

**CITY OF STANWOOD
RESOLUTION NO. 2011-2**

**A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON ADOPTING
UPDATED RULES OF PROCEDURE FOR THE CITY COUNCIL, FOR THE
CONDUCT OF ITS MEETINGS AND LEGISLATIVE PROCESS, AND
REPEALING PRIOR RULES OF PROCEDURE**

WHEREAS, the City Council desires and the Open Public Meetings Act requires that City Council meetings be open and responsive to the public; and

WHEREAS, Chapter 35A.11.020 RCW gives the City Council of each code city the authority to organize and regulate its internal affairs within the provisions of Title 35A RCW; and

WHEREAS, a clear and comprehensive procedure for the conduct of Council Meetings which complies with applicable local and state law will assist in the promotion of efficient and well run Council Meetings; and

WHEREAS, the City Council adopted its first Rules of Procedure on September 4, 2001 and revised them on February 3, 2003; and

WHEREAS, the City Council held a workshop on January 6, 2011 to discuss necessary updates and changes to its Rules of Procedure.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF STANWOOD, WASHINGTON, AS FOLLOWS:**

1. The City Council of the City of Stanwood hereby adopts the attached Rules of Procedure dated January 6, 2011.
2. All prior Rules of Procedure, any amendments thereto and the resolutions adopting them are hereby repealed for the reason that they are replaced by the attached Rules of Procedure.

Passed and approved by the City Council of the City of Stanwood this 27th day of January 2011.

CITY OF STANWOOD

ATTEST:

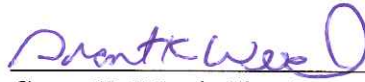


Dianne W. White, Mayor



Melissa A. Collins, City Clerk

APPROVED AS TO FORM:



Grant K. Weed, City Attorney



CITY COUNCIL RULES OF PROCEDURE

**Revised January 6, 2011
by City of Stanwood Resolution No. 2011-2**

**SECTION I
GENERAL PROVISIONS**

COUNCIL MEETING – LOCATION

Rule 1. All regular meetings of the Stanwood City Council shall be held in the official proclaimed Council Chambers, unless:

- (a) Notice has been given, as required by SMC 2.44.020 for a special meeting, which states an alternate location; or
- (b) The meeting is convened in council chambers and moved to another location for review of city business, or for the convenience of the council.

COUNCIL MEETINGS

Rule 2. The regular meetings of the Stanwood City Council shall be held at 7:00 p.m. on the second and fourth Thursday of each month. When the date for any regular meeting of the City Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding Monday, not a holiday.

Cancellations. During an open public meeting a majority of the Council may agree to cancel an upcoming regular meeting, special meeting, or workshop meeting. Also, if no items of business have been submitted to the City Clerk for deliberation at said upcoming meeting, the Mayor, Mayor pro tem and City Clerk may cancel the upcoming meeting, if all agree. In the case of such cancellation, payroll checks and vouchers will be approved at the next regular City Council meeting. (RCW 42.24.180/SMC 3.20.020)

COUNCIL MEETINGS - OPEN TO THE PUBLIC

Rule 3. All regular and special meetings of the Stanwood City Council shall be open to the public, except as provided for in RCW 42.30.

PRESIDING OFFICER

Rule 4. The Mayor shall preside at all meetings of the Council, and be recognized as the Presiding Officer and Chief Executive Officer of the City. In the case of the Mayor's absence or temporary disability the Mayor pro tempore shall act as Mayor during the continuance of the absence. In case of the absence or temporary disability of the Mayor and the Mayor pro tempore, a Mayor pro tempore selected by members of the Council shall act as Mayor during the continuance of the absences or disabilities and shall perform the duties of the Mayor, except that he shall not have the power to appoint or remove any officer or to veto any ordinance. The Mayor or Mayor pro tempore is referred to as "Presiding Officer" from time to time in these rules of procedure. (RCW 35A.12.100 & 110)

VACANCY IN MAYOR'S OFFICE

Rule 5. Per RCW 42.12 If a vacancy occurs in the office of the Mayor, the City Council, at its next regular meeting, shall appoint a qualified person who shall serve until a Mayor is elected and certified at the next municipal election.

PRESIDING OFFICER - DUTIES

Rule 6. The Presiding Officer should preserve strict order and decorum at all regular meetings and special meetings of the council. He/she shall clearly state every motion brought forth by the Council, announce the decision of the Council on all subjects, and decide all questions of order, subject, however, to an appeal to the Council by a councilman, in which event a majority vote of the Council shall govern and conclusively determine the question of order. He/she shall vote only in the case of a tie in the votes of the Councilmembers. A duly elected Mayor pro tempore may vote in any case. The Mayor and the Mayor pro tempore shall have the power to administer oaths and affirmations, take affidavits and certify them. The Mayor, or the Mayor pro tempore when acting as Mayor, shall sign all conveyances made by the City and all instruments which require the seal of the City. (RCW 35A.12.100 & 110)

ELECTION OF MAYOR PRO TEMPORE

Rule 7. Annually, at the first meeting of the City Council, the members thereof shall choose a member from among their number who shall have the title of Mayor Pro Tempore. In addition to the powers conferred upon him/her as Mayor Pro Tempore, he/she shall continue to have all the rights, privileges and immunities of a member of the Council. If a vacancy occurs in the office of Mayor Pro Tempore, the members of the council at their next regular meeting should select a Mayor Pro Tempore from among their number for the unexpired term.

QUORUM

Rule 8. Four (4) elected members of the Council shall constitute a quorum for the transaction of business. In the absence of a quorum, the Presiding Officer may, at the insistence of any two Councilmembers present, with the assistance of the Chief Law Enforcement Officer, compel the attendance of absent members. If only one member is present, he shall have the duty and authority to fix the time and place to which to adjourn and to take measures to obtain a quorum. The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council. (RCW 35A.12.120)

ATTENDANCE, EXCUSED ABSENCES

Rule 9. A Councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. Councilmembers should contact the City Clerk or the Presiding Officer prior to the meeting and state the reason for his/her inability to attend the meeting. Following roll call, the Presiding Officer shall inform the Council of the member's absence, the council may request the reason for such absence, if such request is made, than

the Presiding Officer shall inform Council of such reason if it is known. Council may or may not make motion to excuse the member's absence. (This vote on motion may be a verbal yah or nay.)The City Clerk will make an appropriate notation in the minutes. RCW 35A.12.060

Rule 9.1. Attendance of City Staff: The City Attorney, City Clerk, Fire Chief, Police Chief, Public Works Director, Finance Director and Community Development Director shall attend all regular meetings of the City Council unless excused by the Mayor. Staff attendance at Special meetings and/or workshops will be at the discretion of the Mayor or per contracts.

SPECIAL COUNCIL MEETINGS

Rule 10. Procedures for setting a special meeting are as follows:

- (a) The Presiding officer or any 3 members of the Council may call a special meeting whenever, in their opinion; the public interest may require it. (RCW 35A.12.110)
- (b) Notice of the special meeting shall be prepared in writing by the City Clerk. The notice shall contain the following information about the meeting: time, place, and business to be transacted.
- (c) The notice shall be delivered by mail or personally to the residence of each Councilmember, the Mayor, and business office of each local newspaper and radio and television station which has on file a written request for notice of special meetings. The notice must be delivered at least twenty-four (24) hours prior to the meeting. (RCW 35A.12.110)
- (d) Written notice may be dispensed with when:
 - (1) A written waiver is filed with the City Clerk by a Councilmember.
 - (2) The Councilmember is present at the special meeting
 - (3) In the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

COUNCIL MEETING AGENDA

Rule 11. The Clerk of the Council, under the direction of the Mayor, shall arrange a list of such matters according to the order of business and prepare an agenda for the council. A copy of the agenda and supporting materials shall be prepared for Councilmembers on or before 5:00 p.m. three working days before a regular Council meeting. The Council shall have the option of deleting any item from the agenda or deferring an item on the agenda to a subsequent Council meeting. The Presiding Officer or two Councilmembers may introduce a new item to the agenda.

WORKSHOPS

Rule 12. Special study sessions of the City Council where no official action is contemplated may be designated as Council workshops. Council workshops may be conducted informally so long as such informality is not in conflict with these rules. The City Clerk, under the direction of the Mayor, shall arrange a Council workshop agenda. After the proposed council workshop agenda has been approved by the Mayor, a copy of it along with any supporting materials shall be prepared for Councilmembers and the Mayor 24 hours before the Council workshop. During the Council workshop the Presiding Officer may: 1) introduce the subject and give background information; 2) identify the eventual goal of the workshop; 3) act as facilitator to keep the meeting discussion focused to the subject; 4) alert the Council when it is appropriate to call for a motion or other official direction of the Council. (RCW 35A.12.110)

CLERK OF THE COUNCIL

Rule 13. The City Clerk shall be ex-officio Clerk of the Council and shall keep minutes and shall perform such other and further duties in the meeting as may be required by the Council or Presiding Officer. In the absence of the City Clerk, the Mayor shall appoint another qualified staff member to act as Clerk of the Council. Minutes of regular Council meetings should be prepared and distributed to Councilmembers within 5 weeks following the meeting. (RCW 35.12.121)

MAIL DISTRIBUTION PROCEDURE

Rule 14. The City will provide mail receptacles for each member of the City Council. The City Clerk shall be responsible for distribution of e-mail and/or written correspondence from citizens to the City Council. Citizens wishing to have mail delivered to the City Council must provide copies for each Councilmember and deliver said copies to the City Clerk's office for distribution.

SECTION III DUTIES AND PRIVILEGES OF MEMBERS

FORMS OF ADDRESS

Rule 15. The Mayor should be addressed as "Mayor (surname)", "Your Honor", or "Mr. /Madam Mayor". The Mayor pro tempore, when acting for the Mayor, shall be addressed as "Mayor pro Tem (surname)". Members of the Council shall be addressed as "Councilmember (surname)".

SEATING ARRANGEMENT

Rule 16. Council members shall occupy the respective seats in the Council chamber based upon their Council position order. Position 1 at the Mayor's extreme right.

APPEARANCE OF FAIRNESS DOCTRINE

Rule 17. State and local laws relating to the Appearance of Fairness Doctrine and Open Public Meetings Act are adopted by reference. A copy of the applicable law is available in the City Clerk's office upon request.

DISSENTS AND PROTESTS

Rule 18. Any Councilmember shall have the right to express dissent from or protest against any action of the Council and have the reason therefore entered in the minutes.

ADMINISTRATIVE INTERFERENCE BY COUNCILMEMBERS

Rule 19. Neither the Council, nor any of its committees or members shall direct or request the appointment of any person to, or removal of any person from, any office responsible to the Mayor. Except for the purpose of inquiry, the Council and its members shall deal with the administrative branch solely through the Mayor and neither the Council nor any committee or member thereof shall give any orders to any subordinate of the Mayor, either publicly or privately; provided, however, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the Mayor anything pertaining to appointments and removals of City officers and employees and City affairs.

SECTION III
COUNCIL PROCEDURES

RULES OF ORDER

Rule 20. Rules of order not specified by statute, ordinance, or resolution should be governed by Robert's Rules of Order Newly Revised. The City Attorney shall serve as parliamentarian and shall advise the Presiding Officer as to correct Rules of Procedure or questions of specific rule application.

MOTIONS

Rule 21. All ordinances, resolutions, contracts and items of business that require Council approval prior to the expenditure of funds shall be in the form of an affirmative motion. (RCW 35A.12.120)

ORDER OF BUSINESS

Rule 22. The business of regular meetings of the Council shall normally be transacted as follows; provided, however, that the Presiding Officer may, prior to or during a Council meeting, rearrange or eliminate items on the agenda to conduct the business before the Council more expeditiously.

- (a) Call to order by the presiding officer and Pledge of Allegiance
The Mayor shall, precisely at the hour appointed, call the Council to order. In the absence of the Mayor or Mayor pro tempore, the City Clerk or his/her assistant shall call the Council to order, whereupon the Council shall elect any qualified person to serve as the Mayor pro tempore in the absence or temporary disability of the Mayor. Upon the arrival of the Mayor or Mayor pro tempore, the temporary chairman shall immediately relinquish the chair upon the conclusion of the particular item of business then immediately before the Council.
- (b) Roll Call
Before proceeding with the business of the Council, the City Clerk or his/her Deputy shall call the roll of the members, and the names of those present shall be entered in the minutes.
- (c) Staff Announcements
- (d) Citizen Comments
 - (1) Subjects not on the current agenda. Any member of the public may request time to address the Council after first stating their name, address, and the subject of their comments. The Presiding Officer may then allow the comments subject to a three (3) minute limitation per speaker, or other limitations as the Presiding Officer may deem necessary. Following such comments, if action is required or

has been requested, the Presiding Officer may place the matter on the current agenda or a future agenda, or refer the matter to staff or a Council committee for investigation and report at a future meeting.

(2) Subjects on the current agenda. Any member of the public who wishes to address the Council on an item on the current agenda shall make such request to the Presiding Officer at the time when comments from the public are requested. The Presiding Officer shall rule on the appropriateness of public comments as the agenda item is reached. The Presiding Officer may change the order of speakers so that testimony is heard in the most logical groupings (e.g. proponents, opponents, adjacent owners, vested interests, etc.). All comments shall be limited to three (3) minutes per speaker, or other limitations as the Chair or Council may deem necessary.

(3) Any ruling by the Presiding Officer relative to the preceding two subsections may be overruled by a vote of a majority of members present.

(e) Approval of the Agenda

(f) Consent Agenda

(1) The Mayor shall place matters on the consent agenda which have been: (a) previously discussed by the Council, or (b) based on the information delivered to members' of the Council by administration that can be reviewed by a Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely, or (d) as directed by the City Council. Where possible, a Councilmember should notify the Presiding Officer prior to meeting when wanting to remove an item from the consent agenda.

(2) The suggested Council motion on the consent agenda is as follows: "I move for adoption of the consent agenda, items A thru" This motion will have the effect of moving to adopt all items on the consent agenda. Since adoption of any item on the consent agenda implies unanimous consent, any member of the Council shall have the right to remove any item from the consent agenda.

Therefore, prior to the vote on the motion to adopt the consent agenda any member of the Council may request to have an item withdrawn from the consent agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for the current or a future meeting.

(g) Old Business

(h) Public Hearings

(l) New Business

- (J) Reports:
- Mayor's Report
 - Committee Reports
 - Councilmember Reports/Questions
 - Student Advisor Report

(K) Citizens Closing Comments

(L) Adjourn to Executive Session:

Executive Sessions or closed meetings may be held in accordance with the provisions of the Washington State Open Meeting Act (RCW 42.30.110). Among the topics that may be discussed are: (1) personnel matters (specified under RCW 42.30); (2) consideration of acquisition or sale or lease of property for public purposes or sale or lease of city-owned property; and (3) potential or pending litigation in which the city has an interest, as long as legal counsel is present in person or by phone as provided in the Revised Code of Washington. The Council must keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City's position is not compromised. The Council may hold an executive session during a regular or special meeting. Before convening in executive session the Mayor and/or City Attorney shall publicly announce the purpose for excluding the public from the meeting place and the length of time for the executive session.

(M) Reconvene and Adjourn

READING OF MINUTES

Rule 23. Unless a reading of the minutes of a council meeting is requested by a member of the Council, such minutes may be approved without reading if the City Clerk has previously furnished each member with a copy or synopsis thereof.

ACTIONS FOR A PUBLIC HEARING

Rule 24. The procedures for a public hearing are available in the City Clerk's office upon request.

VOTING

Rule 25. The votes during all meetings of the council shall be transacted as follows:

- (a) Unless otherwise provided for by statute, ordinance, or resolution, all votes should be taken by roll call and recorded by the City Clerk. The order of the roll call vote shall be determined by seating position. The Council attendance vote may be a voice yea or nay vote.
- (b) Each Councilmember shall vote on all questions put to the Council, unless a conflict of interest or appearance of fairness question under state law is present. Unless a member of the Council states that he or she is abstaining, his or her silence shall be recorded as an affirmative vote. In any case where the vote of any member abstaining or remaining

silent is necessary to constitute effective action of the Council, then and in that case, he shall be deemed to have voted with that side mustering the greater number of votes.

- (c) The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution pertaining to collective bargaining or personnel policy actions shall require the affirmative vote of at least a majority of the whole membership of the Council. (RCW 35A.12.120)
- (d) The passage of any public emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity or violence of nature or riot or insurrection or war, and provisions for a lesser emergency such as a budget amendment shall require the affirmative vote of at least a majority plus one of the whole membership of the Council.
- (e) The passage of any motion or resolution not subject to the provisions of state or local law, or these rules as amended, shall require the affirmative vote of at least a majority of the membership of the council who are present.
- (f) The Mayor may vote only in case of a tie vote of the Council. A majority of the entire membership of the Council is required to vote for passage of any ordinance, grant, revocation of franchise or license, or any resolution for the payment of money (RCW 35A.12.100). Therefore, the mayor may not break a tie vote on these matters. All tie votes will result in failure of motion.

DECORUM

Rule 26. By Councilmembers: While Council is in session, members should conduct themselves in a manner consistent with Roberts Rules of Order. When actionable items are present by Councilmembers or Staff, Councilmembers may seek from the presenter clarification or explanation of the issue. Conversation intended to persuade or dissuade can be offered only following a properly proposed motion and second for action by the Council and then only upon recognition by the Chair.

By Citizens. Any person who delays or disrupts the proceedings of the Council, or who uses language offensive to commonly accepted customs of courtesy and decency while addressing the Council, or who, in the opinion of the Council appears to be under the influence of intoxicating liquor or drugs, shall be barred from further audience before the Council unless permission to continue is granted by majority vote of the Council.

ENFORCEMENT OF DECORUM

Rule 27.

- (a) The Chief Law Enforcement Officer or his/her designee shall, whenever possible, attend each council meeting and shall be sergeant-at-arms of the council meeting. They shall carry out all lawful orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the council meeting. Any person violating any part of the City Council's Rules of Decorum by making offensive,

insulting, threatening, or intimidating remarks or who makes threats against any person or against public order and security while in the council meeting may be requested to leave the council chambers by either the presiding officer, the sergeant-at arms or both.

- (b) Any conduct or behavior which constitutes a criminal offense may result in arrest and/or prosecution.
- (c) Any Councilmember may move to require the Presiding Officer to enforce these rules and the affirmative vote of a majority of the council shall require the Presiding Officer to do so.
- (d) In the event of emergency, such as threatened violence, or other situation that is a threat to the safety and welfare of the Council, the public or staff, or where there is an inability to reasonably conduct the business of the Council or to otherwise retain good order to the meeting, the presiding officer shall declare the meeting adjourned and the City Council may temporarily adjourn and move the meeting to a location that will allow for order to be restored. In such case the public may in the discretion of the Council be excluded but the press shall be invited.

ADJOURNMENT

Rule 28. Regular City Council Meetings shall adjourn no later than 10:00 p.m. The adjournment time established there under may be extended to a later time certain upon approval of a motion by a majority of the Council. Any councilmember may call for a "point of order" to review agenda priorities.

COMMITTEES

Rule 29. The Committee structure of the council and the procedures governing all committees shall be as follows:

- (a) Standing Committees. The standing committee members shall be nominated by a committee made up of the Mayor, the Mayor pro tempore, and the longest serving member of the City Council other than the Mayor pro tempore considering the following:
 - Each member of council will rank his/her assignment preference from one to four on each of the standing committees.
 - Generally assignments will be made based upon councilmember preference with the longest serving councilmember assigned his/her number 1 preference then the second longest serving assigned his/her number 1 preference and continuing in that manner until all assignments have been made. Any tie in length of time served will be determined by seat position. The Mayor pro tempore shall gather the Committee Assignment Preference sheets and tally the information. After doing so he/she shall meet with the appointment committee and go over the results. Exceptions are permissible upon unanimous agreement by the assignment committee.

- The committee's selection is subject to an affirmative vote a majority of all Councilmembers.

The term of each committee will be one year. Committees shall be submitted to Council by the second meeting of each calendar year. Each committee shall consist of four council members, three to serve as primary members and one to serve as an alternate member. The standing committees are:

- Public Works
- Community / Economic Development
- Finance / Personnel
- Public Safety

In the event that the Mayor or the Council perceives a need for any additionally committee outside the scope of the standing committees, the Mayor shall submit recommendations to the Council for approval.

- (b) Committees shall appoint a committee chair at the first committee meeting of the new calendar year. No one Councilmember shall serve as chair for more than one committee. Committees may make recommendations on proposed programs, services, ordinances, and resolutions within their area of responsibility before action is taken by the council. A committee member may present the recommendations of the committee during the discussion of the item of business.
- (c) Members may be removed from a council committee by a majority vote of the council for neglect of duty, conflict of interest, malfeasance in office or other just cause including unexcused absence for more than three (3) consecutive committee meetings.
- (d) Employees may staff the various committees as directed by the mayor but no staff person shall serve as a member of a Council Committee.
- (e) Standing Council Committees shall have a fixed monthly meeting. The standing committee meetings date, time and location shall be posted on the city's web-site and on the bulletin board at City Hall. Committee meetings may be cancelled or changed with the approval of the Committee Chair. A Committee Chairman has the authority to call a committee meeting. Staff shall work with Committee Chairman to arrange meeting.
- (f) Minutes need not be taken of committee meetings.

ENACTED ORDINANCES, RESOLUTIONS AND MOTIONS

Rule 30. An enacted ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Council action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

An enacted resolution is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

An enacted motion is a form of action taken by the Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

RESOLUTIONS

Rule 31. A resolution may be put to its final passage on the same day on which it was introduced. The title of each resolution shall in all cases be read prior to its passage; provided, should a majority of the council members present a request that the entire resolution or certain of its sections be read, such requests shall be granted. Printed copies should be made available upon request to any person attending a council meeting.

ORDINANCES

Rule 32. The procedure for ordinances is as follows:

- (a) With the exception of franchise ordinances as provided below, an ordinance may be put to its final passage on the same day on which it was introduced. The title of each ordinance shall in all cases be read prior to its passage; provided, should a majority of the council members present request that the entire ordinance or certain of its sections be read, such requests shall be granted. Printed copies should be made available upon request to any person attending a council meeting.
- (b) Franchises. All ordinances granting a franchise require two readings prior to adoption. The second reading must be at least five days after the first reading. All franchise ordinances may be passed only at a regular meeting of the Council; and at least a majority plus one of the governing body must vote in favor of the franchise. (RCW 35.23.251)
- (c) Emergency Ordinances. By vote of one more than the majority, the City Council may without notice or hearing adopt an emergency ordinance authorizing expenditures for a public emergency as defined and prescribed in RCW 35A.33.080 and 35A.33.090.
- (d) A Councilmember may, in open session, request of the Presiding Officer that the Council studies the wisdom of enacting a particular ordinance. By affirmative motion, the Council may assign the proposed ordinance to a specific committee or schedule a Council workshop for study and consideration. The committee shall report its findings to the Council.
- (e) If a Motion to pass an ordinance fails, the ordinance shall be considered lost
- (f) Any ordinance amending or repealing any portion of the Stanwood Municipal Code shall also amend or repeal the respective portions of any underlying ordinance(s).

- (g) The mayor may veto an ordinance, but the mayor's veto can be overruled by a majority plus one of the entire Council membership. (RCW 35A.12.100)

ORDINANCE AMENDMENT AND REPEAL PROCEDURE

Rule 33. It shall require an affirmative vote of at least a majority of the whole membership of the Council to either amend or repeal existing ordinances heretofore passed by the Council.

ORDINANCE - EFFECTIVE DATE

Rule 34. Unless specifically provided otherwise in the body of an Ordinance, an ordinance shall take effect five days after the date of its passage and publication, except that an ordinance passed by a majority, plus one, of the whole membership of the Council, designated therein as a public emergency ordinance, necessary for the protection of public health, public safety, public property, or the public peace, may be made effective upon adoption, but such ordinance may not levy taxes, grant, renew, or extend a franchise, or authorize the borrowing of money. (RCW 35A.12.120)

PERMISSION REQUIRED TO ADDRESS THE COUNCIL

Rule 35. Persons other than Councilmembers and staff shall be permitted to address the Council upon recognition and introduction by the Presiding Officer.

RECONSIDERATION

Rule 36. Any action of the Council, including final action on applications for changes in land use status; but excluding a reconsideration of any action previously reconsidered, motions to adjourn, motions to suspend the rules, an affirmative vote to lay on the table or to take from the table, or a vote electing to office one who is present and does not decline; shall be subject to a motion to reconsider. Such motions can only be made by a member of the prevailing side on the original action. A motion to reconsider must be made no later than the next succeeding regular Council meeting. A motion to reconsider is debatable only if the action being reconsidered is debatable. Upon passage of a motion to reconsider, the subject matter is returned to the table anew at the next regular council meeting for any action the council deems advisable.

ADDRESSING COUNCIL AFTER A MOTION IS MADE

Rule 37. After a motion is made by a member of the Council, no person, other than a member of Council or the Mayor, shall address the Council or the Mayor without first securing the permission of the Council.

MANNER OF ADDRESSING COUNCIL

Rule 38. Each person addressing the Council shall approach the podium, give his or her name and address in an audible tone of voice for the record, and unless further time is granted by a majority vote of the Council, shall limit his or her address to three minutes. All remarks shall be addressed to the Council as a body and not to any specific member thereof. No person, other than the Presiding Officer, the Council, and person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission

of the Presiding Officer. No question shall be asked of a Councilmember or City staff member except through the Presiding Officer

COMPLAINTS AND SUGGESTIONS TO COUNCIL

Rule 39. When citizen complaints or suggestions are brought before the City Council, other than for items already on the agenda, the Presiding Officer may respond in the following manner:

- (a) If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the council finds such complaint suggests a change to an ordinance or resolution of the City, the Presiding Officer may refer the matter to a committee, Administration or the Committee of the whole for study and recommendation.
- (b) If administrative, and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the Mayor, the Mayor will review the complaint if said complaint has not been so reviewed. The City Council may direct that the Mayor brief or report to the City Council when his/her response to any citizens inquires is made.

FILLING COUNCIL VACANCIES

Rule 40. 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 with the most qualified person available until an election is held, the council will widely distribute and publish a notice of the vacancy, the procedure and any application requirements for applying. The Council will draw up an application form, which contains relevant information to answer set questions posed by the Council. The application forms or resumes will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Councilmember.

SUSPENSION AND AMENDMENTS

Rule 41. Any provision of these rules not governed by the Stanwood Municipal Code may be temporarily suspended by a vote of the majority of the Council.

Rule 42. These rules may be amended or new rules adopted by Resolution of a majority of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.