to the City Council, not the audience or the staff.

D. Addressing Council Outside of a Public Hearing or Public Comments. No person shall be allowed to address the Council while it is in session without the recognition of the Presiding Officer.

SECTION 10. CONSENT CALENDAR.

The City Manager in consultation with the Presiding Officer, shall place matters on the Consent Calendar which: (a) have been previously discussed or policies have been set by the Council, or (b) based on the information delivered to members of the Council, by the administration, can be reviewed by a Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely. Ordinances, Resolutions, and Motions are all eligible to be placed on the Consent Calendar.

The motion to adopt the Consent Calendar shall be non-debatable and have the effect of moving to adopt all items on the Consent Calendar. Since adoption of any item on the Consent Calendar implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Calendar. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or a future Council Meeting.

SECTION 11. PUBLIC HEARINGS.

The Public Hearing is a formal opportunity for citizens to give their views for consideration in the legislative or policy-decision-making process. In addition, public hearings are required on quasi-judicial actions, which determine the legal rights, duties, or privileges of specific parties. The following rules shall be observed during public hearings:

Legislative/Information Gathering Public Hearings:

A. Open Public Hearing – The Mayor will open the public hearing.

- Staff Presentation – For an initial presentation of background information from a City Department, a City Board, Commission, or Committee, no more than 20 minutes will be allowed, unless authorized by the Presiding Officer.
- Citizen Comments – Comments will be limited to four minutes. Any individual or group may request of the Council additional time to speak if such request is submitted in writing no later than the day prior to the subject meeting. Such request shall be subject to Council approval. The Presiding Officer may allow additional time for receipt of written testimony, when needed.
- Staff Comments – Additional staff comments may be requested by Council following citizen comments.
- Close Public Hearing – At the conclusion of Citizen or Staff Comments, the Presiding Officer will close the public hearing.
- Council Deliberation.
- Council Action
- Timekeeper – The City Clerk shall be the timekeeper.

B. Quasi-Judicial Public Hearings:

No Public oral testimony shall be given on quasi-judicial matters outside of a public hearing except on matters of procedure. If a quasi-judicial hearing is on the agenda, the public will be informed by the City Attorney as to what state law permits as to public comments. In addition, quasi-judicial hearings will be conducted in conformance to procedures outlined in other City ordinances such as the Hearings Examiner Ordinance and the Ordinance Adopting New Administrative Procedures for the Processing of Project Permit Applications as Required by the Regulatory Reform Act.

SECTION 12. AGENDA PREPARATION.

The City Manager shall direct the City Clerk to prepare a preliminary agenda for each Council meeting specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council.

An item for a Council meeting may be placed on the preliminary agenda for consideration by one of the following methods:

A majority vote by the Council;

Council consensus;

By a Council Committee;

By any Councilmember in writing or with phone confirmation, no later than Noon on the Thursday before a Regular Meeting. The name of the requesting Councilmember will be set forth on the agenda;

By the City Manager;

Legally required advertised public hearings will have a higher priority over other agenda items scheduled for convenience rather than for statutory or other reasons.

Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

SECTION 13. EFFECT/WAIVER OF RULES.

It is the intent of the City Council that council procedures be periodically reviewed as needed, but no less than every two years. Accordingly, Council procedures should be considered in the month of January of every even-numbered year, and may be considered at any other time that Council shall choose to review them.

These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act. The City Council may, by a two-thirds vote of those members present and voting, determine to temporarily waive any of the provisions herein. A two-thirds vote is five of seven votes, four of six votes, four of five votes and three of four votes.

(Revised: February 8, 2000; July 9, 2002; January 21, 2003; March 14, 2006; and February 12, 2008.)