



CITY OF  
BAINBRIDGE ISLAND

**SPECIAL CITY COUNCIL MEETING  
SATURDAY, FEBRUARY 08, 2020**

BAINBRIDGE ISLAND CITY HALL  
280 MADISON AVENUE N.  
BAINBRIDGE ISLAND, WASHINGTON

**AGENDA**

1. **CALL TO ORDER / ROLL CALL - 9:00 AM**
2. **CITY COUNCIL DISCUSSION**
  - 2.A **(9:05 AM) Role of the Mayor and Deputy Mayor,** 30 Minutes  
[January 16, 2020 Agenda Item](#)
  - 2.B **(9:35 AM) Discuss Role of Council Liaisons,** 15 Minutes  
[Councilmember Liaison Job Description draft 12-3-19.docx](#)
  - 2.C **(9:50 AM) Council Procedural Rules,** 60 Minutes  
[Council Rules of Order Analysis 01-16-20.pdf](#)  
[Decorum in Debate-Council Rules of Order.pdf](#)  
[Four Simple Rules of Parliamentary Procedure.pdf](#)  
[MRSC Guide to RONR.pdf](#)
3. **ADJOURNMENT - 12:00 PM**

**GUIDING PRINCIPLES**

**Guiding Principle #1** - Preserve the special character of the Island, which includes downtown Winslow's small town atmosphere and function, historic buildings, extensive forested areas, meadows, farms, marine views and access, and scenic and winding roads supporting all forms of transportation.

**Guiding Principle #2** - Manage the water resources of the Island to protect, restore and maintain their ecological and hydrological functions and to ensure clean and sufficient groundwater for future generations.

**Guiding Principle #3** - Foster diversity with a holistic approach to meeting the needs of the Island and the human needs of its residents consistent with the stewardship of our finite environmental resources.

**Guiding Principle #4** - Consider the costs and benefits to Island residents and property owners in making land use decisions.

**Guiding Principle #5** - The use of land on the Island should be based on the principle that the Island's environmental resources are finite and must be maintained at a sustainable level.

**Guiding Principle #6** - Nurture Bainbridge Island as a sustainable community by meeting the needs of the present without compromising the ability of future generations to meet their own needs.

**Guiding Principle #7** - Reduce greenhouse gas emissions and increase the Island's climate resilience.

**Guiding Principle #8** - Support the Island's Guiding Principles and Policies through the City's organizational and operating budget decisions.



**City Council meetings are wheelchair accessible. Assisted listening devices are available in Council Chambers. If you require additional ADA accommodations, please contact the City Clerk's Office at 206-780-8604 or [cityclerk@bainbridgewa.gov](mailto:cityclerk@bainbridgewa.gov) by noon on the day preceding the meeting.**



CITY OF  
BAINBRIDGE ISLAND

## Special City Council Meeting Agenda Bill

**MEETING DATE:** February 8, 2020

**ESTIMATED TIME:** 30 Minutes

**AGENDA ITEM:** (9:05 AM) Role of the Mayor and Deputy Mayor,

**SUMMARY:** Role of the Mayor and Deputy Mayor

1. Term of Mayor
2. Term of Deputy Mayor
3. Facilitation of meetings (business meetings and study sessions)
4. Attendance at the agenda setting meeting with the City Manager
5. Other roles, duties, responsibilities of the Mayor

At the January 16, 2020 Special City Council meeting, Councilmember Hytopoulos brought forward a similar item for Council discussion (see attached).

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** City Council

**RECOMMENDED MOTION:** Discussion.

**STRATEGIC PRIORITY:** Good Governance

**FISCAL IMPACT:**

<b>Amount:</b>	
<b>Ongoing Cost:</b>	
<b>One-Time Cost:</b>	
<b>Included in Current Budget?</b>	

**BACKGROUND:**

**ATTACHMENTS:**

[January 16, 2020 Agenda Item](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



CITY OF  
BAINBRIDGE ISLAND

## Special City Council Meeting Agenda Bill

**MEETING DATE:** January 16, 2020

**ESTIMATED TIME:** 20 Minutes

**AGENDA ITEM:** (8:25 PM) Role of the Mayor and Deputy Mayor - Councilmember Hytopoulos,

**SUMMARY:** The Council will discuss the following proposed changes to the roles and responsibilities of the positions of mayor and deputy mayor:

1. Consider returning to the practice of a one-year term for the position of mayor, through an agreement that the mayor shall voluntarily resign annually, with the understanding that the mayor could stand for re-election if he or she so chooses.
2. Consider returning to the practice of the deputy mayor chairing City Council study sessions.
3. Consider returning to the practice of rotating the deputy mayor position bi-monthly.

These changes would relieve some of the pressure on the position of mayor, redistribute some of the power currently vested in the mayor's position (real or perceived), and would create the opportunity for on the job training for future candidates for mayor by ensuring that every councilperson has an opportunity to chair meetings and participate in the agenda setting process on rotating basis.

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** City Council

**RECOMMENDED MOTION:** Discussion.

**STRATEGIC PRIORITY:** Good Governance

**FISCAL IMPACT:**

<b>Amount:</b>	
<b>Ongoing Cost:</b>	
<b>One-Time Cost:</b>	
<b>Included in Current Budget?</b>	

**BACKGROUND:**

**ATTACHMENTS:**

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**



CITY OF  
BAINBRIDGE ISLAND

## Special City Council Meeting Agenda Bill

**MEETING DATE:** February 8, 2020

**ESTIMATED TIME:** 15 Minutes

**AGENDA ITEM:** (9:35 AM) Discuss Role of Council Liaisons,

**SUMMARY:** To continue previous Council discussion regarding the role of Council liaisons. A memo provided to the Council at the December 3, 2019 study session is attached for review and discussion.

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** City Council

**RECOMMENDED MOTION:** Discussion.

**STRATEGIC PRIORITY:** Good Governance

**FISCAL IMPACT:**

<b>Amount:</b>	
<b>Ongoing Cost:</b>	
<b>One-Time Cost:</b>	
<b>Included in Current Budget?</b>	

**BACKGROUND:**

**ATTACHMENTS:**

[Councilmember Liaison Job Description draft 12-3-19.docx](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**

## Councilmember Liaison Job Description

### Definition of Liaison

“Liaison”: a person who establishes and maintains communication for mutual understanding and cooperation (Merriam-Webster Dictionary).

### Duties and Expectations of a Council Liaison

- 1 A Councilmember acting as a liaison to a Council advisory committee or other body (a “Committee”) is not a member of the Committee.
- 2 A Councilmember liaison is acting as a representative of the full Council and, as such, has no authority to provide any direction or guidance to the Committee other than direction or guidance that clearly represents direction or guidance of the full Council.
- 3 Generally put, the Councilmember liaison shall not attempt to influence the work or recommendations of the Committee. More specifically,
  - the Councilmember shall not take part in the Committee’s deliberations or discussions unless (a) the Committee requests the Councilmember’s participation in a particular discussion or (b) the Councilmember determines that he or she must speak up in order to remind the Committee of Council direction, City policies, or City laws; and
  - the Councilmember shall not take part in any votes or decisionmaking of the Committee.
- 4 The Councilmember liaison shall work to ensure that the Committee is only taking actions or doing work that is within the scope of the Committee’s work as determined or approved by Council. The liaison can do this by, for example, reminding the Committee as needed of the scope of work that the Council set for the Committee.
- 5 The Councilmember liaison shall bring to the Council any requests from the Committee, such as the following:
  - (a) questions raised by a Committee about the Committee’s scope of work;
  - (b) requests from the Committee to change the Committee’s scope of work;
  - (c) requests for expenditures of City resources to further the Committee’s work (money, staff time, or other resources); and
  - (d) requests from the Committee to place an item on a Council meeting agenda.

- 6 The Councilmember liaison shall work to ensure that the Council is regularly updated on the work of the Committee. To that end, the Council shall on a quarterly basis revisit the work plan of each Committee and hear from each Committee's liaison a report on the Committee's progress on the work plan.

## Governance Manual Provisions

### Section 3.2.6 Council Liaison

With Council approval, a Councilmember may serve for a calendar year as the Council's Liaison (i.e. representative), to an organization. A Liaison is responsible for facilitating communication, collaboration and coordination with the designated organization, and with regular reporting and accountability to the Council. There are typically Councilmember Liaisons to four types of organizations:

- A county-wide or regional policy or governing body or intergovernmental organization (such as the Kitsap Regional Coordinating Council)
- A community organization (such as an arts, business, or social service organization)
- A governing or inter-agency board functioning in the city (such as the Parks Board or the Intergovernmental Working Group – IGWG); and
- A citizen board, commission, or committee of the City, whether or not the charter calls for an ex officio Council member (such as the Utility Advisory Committee or Lodging Tax Advisory Committee)

### Exhibit B, section (c) Liaison Procedures

Individual members of the Council may be assigned as liaisons whose duties involve keeping current with a group or activity by either attending meetings or conferring with members, and keeping Council informed. Liaisons may advocate Council actions on behalf of their assigned group or activity. Care must be taken to avoid an Appearance of Fairness Doctrine violation, or conflict of interest possibilities (i.e.: in the unusual case of a quasi-judicial proceeding). Liaisons' functions and duties may be further defined and/or directed by the Mayor or Mayor Pro Tem with concurrence of Council.



CITY OF  
BAINBRIDGE ISLAND

## Special City Council Meeting Agenda Bill

**MEETING DATE:** February 8, 2020

**ESTIMATED TIME:** 60 Minutes

**AGENDA ITEM:** (9:50 AM) Council Procedural Rules,

**SUMMARY:** The Council will discuss procedural rules.

### Council Procedural Rules

Roberts Rules (RR) is specified as the default in our Governance Manual, but we can create our own rules.

- Is RR what we fall back on, or do we strictly adhere at all times? How does it impact the quality of discussions?
- Toward the goal of limiting long discussions: do we want to create an accepted protocol where we dialog to an end (and possibly move to a vote)? Does this include polite interruptions? What does polite look like? For what reasons? What constitutes fairness? Can we incorporate a “process” check, e.g., a softer version of Point of Order?
- Policy for nominating items for the agenda: RR vs. COBI tradition, protecting minority voices
- When to make the motion: does discussion prior to a motion aide the process?

### Other procedural agreements

- Avoiding last minute agenda items; protecting the opportunity to prepare.
- Formal vs. informal addressing each other on the dais.
- We need to freely and vigorously disagree on policy; what does it look like to avoid making it personal?
- Public Comment: Limit public comment to those who sign up? Divide 30 minutes by the number of speakers (a 3-minute max, 1-minute minimum?)

### Study session agreements

- Clarify: We don't make final policy decisions, but we can vote to see “where we are now” and forward a recommendation to staff.
- Validate: We don't take public comment at study sessions, but if a majority agrees, we can invite someone to provide information.
- Seating arrangements: Keep or change?

**AGENDA CATEGORY:** Discussion

**PROPOSED BY:** City Council

**RECOMMENDED MOTION:** Discussion.

**STRATEGIC PRIORITY:** Good Governance

**FISCAL IMPACT:**

<b>Amount:</b>	
<b>Ongoing Cost:</b>	
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**BACKGROUND:**

**ATTACHMENTS:**

[Council Rules of Order Analysis 01-16-20.pdf](#)

[Decorum in Debate-Council Rules of Order.pdf](#)

[Four Simple Rules of Parliamentary Procedure.pdf](#)

[MRSC Guide to RONR.pdf](#)

**FISCAL DETAILS:**

**Fund Name(s):**

**Coding:**

# Council Rules of Order and Procedure Analysis

Draft version 01-16-20

## Background

- In May of 2009, 70% of Bainbridge Island voters supported a referendum restricting mayoral powers and substantially increasing council powers, by switching from a mayor-council form of government to a council-manager form.
- The council in a council-manager city may determine its own rules and order of business and establish rules for the conduct of its meetings (RCW 35A.13.170 via reference to RCW 35A.12.110 and RCW 35A.12.120, and RCW 35A.13.230 via reference to 35A.11 (laws governing noncharter code cities)).
- The set of ordinary and customary rules that councils usually choose for their meetings is “parliamentary procedure.” These customs, rules and guidelines have evolved over the last 500 years to govern the conduct of public meetings. They form part of the common law. The courts have found that public bodies must follow parliamentary principles.
- Robert’s Rules of Order, Newly Revised (RONR) is almost universally adopted by municipalities in Washington for their rules of order.
- Washington’s Municipal Research and Services Center has produced a 10 page guide for conducting public meetings using parliamentary procedure and Robert’s Rules of Order that covers the basics of parliamentary procedure as applied to council-manager and mayor-council forms of government in Washington State.
- The Bainbridge Island City Council (BICC) has adopted RONR as its parliamentary rules of order, but has also adopted its own special rules modifying RONR, primarily in its 51 page “Governance Manual”.
- Some council rules of order and procedure have been also been written into municipal code, primarily in BIMC Title 2, particularly those pertaining to the disposition of council standing and special committees (sensu RONR).
- Some council rules of order are also prescribed by state laws regulating city council conduct and the conduct of individual councilors. These are mostly in Title 35 RCW Cities and Towns, and Title 42 RCW Public Officers and Agencies. See also RCW 9A.80.010, which defines official misconduct for public servants.
- The 51 page “Governance Manual” is intended to provide policies, procedures and guidelines for the council-manager form of government. It is a complex document that contains substantially more than special rules of order which modify RONR.
- The Manual is a combinations of:
  - Restatements of and interpretations of state law,
  - Restatements of and interpretation of Bainbridge Island Municipal Code,
  - Administrative policies,
  - Restatement of RONR combined with special rules of order that modify RONR but in such a way that it isn’t clear which order is part of RONR and which are special rules of order
  - Council policies that apply to the conduct of councilors outside of council meetings,

- Best management practices related to state laws such as the OPMA and PRA,
- General policies that apply to “leaders”, presumably the city manager and councilors, and
- Qualitative, aspirational statements.
- Preliminary analysis suggests the council special rules of order, that is, rule of orders that are in addition to Robert’s Rules of Order, can be found in the following sections of the Governance Manual:
  - Article 9, Rules of Order for Council Meetings,
  - Article 6, Citizen Committees, Boards and Commissions,
  - Article 5.6. Respect and Decorum,
  - Article 5.7 telephonic or video participation from a remote location,
  - Article 4.12 Conduct of Officials with Regard to Litigation Against the City,
  - Article 4.11 Process for Officials to Question the Legality of City Actions,
  - Article 4.8.2 Emails, Text Messages, Social Media and other Electronic Records,
  - Article 3.3 Types of Meetings of Council
  - Article 3.1 Types of Governing Bodies and Advisory or Supporting Groups,
  - Article 3.2.6 Council Liaison,
  - Article 2.1.2 Collaboration is Valued,
  - Article 2.1.3 City Leaders Lead and Reason Together;
  - Exhibit A Simplified Summary of Parliamentary Procedure,
  - Exhibit B Current list of Citizen Committees, Commissions and Boards and
  - Exhibit D, Sample Order of Business

### **Comments, Suggestions and Questions**

There are many rules in the 51 page Governance Manual and at times it is hard to know which rules apply to whom and that makes them difficult to follow. This is particularly true in the context of understanding those special rules of order the council has adopted which modify Robert’s Rules of Order. Additionally, the subject matter is organized differently from RONR, providing challenges to understanding how the council’s special rules differ from RONR. Finally, special rules of order pertaining to a particular subject, such as committees, are spread across multiple Articles, which contributes to additional opacity when it comes to understanding council’s rules of order.

As an example, in regards to council rules of order, there is a mix of rules pertaining to council meetings, committee meetings, and actions outside of council meetings. Most rules pertaining to council meetings are contained in Article 9, but not all of them, and some of Article 9 pertains to council behavior outside of council meetings. It would improve Governance Manual clarity to consolidate the council meeting rules of order, consolidate rules of order related to committees, and consolidate other policies that councilors are expected to follow outside of council meetings.

It may also help to provide an abbreviated form of the typical Rules of Order that councilors and committee member could bring with them to meetings.

Many council committees, both standing and special, consist primarily of citizens and not councilors. Observations suggest that many such citizens committees do not follow parliamentary procedure for small committees and may not even be aware that they should do so.

There are no clear penalties for failure to follow the rules. Are councilors subject to a reprimand or censure by the full council? Should the offending councilor be required to issue an apology? RONR prescribes rules for what to do when there is a lack of decorum during debate, indicating that it is a matter that must be addressed by the members, but does not prescribe specific penalties. Finally, as a possible penalty, does failure to follow the rules constitute an Article 1 ethics violation under the council's ethic program?

Exhibit A of the Manual Simplified Summary of Parliamentary Procedure could be updated to include the common parliamentary procedures used by the BICC. Consider a flow chart of procedures, especially for study sessions where the rules are somewhat amorphous. Also consider specific examples.

Exhibit B Current List of Citizen Committees, Commissions and Boards is out of date. Also, would be helpful to cite specific enabling legislation for each advisory body, a more detailed description of what the committee does. The committee list does not appear to be consistent with the committee worksheet presented to the council during the January 7 meeting and does not, at first glance, appear consistent with the committees listed in BIMC Title 2.

In regards to recitations of state and local laws, some of the statements in the Manual may be out-of-date.

RONR is not cited for most statements that come directly from that source, making it difficult to understand which policies are restatements of RONR and which are modifications to RONR. This creates confusion, because words in RONR have defined specific meanings whereas words in the Manual's special orders are not always well-defined.

## **Recommended Actions**

(1) Refer Issue to a Council Special Committee that includes Councilor Pollock and up to two other Councilors, with instructions to: Consolidate the Governance Manual to produce a clear and concise version of the Council's Rules of Order within 14 days, that is consistent with state law, Bainbridge Island Municipal Code and parliamentary procedure, working with the City Attorney if needed.

(2) In the near-future, schedule a special meeting of the City Council or an extended time block within a study session, for the council to review, as a Committee-of-the Whole, the clarified rules of order. The purpose of this meeting would be to address questions from all councilors and consider amendments from all councilors, and to consider either for adoption and/or referral back to committee for additional work, as determined by council majority.

Suggestion: adopt "informal" rules of debate for this question, as allowed by RONR.

(3) In the near-future, schedule a special meeting of the City Council or an extended time block within a study session to have a workshop led by an outside organization such as Jurassic Parliament provide an overview of Parliamentary Procedure and Robert's Rules of Order. Require attendance for all members (only require the chair?) of all council committees as a condition of serving on a council committee.

## **Appendix 1-Bainbridge Island City Council Rules of Order regarding decorum during council meetings.**

### **Robert's Rules of Order Article VII.43 Decorum in Debate\***

**43. Decorum in Debate.** In debate a member must confine themselves to the question before the assembly, and avoid personalities. They cannot reflect upon any act of the assembly, unless they intend to conclude his remarks with a motion to rescind such action, or else while debating such a motion. In referring to another member, they should, as much as possible, avoid using their name, rather referring to them as "the member who spoke last," or in some other way describing them. The officers of the assembly should always be referred to by their official titles. It is not allowable to arraign the motives of a member, but the nature or consequences of a measure may be condemned in strong terms. It is not the person, but the measure, that is the subject of debate.

If one desires to ask a question of the member speaking, they should rise, and without waiting to be recognized, say, "Madame Chair, I should like to ask the member a question." The chair then asks the speaker if they are willing to be interrupted, or the speaker may at once consent or decline, addressing, however, the chair, through whom the conversation must be carried on, as members cannot directly address one another in a deliberative assembly. If the speaker consents to the question, the time consumed by the interruption comes out of the time of the speaker.

If at any time the chairman rises to state a point of order, or give information, or otherwise speak, within their privilege, the member speaking must take their seat till the chair has been heard first. When called to order by the chair the member must sit down until the question of order is decided. If their remarks are decided to be improper, they cannot proceed, if any one objects, without the leave of the assembly expressed by a vote, upon which question no debate is allowed.

Disorderly words should be taken down by the member who objects to them, or by the secretary, and then read to the member. If they deny them, the assembly shall decide by a vote whether they are their words or not. If a member cannot justify the words they used, and will not suitably apologize for using them, it is the duty of the assembly to act in the case. If the disorderly words are of a personal nature, after each party has been heard, and before the assembly proceeds to deliberate upon the case, both parties to the personality should retire, it being a general rule that no member should be present in the assembly when any matter relating to themselves is under debate. It is not, however, necessary for the member objecting to the words to retire unless they are personally involved in the case. Disorderly words to the presiding officer, or in respect to the official acts of an officer, do not involve the officer so as to require them to retire. If any business has taken place since the member spoke, it is too late to take notice of any disorderly words they used.

During debate, and while the chair is speaking, or the assembly is engaged in voting, no member is permitted to disturb the assembly by whispering, or walking across the floor, or in any other way.

\*pronouns modified by author to reflect modern sensibilities

**Special Rules of Order regarding Decorum, from Council's Governance Manual, Article 5.6  
Respect and Decorum**

It is the duty of the Presiding Officer and Council members to maintain dignity and respect for their offices, City staff, and the public. While the Council is in session, the Councilmembers shall preserve civility, order and decorum. No member of the public shall, by conversation or otherwise, delay, disrupt or interrupt the proceedings of the Council, nor disparage any person while speaking. Councilmembers and the public shall obey the proper orders of the Presiding Officer of the meeting.

**Definitions**

*Civility*: formal politeness and courtesy in behavior or speech.

*Decorum*: behavior in keeping with good taste and propriety.

*Order*: the prescribed or established procedure followed by a meeting, legislative assembly, debate, or court of law.

*Respect*: due regard for the feelings, wishes, rights, or traditions of others.

*Dignity*: the state or quality of being worthy of honor or respect.

## Four Simple Rules of Parliamentary Procedure

By A. Gregory Wonderwheel, M.A., J.D.

Many people are intimidated by the words "parliamentary procedure" and by Robert's Rules of Order, both by the book's imposing number of pages and its complex cross referenced rules. Human beings are very complex too, but that doesn't prevent them from being our friends. Similarly, parliamentary rules should be the member's friend, and all the complexity of the rules should be made friendly by an understanding of their common sense relationships to each other.

The purpose of parliamentary rules of order are to help people make group decisions after a full, fair, and free discussion. All the rules of parliamentary procedure may be traced to four fundamental principles of common sense, which I liken to the four legs holding up of the parliamentary table. If the member of the board, committee, or assembly holds these four basic rules in mind, all the other rules will fall into place and easily be put into perspective.

### **1. One Speaker Speaks at a Time**

### **2. One Question Is Decided at a Time.**

### **3. The Speaker Must Be Respectful.**

### **4. Everyone's Rights Are Protected by Balancing Them with Each Other.**

~

**1. One Speaker Speaks at a Time.** The rules of order about who may get *the floor* to speak and when a speaker may be interrupted all derive from the simple rule that if any of the members are to be heard then only one member should speak at a time. If someone is speaking then others should be quiet. If another feels it is important enough to interrupt, hopefully that person will know the rule that allows him or her to interrupt. But if the person feels the need to interrupt is important and doesn't know the rule, then the member may always make a *parliamentary inquiry* to ask the chair if there is a rule that allows for interruption for that purpose. It is the chair's duty to assist members with understanding the rules and finding the appropriate rule to assist the member's participation.

**2. One Question Is Decided at a Time.** A question is a *motion*. People need to know what issue is being discussed and when and how it will be decided. All the rules about considering motions and their rank in order are made to avoid confusion about which

question the group is discussing and deciding. The basic rule is that only one question is considered at a time in the order of being raised. If one question is being debated but another question develops that would have an important impact on the first question, then the rules provide a way for the *subsidiary* question to be decided before the *main* question. Also when important questions arise that are not about the main question but must be asked and answered before the group can continue, these *privileged* or *incidental* questions may be considered while the main or subsidiary question is pending. By making a parliamentary inquiry any member may ask the chair if their question has any precedence over the immediately pending question. When one question has precedence all other pending questions are stacked to be decided in order.

**3. The Speaker Must Be Respectful.** The rules of order are fundamentally about respecting each member of a group so that the group can get decisions made in as quick and as fair a manner as possible, considering the size of the group and the urgency of the question. Decorum is a significant factor in helping questions be decided expeditiously, ethically, and impartially. The rules of decorum embody the principle that each member of a group has an equal right to attempt to persuade the other members that his or her view of a question is correct or best for the group. A member's attempt to persuade the group is *debate*. Fair debate requires each member so show respect for the other members. Disrespectful debate takes unfair advantage of the right to persuade. Name calling, personalizing, shouting down, or other types of disrespect are not appropriate means of persuasion. The chair has the duty to call to order any member who is disrespectful. Also any member may raise a *point of order* to call to order another member who breaches decorum. The chair should direct the offending member to proper conduct. If a member continues to be disorderly after correction, the chair or any member may ask the group to discipline the member, including asking for an apology or ejecting the member for the remainder of the meeting. Since the conduct occurred in the meeting there is no need for a formal disciplinary trial. But if a member continues to act disrespectfully and that conduct reflects badly on the group or interferes with the group's ability to conduct business, then the ultimate discipline of being expelled from membership in the organization may be decided after a trial according to the bylaws or the rules of parliamentary procedure adopted by the organization.

**4. Everyone's Rights Are Protected by Balancing Them with Each Other.** The whole design of the rules of parliamentary procedure is created to balance the rights of the members. The interests balanced by the rules are those 1) of the majority, 2) of the minority, 3) of the individual member, 4) of the absentee members, and 5) of all together. For example, the simple majority vote for most main questions protects the majority's right to get business done. A two-thirds majority vote protects the rights of

a minority larger than one-third when certain significant questions are considered. The rules requiring or not requiring a second protect the rights of the individual or the minority to consider or prevent consideration of certain questions. The rules of quorum and notice protect the absentee members. By having the common sense understanding of whose rights are being protected by any particular rule, both the member and the group will appreciate the rule and how the rule operates within the greater scheme of applying the rules to particular circumstances. Knowing that the rules are balanced to protect everyone's rights, not just the majority or just a minority, helps members appreciate why the rules are elaborate.



All the rules of parliamentary procedure relate directly to one or more of these four simple rules. If these four primary rules are held in mind when conducting meetings, the members should be able to have their say while the questions needing to be decided are decided in the most fair and efficient manner possible. Even if a member isn't familiar with all the rules of procedure, these four rules will provide enough of a basis to know by common sense whether the rules of parliamentary procedure generally are being followed or not. If a member thinks that one of these four rules is being violated, or not appropriately applied, that is a warning sign. It is always in order for the member to ask the chair if the member is correct. Then the chair should assist the member in clarifying the point or question and, if necessary, assist the member in formulating the proper particular motion to make the point or question appropriate to consider.

# CITIZEN'S GUIDE TO EFFECTIVE CONDUCT OF PUBLIC MEETINGS USING PARLIAMENTARY PROCEDURE AND ROBERT'S RULES OF ORDER IN WASHINGTON STATE



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This guide has been prepared to assist citizens and residents who want to know the expectations for public meetings under parliamentary procedure and Robert's Rules of Order in Washington State. We use the example of a city council; these questions are also relevant to other local government bodies such as county commissions, school boards, special districts, etc. We are parliamentarians and nothing in this guide constitutes legal advice.

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October 6, 2017  
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## INTRODUCTION

This material is general and educational in nature. The answers are based on *Robert’s Rules of Order Newly Revised, 11th edition* (abbreviated RONR) and our own experience. The National Association of Parliamentarians ([parliamentarians.org](http://parliamentarians.org)) and the American Institute of Parliamentarians ([aipparl.org](http://aipparl.org)) provide extensive information on parliamentary procedure. For additional information on many of these questions, MRSC (Municipal Research and Services Center) has valuable reference materials available for free download ([mrsc.org](http://mrsc.org)).

In this guide we talk about “mayor-council” cities, in which the mayor is elected by the people, and “council-manager” cities, in which the city council elects the mayor from among its own members. Charter cities are governed by the contents of their charter and state law. Throughout this guide, the term “mayor” means “presiding officer” (the person in charge of running the meeting).

In every state, state law governs the actions of local government. Many states give access to their relevant statutes online. The Revised Code of Washington (RCW) is mentioned for reference purposes only. Nothing in this guide constitutes legal advice. Consult your attorney or another qualified authority if you have questions about how these general principles apply in a specific situation.

PRP	Professional Registered Parliamentarian (NAP)
CP	Certified Parliamentarian (AIP)
CPP	Certified Professional Parliamentarian (AIP)
CP-T	Certified Parliamentarian-Teacher (AIP)
CPP-T	Certified Professional Parliamentarian-Teacher (AIP)

### Excerpts from the Revised Code of Washington (RCW):

RCW 35A.12.100 (Mayor-council) The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers 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.

RCW 35A.13.030 (Council-manager) The chair of the council shall have the title of mayor and shall preside at meetings of the council.

RCW 35A.12.120 The council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and maintenance of order. (Note: This applies to both mayor-council and council-manager cities.)

## I. PARLIAMENTARY PROCEDURE

### **I thought state law governed the conduct of city council meetings. Why do mayors and members of city councils have to follow parliamentary procedure?**

Under Washington State law, councils determine their own rules:

RCW 35A.12.120 “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.”

The set of ordinary and customary rules that councils usually choose for their meetings is “parliamentary procedure.” These customs, rules and guidelines have evolved over the last 500 years to govern the conduct of public meetings. They form part of the common law. The courts have found that public bodies must follow parliamentary principles. In some states, the requirement to follow parliamentary principles is specifically included in state law.

### **If a council hasn’t adopted Robert’s Rules of Order, can it run its meetings the way it likes?**

No. Robert’s Rules of Order is one widely-used authority summing up the general understanding of parliamentary procedure. There are other authorities as well. Even if a council has not adopted any authority, it is still bound by parliamentary principles as part of the common law.

### **What does the principle of majority rule mean?**

The principle of majority rule means that the decision of a majority of the members of the body (more than half of those present and voting) is the decision of the entire council. The minority must make it their own, or at a minimum, may not take actions to prevent the council from carrying out its decision.

### **What is a quorum?**

A quorum is the minimum number of voting members who must be present for business to be done. Unless otherwise specified, it is a majority of the members then in office. In a mayor-council city, the mayor is not counted towards the quorum. RONR pp. 345-351

### **Can a council suspend all of Robert’s Rules?**

No. RONR p. 263-265

### **How can a rule be suspended?**

If a member wishes to suspend a rule, for instance, to allow a member of the public to speak longer than the allotted time, he says, “I move to suspend the rules in order to allow the citizen to complete his remarks.” This motion needs a second and cannot be debated. It usually takes a two-thirds vote to pass. The specific rule being suspended is not mentioned, only the purpose. Some rules cannot be suspended. RONR pp. 260-267

## II. PRESIDING

### **Who is in charge of running a public meeting, such as a city council, school board or special district meeting?**

For each body, there is a specific individual who has authority to run the meeting, either by election or appointment. This person’s personal authority is subject to state law and regulations, any bylaws or guidelines adopted by the body, and the will of the body itself. Depending on the body, this individual will have the title of mayor, president, chair, etc. In a city council, the mayor has the duty of running the meeting.

**Under the Revised Code of Washington, a mayor elected by the people is supposed to run the meeting. Doesn't he have the right to run it the way he likes?**

No. The mayor in a mayor-council must follow the principles outlined in parliamentary procedure. During the meeting, he is the servant of the group, and the group is the final authority. The group's final authority is exercised by using the motion to appeal.

### III. MAYOR

**What are the obligations of the mayor during a meeting?**

The mayor has the following duties. RONR pp. 449-450

Open meeting	To open the meeting at the appointed time by taking the chair (sitting in the seat reserved for the presiding officer), after finding that a quorum is present, and calling the meeting to order.
Announce next activity	To announce in proper sequence the next activity before the council in accordance with the prescribed order of business.
Recognize members	To recognize council members who are entitled to the floor (who have the exclusive right to be heard at that time).
State questions and put to vote	To state and put to vote all questions that legitimately come before the council as motions or that otherwise arise in the course of proceedings, and to announce the result of each vote; or, if a motion that is not in order is made, to rule it out of order.
Refuse to recognize dilatory motions	To protect the council from obviously dilatory (recurrent time-wasting or obstructive) motions by refusing to recognize them.
Enforce order and decorum	To enforce the rules relating to debate and those relating to order and decorum within the council.
Expedite business	To expedite business in every way compatible with the rights of council members and the council rules.
Decide all questions of order	To decide all questions of order subject to appeal — unless, when in doubt, the mayor prefers initially to submit such a question to the council for decision.
Respond to inquiries	To respond to inquiries of council members relating to parliamentary procedure or factual information bearing on the business of the council.
Authenticate documents	To authenticate by his signature, when necessary, all acts, orders and proceedings of the council.
Close meeting	To declare the meeting adjourned when the council so votes or — where applicable — at the time prescribed in the agenda, or at any time in the event of a sudden emergency affecting the safety of those present.

**Is the mayor a member of the city council?**

In Washington State, the mayor of a council-manager city is a member of the city council, but the mayor of a mayor-council city is not.

**What right does the mayor have to speak at a city council meeting?**

- The mayor must, of course, speak about procedural matters in order to carry out the duties outlined above.

- The mayor in a council-manager city has the same right to speak about issues facing the council as any other council member.
- RONR has special rules for small boards (up to about 12 members). In a mayor-council city with a small council, the elected mayor customarily has a right to speak on matters pending before the council, even though technically not a member. In a larger council, if the elected mayor wishes to speak on substance, he should step down from the chair in order to participate in debate, while another who has not and will not speak on the matter presides, resuming it only when the item has been dealt with. RONR pp. 394-395.

### **Can the council remove the mayor as presiding officer during a city council meeting and appoint someone else in his place?**

This is primarily a legal and not a parliamentary question.

## **IV. MEETING NOTICES AND AGENDA**

### **Who authorizes the notice of a special meeting?**

Issuing notices of a meeting is part of the administrative duties of the mayor. The mayor is bound to issue notices of special meetings that are called according to state law and council rules.

### **Who decides what goes on the agenda of a public meeting?**

The mayor prepares the draft agenda of a public meeting, but the final content of the agenda is subject to the vote of the council. RONR p. 372-373

## **V. DEBATING**

### **Who decides who may speak in debate and in what order?**

The mayor recognizes council members (gives them permission to debate) in accord with the rules of parliamentary procedure. For example:

- The person who makes a motion has the right to debate first if he wishes to. RONR p. 379
- No one may debate a second time until everyone who wishes to do so has spoken once. RONR pp. 379, 388-389
- The mayor may not refuse to recognize council members based on personal preference. RONR pp. 376-377

### **May council members interrupt each other or the mayor?**

No. Interrupting is forbidden under RONR. An exception is that a council member may interrupt to raise a “point of order” if a procedural rule is being broken that needs immediate attention. RONR pp. 383-385

### **May the mayor interrupt a debater?**

No. RONR says specifically that the chair may not interrupt a debater except for a point of order, so long as no council rules are broken. The mayor may not interrupt even if he knows more about a given subject than the debater. RONR pp. 43-44

### **May the council members debate directly to each other?**

It depends. In a large council, council members must address all remarks to the chair. In a small council (up to about 12 members) council members may speak directly to each other. However, the rule that no one may

debate a second time until everyone who wishes to do so has spoken once still applies. Allowing members to debate to each other often leads to one-on-one conversations that violate this rule. RONR p. 392; pp. 487-488

### **What kinds of remarks are forbidden at city council meetings?**

There are certain types of unacceptable remark under RONR. Council members may not make such remarks, which are considered to be irrelevant (not germane) to debate. (Members of the public are not bound by these restrictions.) RONR pp. 392-393

- Personal remarks (remarks about a person's individual qualities, rather than his views)
- Insulting language, personal attacks, profanity and vulgarity
- Inflammatory remarks
- Criticizing a past action of the group, unless the topic is under discussion by the group as a whole, or the member plans to introduce a motion to amend or rescind the action at the end of his speech.
- Remarks that are not germane (relevant) to the topic under discussion.

### **Who decides whether a remark is forbidden under these rules?**

The mayor issues a ruling about improper remarks, subject to appeal. A council member may also object to an improper remark.

### **May the council invite a member of the public to speak at a public meeting?**

Yes. The council may invite anyone it chooses to address it.

## **VI. VOTING**

### **How many votes does it take to pass a motion or resolution?**

In most cases it takes a majority vote to pass a motion or resolution. RONR pp. 400-429

### **What is a majority vote?**

This is a vote in which more than half of the members who cast a vote vote in favor of the motion:

2 or 3 members vote	2 in favor
4 or 5 members vote	3 in favor
6 or 7 members vote	4 in favor
8 or 9 members vote	5 in favor

### **What is a two-thirds vote?**

This is a vote in which at least two-thirds of the members who cast a vote vote in favor of the motion:

2 or 3 members vote	2 in favor
4 members	3 in favor
5 or 6 members vote	4 in favor
7 members vote	5 in favor
8 or 9 members vote	6 in favor

**Who decides what the outcome of a vote is?**

The mayor announces the result of a vote and has a special obligation to verify it beyond reasonable doubt. RONR p. 48

**If the mayor announces the result of a vote, and it seems to a council member that he made an error, what should the council member do?**

If the vote was taken by voice, the council member should call out “division.” The mayor must then retake the vote by raising hands or asking council members to stand. At the request of any council member, the vote must be taken by roll call. RONR p. 52

**Can the mayor vote at council meetings?**

In a council-manager city, the mayor may vote.

In a mayor-council city, the mayor ordinarily has no vote. However, the mayor may vote in one instance: to break a tie in a matter that is NOT the passage of an ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.

**If the council passes a resolution or motion, can the mayor veto it?**

Mayors in mayor-council code and second class cities can veto ordinances passed by the council, but such a veto may be overridden by the vote of a majority of all council members plus one more vote. The mayor does not have the power to veto other actions of the council. Mayors in towns do not have a veto power. In a council-manager city, mayors also do not have a veto power. The veto power of mayors in the ten first class cities are detailed in their city charters.

## VII. POINT OF ORDER AND APPEAL

**What should a council member do when someone breaks one of the rules?**

A council member can make a point of order. This is a motion that requires another council member, or the chair, to abide by the council’s rules or parliamentary rules. If an error isn’t obvious, the council member may have to briefly explain how the rules are being broken.

This motion is made by just one council member and in most circumstances the motion must be made at the time of the rule violation. When this motion is made it immediately and temporarily stops business until the point is ruled on by the chair, who will either agree with the council member and enforce the rule, or may disagree with the council member. Once the chair rules that the point of order was well taken (correct) or not well taken (incorrect), the business that was interrupted then continues (unless the chair’s ruling is immediately appealed). RONR p. 247, 255

**How does a council member raise a point of order?**

The council member who sees a rule violation and wants the rule enforced should stand up, interrupt the chair or a speaker if necessary, and without waiting to be recognized, call out, “Point of order!” or “I rise to a point of order.” RONR p. 253

**Can a council member raise a point of order about the chair’s actions?**

Yes. Everyone in the meeting must follow the rules. If this happens, the chair issues a ruling on his own action.

**Can a member of the public raise a point of order?**

No. Only a council member can raise a point of order.

**What should council members do when they disagree with a ruling by the mayor?**

A council member can appeal the chair's ruling, which then tells the chair that the council member is in disagreement with the chair's interpretation and that he wants the council to decide it for themselves. The appeal must be made immediately. If other business intervenes, then it is too late to appeal the chair's decision or ruling.

When the motion is made, it immediately and temporarily stops the pending business until a decision is reached on the appeal. After a vote is taken on the appeal by the council members, the business that was interrupted then continues. RONR pp. 255-56

**How is an appeal conducted?**

A council member stands and without waiting to be recognized says: "I disagree with the ruling by the chair." The chair should recognize an appeal, even if worded simply as, "I don't think that's right – I disagree with you." The formal wording is, "I appeal from the decision of the chair." The chair then processes the motion. RONR p. 259

**Can appeals be debated?**

Appeals pertaining to language and decorum may not be debated. In general, other appeals can be debated. There is a special process for debating an appeal. RONR p. 257

**Are there rulings that cannot be appealed?**

Yes. A point of order that was raised while an appeal is pending cannot be appealed, nor can a ruling by the chair for which there cannot possibly be two reasonable opinions. RONR p. 256

**What should the council members do if the mayor ignores an appeal?**

This is a highly significant violation of parliamentary procedure which should never happen. The council member may stand and take the vote himself. Education is critical so that all involved understand how this process works. Consult an attorney if legal action is needed. RONR p. 651

**VIII. ADJOURNMENT AND ORDERING A MEMBER TO LEAVE THE MEETING****May the mayor adjourn the meeting when he chooses?**

No. The mayor may adjourn the meeting on his own initiative only in two instances:

- If the council has come to the end of its agenda and there is no further business.
- If a riot or other dangerous situation has arisen. RONR p. 233-242

**May the members adjourn the meeting when they choose?**

Yes. When the council votes in favor of adjournment, the meeting ends, even if there is unfinished business. This motion cannot be debated and requires a majority vote.

**May the mayor order a member of a city council to leave the meeting?**

No.

**May the council members order one of their own members to leave the meeting?**

Yes. In situations where disruption or disorderly conduct by a council member warrants it, the other members may direct that he leave the meeting. Usually warnings are given first. The removal can be ordered only for a single meeting, not for future meetings. It is best to have adopted policies in place that state when and how such an event might occur. RONR pp. 643-653

## IX. PUBLIC COMMENT PERIOD

### **What is the purpose of the public comment period at public meetings?**

The purpose of the public comment period at public meetings is for the public to inform the council about their views on matters before the council. It is not intended for debate and discussion with the public. When back-and-forth exchanges occur, it can become a challenge to describe the council's position correctly and accurately, and substantial confusion may result.

Councils should have other channels in place to answer questions, address concerns, and dialogue with the public—community forums, surveys, personal discussions, a form on the website to contact council members or staff, etc.

### **May the council place limits on the public comment period?**

Yes. The council may place reasonable limits on when public comment is taken, how long people may speak, and how long the public comment period will be; the council may also require that the subject matter pertain to the council's work. All such rules must be "viewpoint-neutral," that is, they may not favor one opinion over another.

### **Should the public in attendance clap, boo, hiss or speak over other people during the meeting?**

No. This should never happen. Expressions of opinion of this type, whether positive or negative, are intimidating to others and may lead to the suppression of free speech. They also impede the council from doing its business.

### **May the mayor or members encourage the crowd to clap, boo, hiss or speak over other people during the meeting?**

No.

### **What should the mayor and council do if the public becomes rowdy and unruly during a meeting?**

The mayor should explain firmly to the public that they have an obligation to allow the council to do its business. In cases of severe disruption, the council may order the room cleared, or may move to another location (see RCW 42.30.050). Advice from the attorney is helpful in such cases.

### **Can the mayor order a member of the public to leave the meeting?**

State and Federal law and court cases pertaining to open meetings and free speech govern this question.

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