

KELSO TRANSPORTATION BENEFIT DISTRICT

Rules of Procedure

SECTION 1. GENERAL.

These rules constitute the official rules of procedure for the Kelso Transportation Benefit District ("Board"). In all decisions arising from points of order which are not covered by these rules, the Board shall be governed by Robert's Rules of Order (newly revised), a copy of which is maintained in the office of the Kelso City Clerk. The Kelso City Attorney shall decide all questions of interpretations of these rules and other questions of a parliamentary nature which may arise at the Board meeting.

SECTION 2. ORGANIZATION.

- A. Election of Chair and Deputy Chair. The motion to elect the Chair and the Deputy Chair will be placed on the Agenda of the first regular Board of each year and the Chair and Deputy Chair will serve in office for a term of one year. During the election of Chair and Deputy Chair, the city clerk shall serve as Chair.

In the event the Chair is unable to serve the remainder of the term, due to his or her removal from office, or his or her resignation as Chair or from the Board, or upon his or her death, the Deputy Chair shall serve as Chair for the remainder of that term and a new Deputy Chair shall be elected.

In the event the Deputy Chair is unable to serve the remainder of the term, a new Chair shall be elected at the next regular meeting.

1. Nomination Procedure. No one Board member may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do **not** require a second vote. The Chair will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the chair will ask again for further nominations and if there are none the Chair will declare the nominations closed. A motion to close the nominations is **not** necessary.
 2. Voting Procedure. After nominations have been closed, voting for Chair takes place in the order nominations were made. Board members will be asked for a raise of hands. As soon as one of the nominees receives a majority vote (four votes), then the Chair will declare the nominee elected. No votes will be taken on the remaining nominees. A tie vote results in a failed nomination. If none of the nominees receive a majority vote, the Chair will call for nominations again and repeat the process until a single candidate receives a majority vote before the Office of Deputy Chair is opened for nominations.
- B. General Decorum.
1. While the Board is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Board , nor disrupt any member while speaking, nor refuse to obey the orders of the Board or the Chair, except as otherwise provided in these Rules.

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

C. Confidentiality.

1. Board members shall keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the Board's position is not compromised. Confidentiality also includes information provided to Board members outside of Executive Sessions when the information is considered to be exempt from disclosure under the Revised Code of Washington or under Public Disclosure laws.
2. If the Board, after Executive Session, has provided direction or consensus to City staff on proposed terms and conditions for any confidential or privileged issue, all contact with any other party shall be made by the designated City staff representative handling the issue. Board members should consult with the City Manager and/or City Attorney prior to discussing such information with anyone other than other Board members, the City Attorney or City staff designated by the City Manager. Any Board member having any contact or discussion with any person other than those listed above on any such confidential or privileged issue shall make full disclosure to the City Manager and Board in a timely manner.

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

SECTION 3. OFFICERS.

- A. Presiding Officers. The Chair, or in his or her absence, the Deputy Chair, shall be the Presiding Officer of the Board. In the absence of both the Chair and the Deputy Chair, the Board shall appoint one of the members of the Board to act as a temporary Presiding Officer.
- B. Presiding Officer's Duties. It shall be the duty of the Presiding Officer to:
1. Call the meeting to order
 2. Keep the meeting to its order of business
 3. Control discussion in an orderly manner
 - a. Every Board member who wishes an opportunity to speak must be recognized by the chair.
 - b. Permit audience participation at the appropriate times.
 - c. Require all speakers to speak to the question and to observe the rules of order.
 4. State each motion before it is discussed and before it is voted upon.
 5. Put motions to a vote and announce the outcome.
- C. Presiding Officer, Question or Order. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Board by any member.
- D. Request for Written Motions. Motions shall be reduced to writing when required by the Presiding Officer of the Board or any member of the Board. All resolutions and ordinances shall be in writing.

SECTION 4. DUTIES AND PRIVILEGES OF COUNCILMEMBERS.

- A. Forms of Address. The Chair shall be addressed as “Chair (surname).” “Your Honor,” or Mr./Madam Chair. Members of the Board shall be addressed according to their preference as “Board member (surname),” or Mr./Mrs./Miss/Ms. (surname).
- B. Seating Arrangement at Regular Meetings. The Chair shall sit at the center of the Board, and the Deputy Chair shall sit at the right hand of the Chair. Other Board members are to be seated in accordance with KMC 2.04.070. If there is a dispute, seating shall be in position order.

SECTION 6. COUNCIL COMMITTEES/APPOINTMENTS

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

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

Board Committee structure shall be as determined by the Board at the first meeting of each year and may include:

- A. Board Committee of the Whole - (Seven Board members)
- B. Subcommittees of the Board - Ad hoc and informal working or study group (three or fewer Board members)
- C. Board member appointments - to task teams or advisory boards, commissions and committees (three or fewer Board members)
- D. Liaison/Representative Appointments - to other advisory bodies or groups.

SECTION 7. MEETINGS.

All Board Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30). All Regular Meetings and Special Meetings of the Board shall be open to the public.

The City Manager, or his or her designee, shall attend all meetings of the Board including Regular meetings, special meetings, and executive session, except if Board meets in Executive Session with the City Attorney on matters of potential conflict for the City Manager.

- A. Special Meetings. Special Meetings may be held by the Board subject to notice requirements prescribed by State law. Special Meetings may be called by the Chair, Deputy Chair, or any three members of the Board by notice delivered by regular or electronic mail to each member of the Board and to each local media outlet which has requested notice at least twenty-four hours before the time specified for the proposed meeting. The notice of such Special Meetings shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered.
- B. Executive Sessions. The Board may hold Executive Sessions from which the public may be excluded, for those purposes set forth in RCW Chapter 42.30.110. Before convening an Executive Session, the Presiding Officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time, a public announcement shall be made that the Session is being extended. No formal action or decision of the Board may be taken in Executive Session.

- C. Emergency Meetings. If at any time there is a need for expedited action by the Board to meet an emergency situation, the Chair, or in the absence of the Chair, the Deputy Chair or any three members of Board, may call an emergency meeting at a place and time as necessary, and the noticing requirements of Chapter 42, RCW, or City ordinance or rule, may be waived.
- D. Meeting Place. Board Meetings will be a time and place as Board directs. Regular and/or Special meetings shall generally be held within the boundaries of the City. The Board will not take final action on items during meetings held outside the boundaries of the City.
- E. Public Notice. The Board shall comply with the provisions of RCW 35A.12.160.

SECTION 8. COUNCIL ORDER OF BUSINESS.

- A. Order of Business for Regular Meetings. The order of business for each Regular Meeting shall be as follows:
 1. Call to Order
 2. Roll Call, Flag Salute
 3. Approval of Minutes of Previous Meeting
 4. Commendations/Presentations
 5. Citizens' business
 6. Public Hearing
 7. Consent agenda and Auditing of Accounts
 8. Ordinances, Resolutions and Motions
 9. Staff Reports
 10. Board Comments/Board Committee Reports
 11. Executive Session (as necessary)
 12. Adjournment
- B. Board Agenda. When necessary, the Chair or other Board member, with the consent of the Board, may change the order of business. All ordinances or resolutions must be on the agenda to be voted upon; a motion to suspend the rules would be necessary in order to vote on an ordinance or resolution not on the agenda.

SECTION 9. CONDUCT OF BUSINESS

- A. Motions. Business is brought before the Board by motions, which constitute a formal procedure for taking actions. To make a motion, a member must first be recognized by the presiding officer. After the member has made a motion (and after the motion is seconded if required) the chair must then restate it or rule it out of order, then call for discussion.
- B. Debate. As required by Robert's Rules of Order, a member may speak twice on each motion. Each time a Board member is recognized, the Board member may speak to the motion for no longer than five minutes. No Board member may speak a third time to a motion without the consent of the Board.
- C. Staff Input. During regular or special meetings of the Board, the presiding officer will call for a staff report on business items as the agenda is considered and before a motion is entertained by the presiding officer. Once a motion is pending, debate is limited to Board members; additional staff input will be limited to providing clarification on issues if requested by a Board member.
- D. Reconsideration. A motion to reconsider is in order during the meeting after a motion has been acted upon either at the same meeting or at the next regular or special meeting of the Board. It

must be made by a member who voted on the prevailing side, i.e., if a motion fails to pass, reconsideration must be moved by one who voted against the motion. It is debatable and requires a majority vote.

SECTION 10. PUBLIC TESTIMONY.

A. Public Comment

During Regular or Special Meetings of the Board, public comments will be invited during the Public Comment portion of the agenda. The public is also invited to provide written comment on any non-quasi-judicial or legislative matter. It is encouraged that such written comments be filed with the clerk by 1:00 p.m. of the Wednesday preceding the Regular Meeting. If written comments are given at the meeting, the presenter should provide eleven copies for the Board and staff.

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

Public comments should be limited to no more than five minutes per person. The Presiding Officer may, with consent of the Board, further limit individual comment length and total comment time allocated to a topic.

- B. Identification of Speakers.** Persons testifying shall identify themselves for the record as to name, address and organization.
- C. Instructions for Speakers.** An instruction notice and signup sheet will be provided at the entrance to the Board chambers. Persons testifying should address their comments to the City Board, not the audience.
- D. Addressing Board Outside of a Public Hearing or Public Comments.** No person shall be allowed to address the Board while it is in session without the recognition of the Presiding Officer.

SECTION 11. CONSENT AGENDA.

- A.** The staff, in consultation with the Presiding Officer, shall place matters on the Consent agenda which: (a) have been previously discussed or policies set by the Board, or (b) based on the information delivered to members of the Board, by the administration, can be reviewed by a Board member without further explanation, or (c) are so routine or technical in nature that passage is likely.
- B.** The motion to adopt the Consent agenda shall be non-debatable and 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 Board shall have the right to remove any item from the Consent agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or future Board Meeting.

SECTION 12. PUBLIC HEARINGS.

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

- A. Legislative/Information Gathering Public Hearing;**

1. Open Public Hearing - The Chair will open the public hearing.
2. Staff Presentation - For an initial presentation of background information from staff, Board, Commission, or Committee, or an organization such as the Fire District, the Library District, or the School District, no more than 20 minutes will be allowed, unless otherwise authorized by the Presiding Officer.
3. Citizen Comments - Comments will be limited to four minutes from individuals or from persons speaking as a representative of an organization, club, or group. The Presiding Officer may allow additional time for receipt of written testimony, when needed.
4. Staff Comments - Additional staff comments may be requested by Board following citizen comments.
5. Close Public Hearing - At the conclusion of Citizen or Staff Comments, the Presiding Officer will close the public hearing.
6. Board Deliberation.
7. Board Action.
8. Timekeeper. The City Clerk shall be the timekeeper.

B. Quasi-Judicial Public Hearings:

Public oral testimony shall not be given on quasi-judicial matters outside of a public hearing except on matters of procedure. If a quasi-judicial hearing is on the agenda, the public will be informed by the City Attorney as to what state law permits as to public comments. In addition, quasi-judicial hearings will be conducted in conformance to procedures outlined in other Kelso City ordinances.

SECTION 13. AGENDA PREPARATION.

- A. The Clerk will prepare a preliminary agenda for each Board Meeting specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Board.
- B. An item for a Regular Board meeting may be placed on the preliminary agenda by any of the following methods:
 1. A majority vote of the Board ;
 2. Board consensus;
 3. By any two Board members, in writing or with phone confirmation, with signatures by fax or electronic mail allowed for confirmation of support, no later than 12:00 (noon) four business days prior to the meeting. The names of the requesting Board members shall be set forth on the agenda;
 4. By the City Manager;
 5. By a Board Committee;
- C. Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

SECTION 14. EFFECT/WAIVER OF RULES.

It is the intent of the Board that Board procedures be periodically reviewed as needed, and may be considered at any time that Board shall choose to review them.

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