

Rules of Procedure of the Tukwila City Council

Introduction

The Rules of Procedure set forth herein 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.

I. City Council Powers and Duties

A. City Council Authority

1. As the legislative branch of city government, the City Council is responsible for passing laws, setting the municipal budget, establishing policy, and other responsibilities defined by state law.
2. Decisions are made as a collective body and no individual member has any extraordinary powers beyond those of other members, except as described in Section I.B.
3. Members of the Council shall refrain from becoming directly involved in the administrative affairs of the City, including intervening in staff decision-making, scheduling or directing work, and executing priorities without the prior knowledge and approval of the City Council as a whole.
4. The City Council has no policy direction over judicial matters and members may not interfere with judicial processes or decisions.

B. Council President – Mayor Pro Tempore

1. At the first Regular Meeting in January of each year, members of the City Council shall elect from their number a Council President who shall hold office at the pleasure of the Council. The general practice is to elect presidents in a rotating order by seniority, which is determined by the:
 - a. Greatest consecutive number of years served;
 - b. Greatest consecutive number of years plus months or years served prior to the current term(s);
 - c. Number of votes when elected.
2. If the Councilmember who is next in line is unable to serve as Council President, they will notify the City Council in writing by the last Regular Meeting of the previous year. If this opt-out request is approved by the City Council, service will fall to the next Councilmember in the order of seniority. The Councilmember whose opt-out was accepted by the City Council will remain at the top of the rotation with the opportunity to serve as Council President the following year.

3. In the absence of the Mayor, the Council President shall become the Mayor Pro Tempore and perform the duties of the Mayor except that the Council President shall not have the power to appoint or remove any officer or to veto any ordinance.
4. If a vacancy occurs in the office of Council President, the City Council, at their next Regular Meeting, shall select a new Council President to serve the remainder of the year.
5. If a vacancy occurs in the office of the Mayor, the City Council, at their next Regular Meeting, shall elect from their number a Mayor who shall serve until a Mayor is elected and certified at the next municipal election.

II. City Council Meetings

A. Regular Meetings

1. The City Council shall meet regularly on the first and third Mondays of each month, except those designated as City holidays, at 7:00 p.m. unless an alternative starting time is set and notice is provided to the public.
2. Regular Meetings will be held at Tukwila City Hall, 6200 Southcenter Boulevard, unless otherwise publicly noticed.
3. During Regular Meetings the City Council may take formal actions including, but not limited to, adopting ordinances or passing motions or resolutions.

B. Committee of the Whole Meetings

1. The City Council shall meet as a Committee of the Whole on the second and fourth Mondays of each month, except those designated as City holidays, at 7:00 p.m. unless an alternate starting time is set and notice is provided to the public.
2. The Committee of the Whole shall meet at Tukwila City Hall, 6200 Southcenter Boulevard, unless otherwise publicly noticed
3. Meetings of the Committee of the Whole shall be held primarily to consider current issues, discuss policy matters in detail, and coordinate the work of the City Council. The Committee of the Whole will have no power to take final actions including, but not limited to, adopting ordinances or passing motions or resolutions.

C. Special Meetings

Special meetings may be called by the Mayor, Council President, or any three Councilmembers by delivering written notice personally, by mail, by fax, or by electronic mail to each member of the Council at least 24 hours before the time specified for the proposed meeting and with public notice made pursuant to RCW 42.30.080.

D. Executive Sessions

1. The City Council may hold an Executive Session during a Regular Meeting, Special Meeting, or Committee of the Whole to consider certain matters of confidential concern as set forth in RCW 42.30.110.
2. Before convening an Executive Session, the Presiding Officer must publicly announce the purpose and the time upon which the Executive Session will be concluded. An Executive Session may be extended to a later time by public announcement by the Presiding Officer.
3. Councilmembers must keep confidential all written materials and verbal information provided during Executive Sessions.

E. Retreats and Work Sessions

1. The full Council may meet periodically in a retreat or work session setting as deemed appropriate by the Council President or a quorum of the Council, respectively.
2. No final action will be taken at a retreat or work session.
3. Retreat and work session meetings are open to the public and subject to the requirements of RCW 42.30.

F. Attendance

1. Councilmembers are expected to maintain reliable attendance at all types of meetings described above.
2. Pursuant to RCW 35A.12.060, a City Council position shall be forfeited if the Councilmember fails to attend three consecutive Regular Meetings without being excused by the Council.
3. A Councilmember wishing to be excused from a Regular Meeting will provide advance notice to the Council President or Legislative Analyst, who will in turn notify the other members of the City Council in advance of the meeting.

G. Councilmember Remote Attendance at Meetings

1. In the event of an emergency as declared by the City, State and/or Federal government, the City Council may arrange for electronic participation at a Regular Meeting, Committee of the Whole, Special Meeting, Executive Session, Retreat, standing committee meeting, or work session.
 - a. During a fully-remote meeting, Councilmembers may attend by phone or other electronic means that allow all participants to hear one another.
 - b. Fully-remote meetings are open to the public and arrangements must be conducted such that the public can hear the meeting while it is occurring, subject to the requirements of RCW 42.30.

2. In times of non-emergency, the City Council prefers and recognizes the value of in-person attendance at meetings as integral to public service. However, remote attendance by a Councilmember not physically able to be present, whether for all or part of a meeting, is allowed subject to the following provision:
 - a. Councilmembers may attend remotely a maximum of five Regular or Committee of the Whole meetings per calendar year; provided the Council may, by majority vote, allow a Councilmember to attend additional meetings remotely in excess of five per year due to medical or other factors beyond the individual's control.
 - b. A Councilmember planning to attend a meeting remotely should notify the Legislative Analyst and/or Council President no later than two hours prior to the meeting start time or 15 minutes prior to an emergency meeting.
 - c. A Councilmember attending remotely will be marked present, counted toward a quorum, and can vote just as if physically present.
 - d. If a Councilmember's virtual connection should become lost during the meeting, the meeting should continue unless quorum is no longer met. A Councilmember's loss of a virtual connection will not be counted toward the maximum limit described in Section 2.a
 - e. Councilmembers are expected to follow current pandemic quarantine procedures as recommended by Public Health – Seattle & King County. Remote attendance for this purpose will not be counted toward the maximum limit described in Section 2.a.

III. Legislative Process

A. City Council Business

1. Matters to be considered by the Council shall be placed on a standing committee, Committee of the Whole, or Regular Meeting agenda and include items required by law to be presented to Council, items requested by a majority of the Council, staff-initiated items in accordance with the City's strategic priorities and work plan, and items referred from previous meetings.
2. As a general practice, legislative actions to come before the City Council for a decision should appear first before a standing committee, then the Committee of the Whole, then a Regular Meeting. Informational items not requiring a decision may be scheduled with more flexibility as the situation requires.
3. Items may be placed directly on the agenda of a Committee of the Whole or a Regular Meeting when the items are approved by the Council President, and the items are routine or in the event of an emergency.

B. Legislative Actions

1. Ordinances are legislative items used to regulate matters of local concern, such as land use, animal control, local law enforcement and health and safety issues. Ordinances must comply with the terms of the U.S. and Washington State constitutions and the general laws of the City and State. Many ordinances are classified as “codifiable,” meaning the ordinance will be incorporated into the Tukwila Municipal Code, which makes the laws of the City easily accessible by subject matter. Examples of non-codifiable ordinances include the annual property tax levy and adoption of the budget. Public emergency ordinances may take effect immediately upon final passage if passed by an affirmative vote of 5 Councilmembers.
2. Resolutions are legislative items that are advisory or policy-oriented in nature. Resolutions may be used to offer support for ballot measures, set hearing dates for a street vacation or update fee schedules. Resolutions are not a part of the Tukwila Municipal Code. Resolutions are signed by the Council President but are sometimes signed jointly with the Mayor, or prepared for signature by all Councilmembers, particularly when ceremonial or honorary in nature.
3. Motions are generally short statements to direct that a specific course of action be taken on behalf of the City.
4. All proposed ordinances and resolutions shall be reviewed by the City Attorney and bear the Attorney’s certification that they are in correct form before final passage.

C. Meeting Agendas

1. The City Clerk shall be responsible for preparing agendas for Regular, Special, and Committee of the Whole meetings, and presented in a timely manner to the Council President or designee for approval. After the proposed agenda has been approved, the City Clerk shall publish the final agenda in accordance with the provisions of RCW 42.30.
2. The order of a **Regular Meeting** agenda shall be:
 - a. *Call to Order*
 - b. *Pledge of Allegiance*
 - c. *Roll Call*
 - d. *Land Acknowledgement*
 - e. *Public Comments — including comment on items both on and not on the meeting agenda.*
 - f. *Appointments and Proclamations*
 - g. *Presentations — Items pertinent to the City but not relating to other agenda business, including honoring of guests, special awards, or speakers external to the City.*

- h. *Consent Agenda* — Items that are routine or non-controversial in nature approved for inclusion by the Council President, Committee of the Whole, or forwarded by unanimous Committee action. Any Councilmember may request to remove an item from the Consent Agenda and place under New Business for further discussion.
 - i. *Public Hearings* — May be required by City, State, or Federal law or directed by the Council. Examples include but are not limited to Local Improvement Districts, zoning changes, biennial budget, annexation, moratoria, and quasi-judicial decisions.
 - j. *Unfinished Business* — Items of a general nature, including resolutions and ordinances previously before a standing committee, the Committee of the Whole or full Council.
 - k. *New Business* — Items of a general nature, including resolutions and ordinances not previously before a standing committee, the Committee of the Whole or full Council
 - l. *Reports* — Brief summaries of significant City-related activities from the Mayor, City Council, and City Administrator.
 - m. *Miscellaneous* — Significant City-related items that may need further Council discussion, action, or City Administration follow-up.
 - n. *Executive Session*
 - o. *Adjournment*
3. The order of a **Committee of a Whole meeting** agenda shall be:
- a. *Call to Order*
 - b. *Pledge of Allegiance*
 - c. *Land Acknowledgment*
 - d. *Public Comments* — including comment on items both on and not on the meeting agenda.
 - e. *Presentations*
 - f. *Public Hearings*
 - g. *Special Issues* — Items referred from Council committees, referred at a previous Council meeting, or approved for discussion by the Council President.
 - h. *Reports*
 - i. *Miscellaneous*
 - j. *Executive Session*
 - k. *Adjournment or Adjournment to a Special Meeting*
4. The order of a **Special Meeting** agenda follows the same order of Regular Meetings based on what items need to be addressed. The City Council may not take action on anything not listed on a Special Meeting agenda.

IV. Meeting Conduct

A. Presiding Officer

1. All Regular and Special Meetings of the City Council shall be presided over by the Mayor or, in the Mayor's absence, by the Mayor Pro Tempore.
2. If neither the Mayor nor the Mayor Pro Tempore is present at a Regular or Special Meeting, the Presiding Officer for that meeting shall be appointed by a majority vote of those Councilmembers present, provided there is a quorum, and the appointment of a Councilmember as Mayor Pro Tempore shall not abridge their right to vote on matters before the Council.
3. All Committee of the Whole meetings shall be presided over by the Council President. If the Council President is temporarily absent, the Council shall elect a Councilmember to serve in that capacity until the Council President returns.
4. The Presiding Officer shall preserve strict order and decorum, state all questions coming before the Council, provide opportunity for discussion on each item on the table, and announce the decision of the Council on all subjects. Procedural decisions made by the Presiding Officer may be overruled by a majority vote of the Council.

B. Parliamentary Procedure

Questions of parliamentary procedure not covered by these Rules of Procedure shall be governed by Robert's Rules of Order, Newly Revised (latest edition).

C. Quorum

1. At all meetings of the City Council, four members shall constitute a quorum for the transaction of business.
2. Confirmations of appointments by the Mayor, budget transfers, personnel levels, and formal motions, resolutions, ordinances and amendments thereto shall require the affirmative votes of four Councilmembers.

D. Seating

Members of the City Council will be seated at the Council dais in order of seniority, except that the Council President will be seated in the center during Committee of the Whole Meetings and at the right of the Mayor during Regular and Special Meetings.

E. General Meeting Decorum

1. While the City Council is in session, the members must preserve order and decorum and a member shall neither delay nor interrupt the proceedings or the peace of the Council, nor disrupt any member that has the floor.
2. Meeting participants should focus on the meeting agenda and confine remarks to the question or matter under discussion.

3. A Councilmember desiring to speak shall address the Presiding Officer and when recognized shall confine their remarks to the question under debate.
4. Councilmembers shall not be interrupted unless it is to be called to order.
5. No Councilmember shall speak a second time on the same item until each Councilmember has been given an opportunity to speak.

F. Motions, Debate, and Voting at Regular or Special Meetings

1. Prior to discussion of an action item, a Councilmember must make a motion, which must be seconded by another Councilmember, to place it on the table, except those motions described in 3 below, which do not require a second.
2. Motions are generally encouraged to be made by a Committee Chair and seconded by a Committee member for those action items previously discussed in standing committees.
3. Motions not requiring a second include nominations, withdrawal of a motion, request for a roll call vote, and point of order.
4. After a motion has been made and seconded (if required), Councilmembers may discuss their opinions on the issue prior to the vote, including why they will vote for or against the motion.
5. Councilmembers may request a presentation or ask clarifying questions of staff prior to beginning debate.
6. If a resolution or ordinance, the City Clerk may read the item by title only or, if requested by any Councilmember, the document may be read in its entirety.
7. A motion may be withdrawn by the maker of the motion at any time.
8. 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.
9. A motion to call for the question shall close debate on the main motion and is nondebatable. This motion requires a second and fails without a two-thirds majority. Debate is reopened if the motion fails.
10. Motions shall be entertained in the order of precedence outlined in the current edition of Robert's Rules of Order Newly Revised (latest edition).
11. The Regular or Special Meeting Consent Agenda is adopted by a single motion.
12. When the discussion is concluded, the Presiding Officer shall repeat the motion prior to voting.
13. Unless otherwise provided for by statute, ordinance, or resolution, votes will be taken by voice, unless a roll call vote is requested by the Presiding Officer or any Councilmember. Voting normally shall be by seniority; however, this procedure may be changed by the Presiding Officer.

14. Each member present must vote on all questions before the Council and may abstain only by reason of conflict of interest.
15. Silence of a Councilmember during a voice vote shall be recorded as an affirmative vote except where such a Councilmember abstains because of a stated conflict of interest.
16. No vote may be cast by proxy.
17. The City Council votes on the motion as restated and the Presiding Officer will state the results of the vote.
18. In case of a tie vote on any motion, the motion fails subject to conditions outlined in RCW 35A.12.100.
19. In cases where there seems to be no opposition, or on questions of little importance, the Presiding Officer may seek approval by unanimous consent.
20. When the Council concurs with an item that does not require a formal motion, the Presiding Officer will summarize the Council's consensus at the conclusion of the discussion.

G. Questions of Order

All questions of order shall be decided by the Presiding Officer with the right of appeal to the majority of Councilmembers present.

I. Adjournments

1. All meetings of the Council shall adjourn no later than 10:00 p.m. If the Council desires to extend the meeting, a motion shall be required of a majority plus one vote or consensus of Councilmembers present. Items not acted on by the 10:00 p.m. deadline shall be deferred to the next respective Council meeting as Unfinished Business, unless Council, by a majority vote or consensus of members present, determines otherwise.
2. Any Committee of the Whole, Regular, adjourned Regular, Special or adjourned Special Meeting may be adjourned in the manner as set forth in RCW 42.30.090.

V. Public Participation

- A. **Public Hearings:** The following procedures shall apply to public hearings, except public hearings subject to Tukwila Municipal Code Chapters 18.104 through 18.116, which shall be subject to the procedures specified therein.
 1. City staff will provide a report summarizing and providing context to the issue at hand.
 2. The proponent shall speak first and is allowed 15 minutes to make a presentation. The Council may ask questions.
 3. The opponent is allowed 15 minutes to make a presentation. The Council may ask questions.

4. Each side is then allowed 5 minutes for rebuttal.
5. After the proponents and opponents have used their speaking time, the Council may ask further clarifying questions of the speakers.
6. Members of the public who wish to address the Council on the hearing topic may speak for 5 minutes each.
7. Speakers are asked to sign in on forms provided by the City Clerk.
8. The Council may ask clarifying questions of speakers and the speakers may respond.
9. Speakers should address their comments to the City Council.
10. If a large number of people wish to speak to the issue, the Council may limit the total amount of comment time dedicated to the Public Hearing.
11. Once the Presiding Officer closes the public hearing, no further comments will be accepted, and the issue is open for Councilmember discussion.
12. Any hearing being held or ordered to be held by the City Council may be continued in the manner as set forth by RCW 42.30.100.

B. Public Comment

1. Time is set aside at each Committee of the Whole and Regular Meeting for members of the public to address the Council about items both included and not included on the agenda.
2. Public comment is to allow members of the community to provide input to the City Council and should not interfere with the ability of the City Council to conduct its business.
3. The City Council will also accept public comment on an item at the point when that item is presented during the meeting agenda. Speakers will be limited to commenting once per item during a meeting.
4. Speakers are asked to sign in on forms provided by the City Clerk.
5. Speakers must wait to be recognized by the Presiding Officer.
6. Speakers are requested to first state their name for the record.
7. Speakers should limit their remarks to 5 minutes or less, unless granted additional time by the Presiding Officer or majority of the Council.
8. All remarks should be addressed to the Council as a whole and not to individual Councilmembers, City staff, or members of the audience.
9. No speaker may donate speaking time to another individual.
10. If a large number of people wish to speak to a particular issue, the Council may limit the total amount of comment time dedicated to that issue.
11. Comments should not be taken on items subject to quasi-judicial consideration unless it is during a specified public hearing.

12. Written comments may be submitted to the City Clerk or designee for distribution to the City Council. If seven copies are not provided by the submitter, copies will be distributed to the City Council by the next day.
13. The Council has the right to invite anyone to speak at times other than the public comment period, which is done by consensus, unanimous consent or majority vote.
14. Councilmembers should refrain from engaging in dialogue with commenters.

C. Disruptions

1. Disruptions of a Council meeting are prohibited and include but are not limited to the following:
 - a. Failure of a speaker to comply with the allotted public comment time.
 - b. Outbursts from members of the public who have not been recognized by the Presiding Officer.
 - c. Interfering with other individuals desiring to provide public comment.
 - d. Behavior that intentionally disrupts or impedes attendance or participation at a meeting.
2. If an individual is disruptive, the Presiding Officer may terminate that individual's comment period, request assistance to direct an individual to their seat or, in extreme cases, request assistance in removing the individual from the meeting room.
3. If a meeting has become disrupted to the point of a failure of resuming business, the Presiding Officer should call for a motion to recess.
4. If order cannot be restored, the City Council may 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 pursuant to RCW 42.30.050.

VI. City Council Committees

A. Standing Committees

1. The City Council may choose to implement a framework of standing committees, comprising three Councilmembers each, to aid in the transaction of its business.
2. The standing committee titles, scopes of authority, and schedule will be adopted by resolution in January of each year.
3. The scopes of the standing committees will be balanced in accordance with the City's workload.
4. The Council President shall appoint the chair and membership of each Committee by the second Regular Meeting of each year.

5. The standing committees shall consider and make policy recommendations to the City Council. Committees may at times refer items to the full Council with no recommendation.
6. Each Committee Chair shall report to the Council the findings of the committee.
7. Each Committee Chair may review and approve the Committee agenda and will approve Committee minutes before distribution. The Committee Chair can authorize the cancellation of a Committee meeting.
8. In the event a Committee member is unable to attend a meeting, another Councilmember may attend in the absent member's place. If no replacement can be found, the meeting may still take place with two members.

B. Ad Hoc Committees

The City Council may establish such ad hoc committees as may be appropriate to consider special matters that do not readily fit the standing committee structure or that require a special approach or emphasis.

VII. Council Vacancies

A. Vacancy

A Council position becomes vacant upon the resignation, recall, forfeiture of position, or death of a Councilmember. The remaining members of the governing body shall appoint a qualified person to fill the vacant position.

B. Resignation

1. A written resignation including an effective date must be submitted to the City Council in writing.
2. The City Council accepts a resignation by a motion and vote.

C. Appointment

If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 35A.12.050. 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 form for applying. The application forms will be used in conjunction with an interview of each candidate to aid the Council selection of the new Councilmember.

VIII. Public Records Compliance

A. **Compliance**

1. Each Councilmember is responsible for complying with RCW 42.56, laws that govern public records.
2. Paper and electronic records that relate to the functional responsibility of the recipient or sender as a public official constitute a public record, which is subject to public inspection in accordance with RCW 42.56.
3. Councilmembers should send and receive messages related to City business through the City's email system
4. Emails and/or text messages transmitted through personal accounts and devices are public records and must be retained accordingly.
5. Councilmembers shall not communicate in any electronic format with another Councilmember during a Council meeting.
6. Social media posts are a public record. Wherever possible, posting should contain links directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct official City business.
7. Public records created or received by a Councilmember will be transferred to the Legislative Analyst for retention by the City in accordance with retention requirements under state law.
8. Public records that are duplicates of those in the possession of City staff, such as meeting agendas, are not required to be retained.