

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON, AMENDING SECTION 2.05.050 OF THE TOPPENISH MUNICIPAL CODE RELATING TO PROCEDURAL RULES

WHEREAS, in connection with revision to the current provisions of the City of Toppenish Governance Manual, streamlining provisions and making it better suited to the usage of the City of Toppenish, it is also appropriate to include in the revisions to the Governance Manual language regarding Robert's Rules of Order; and

WHEREAS, the current provisions of Section 2.05.050 of the Toppenish Municipal Code spell out certain provisions of the Rules of Procedure which, for convenience, would appropriately be included in the Governance Manual, rather than the City's Municipal Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Amendment to City Code Section: Section 2.05.050 of the Toppenish Municipal Code is amended as follows:

2.05.050 Procedural rules.

Except as may otherwise be provided by laws of the state or the ordinances of the city, the council shall be governed in the conduct of its meetings by the Rules of Parliamentary Procedure contained in the then latest revised edition of *Robert's Rules of Order*, as modified in the most current version of the City's Governance Manual. as follows:

~~A. At all meetings of the council a majority of the council members shall constitute a quorum for the transaction of business.~~

~~B. All meetings of the council shall be presided over by the mayor, or in his absence, by the mayor pro tempore. If the clerk is absent from a council meeting, the deputy clerk shall act as clerk pro tempore.~~

~~C. Persons, not members of the council, shall be allowed to address the same while in session only with the permission of the presiding officer. In general, the presiding officer shall give this permission at an appropriate time.~~

~~D. Motions shall be reduced to writing when required by the presiding officer of the council or any member of the council. All resolutions and ordinances shall be in writing.~~

~~E. Motions to reconsider must be by a member who voted with the majority, and at the same or next succeeding meeting of the council.~~

~~F. The clerk shall keep a correct record of all proceedings and the yes and/or no votes shall be taken on any question and entered in the journal.~~

~~G. All questions of order shall be decided by the presiding officer of the council with the right of appeal to the council by any members.~~

~~H.—The presiding officer of the council may, at his discretion, call the mayor pro tem to take the chair and thereafter address the council from the floor, make a motion or discuss any matter at issue. If the mayor gives up the chair, he thereafter cannot vote on the matter at issue before the council.~~

~~I.—Each member present must vote on all questions put to the council with three exceptions:~~

- ~~1. Matters with respect to which such council member has a personal financial interest;~~
- ~~2. Matters with respect to which such council member has a conflict of interest; and~~
- ~~3. The approval of the minutes of a meeting in which the member did not attend. If a council member refuses or fails to vote on the question, and such refusal or failure to vote is determined by the chair to not fall within one of the three exceptions, the council member's vote shall be regarded as having been cast with the majority of those council members present and voting, and shall be so recorded in the minutes. In the event of a tie vote by the council members present and voting, the abstaining council member's vote shall be recorded as a vote in a negative.~~

~~J.—During all regular meetings of the council, a break may be taken or provided as called by the presiding officer.~~

~~K.—All regular and special meetings of the council shall be public and no ordinance, resolution, rule, regulation, order or directive shall be adopted except in a regular or special meeting open to the public, the date of which is fixed by law, rule or notice; but executive sessions, from which the public is excluded, may be held in accordance with the provisions of Chapter 42.30 RCW (Open Public Meetings Act).~~

~~L.—The rules of the council may be altered, amended or temporarily suspended by a vote of two thirds of the members of the council.~~

~~M.—The chair of each respective committee, or the council member acting for him/her in his place, shall submit or make all reports to the council when so requested by the presiding officer or any member of the council.~~

~~N.—It shall be the duty of the presiding officer of the council meeting to:~~

- ~~1. Call the meeting to order;~~
- ~~2. Keep the meeting to its order of business;~~
- ~~3. State each motion and require a second to that motion before permitting discussion. Questions relative only to background information may be asked and answered before the motion is made;~~
- ~~4. Handle discussion in an orderly way:~~
 - ~~a. Give every council member who wishes an opportunity to speak;~~
 - ~~b. Permit audience participation at appropriate times;~~
 - ~~c. Keep all speakers to the rules and to the questions;~~
 - ~~d. Give pro and con speakers equal opportunity to speak;~~
- ~~5. Put motions to a vote and announce the outcome;~~
- ~~6. Adjourn meetings;~~
- ~~7. Appoint committees when authorized to do so.~~

Section 2. Severability: If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Corrections: The city clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the corrections of scriveners/clerical errors, and any references thereto.

Section 4. Effective Date: This ordinance shall become effective five (5) days after publication of a summary thereof.

ADOPTED by the Toppenish City Council at its meeting held on March 3, 2025.

ELPIDIA SAAVEDRA, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

APPROVED AS TO FORM:

DANIEL B. HEID, City Attorney