



CITY OF EDGEWOOD
COUNCIL RULES OF PROCEDURES
Amended October 10, 2006

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SECTION 1. AUTHORITY

- 1.1 The Edgewood City Council hereby establishes the following rules for the conduct of Council meetings, proceedings and business. These rules shall be in effect upon adoption by the Council and until such time as they are amended or new rules are adopted in the manner provided by these rules.

SECTION 2. COUNCIL MEETINGS

- 2.1 Council's regular meetings will be held the second and fourth Tuesday of each month in the Mountain View Lutheran Church Chapel Basement meeting room located at 3505 122nd Avenue East. Regular Council meetings will begin at the hour of 7:00 PM, and will adjourn no later than 10:00 PM. To continue past this time of adjournment, a majority of the Council must concur.
- 2.2 Council's study sessions will be held as needed and may be called by the City Manager, Mayor or two (2) or more Councilmembers. Council study sessions will be informal meetings for the purpose of reviewing forthcoming programs, issues and policies; receiving progress reports on current programs or projects, or receiving other similar information. Council may not take binding or formal action on behalf of the City during a study session. Council decisions and/or actions on any matter will be scheduled for a regular or special Council meeting.
- 2.3 If any Tuesday on which a meeting is scheduled falls on a legal holiday, the meeting shall be held on another day and time decided by a majority vote of the Council.
- 2.4 Information will be available to the public at each meeting stating a summary of the Rules of Procedure, Section 5.
- 2.5 The Mayor will state the public hearing procedures before each public hearing.
- 2.6 Staff/consultants will provide brief information and respond to questions by Councilmembers or as requested by the City Manager.
- 2.7 Citizen comment and public hearing sign up sheets will be available at each regular Council meeting for the use of those citizens wishing to address the Council.
- 2.8 The City Clerk will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council. Council meeting minutes will not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

2.9 TYPES OF MEETINGS:

- (1) Regular - the Council meeting held on the second and fourth Tuesday of each month.
- (2) Special - any Council meeting other than the regular Council meeting with at least 24 hours advanced notice. A special Council meeting may be scheduled by the Mayor, City Manager or at the request of any three (3) Councilmembers.
- (3) Study Session - work sessions of the Council where no binding action is taken.
- (4) Emergency - a special Council meeting called without the 24-hour notice. An Emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor with the consent of a majority of Councilmembers. The minutes will indicate the reason for the emergency.
- (5) Executive - a Council meeting that is closed except to the Council, City Manager and staff members and/or consultants authorized by the City Manager. The public is restricted from attendance. Executive sessions may be held during regular or special Council meetings and will be announced by the Mayor. Executive session subjects are limited to considering such matters as topics relating to real property acquisition and sale; public bid contract performance; complaints against public officers and employees; public employment applications and public employee evaluation; elective office appointments and; attorney-client discussions. Executive sessions, if held on the same date as a regularly scheduled Council meeting, normally will be conducted at the end of the meeting. Executive sessions may be set as special meetings. Before convening an executive session, the Mayor shall announce the purpose of the meeting and the anticipated time when the session will be concluded. Should the session require more time, a public announcement shall be made that the meeting is being extended.

2.10 ORDER OF REGULAR COUNCIL MEETING AGENDA

Call Meeting To Order: The Mayor calls the meeting to order.

Pledge of Allegiance: Councilmembers and at times invited guests lead the flag salute.

Roll Call: The City Clerk will call roll and will announce the attendance of Councilmembers and indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence.

The following agenda items may be placed in the order recommended by the City Manager and approved by the Mayor:

Proclamations and Presentations: A proclamation is defined as an official announcement made by either the Council or the Mayor.

Council proclamations are defined as those non-controversial events which have a major city-wide impact. Council proclamations shall be publicly read at a Council meeting and, whenever possible, presented to a representative of the event during the Council meeting.

Mayor's proclamations are defined as those non-controversial events which are requested by and for a special interest group within the City. Mayor's proclamations are signed by the Mayor and forwarded to a representative of the event.

The Mayor and City Manager shall determine if the proclamation request is for a Council proclamation or a Mayor's proclamation.

Controversy is defined as a dispute, especially a lengthy and public one, between sides holding opposing views.

City Manager Report: The City Manager, staff and Commissions update the Councilmembers on current issues or items of Council interest.

Audience Comment: Members of the audience may comment on items relating to any matter. Group representation or recognized organization will be considered recognized for the purpose of audience comment or citizen comment if they notify City Hall at least 24 hours in advance of a scheduled council meeting where they desire to testify with an official position. These comments will be limited to five (5) minutes in duration. Citizens may comment up to three (3) minutes on individual agenda items at times during any regularly scheduled Council meeting prior to Council discussion. These agenda items include, but are not limited to, ordinances, resolutions and old and new business issues. These comment times are in addition to the audience comment time at the start of each regularly scheduled meeting.

Consent Agenda: Consent agenda items are considered to be routine and non-controversial and may be approved by one motion. Items on the consent agenda will be read aloud by the Mayor prior to the vote and will include, but not limited to, minutes, resolutions and ordinances discussed at a previous Council meetings or study sessions, bid awards and previously authorized agreements. Any Councilmember may remove any item from the consent agenda for separate discussion and action.

Public Hearing: 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.

A. The following procedure shall be followed during public hearings on:

Legislative/Information Gathering

- The Mayor will open the public hearing.
- Staff will make their presentation.

- Citizens comments will be limited to three (3) minutes for individuals and five (5) minutes for a person representing an official position of a recognized organization.
- Additional staff comments will be made.
- The Mayor will close public hearing.
- Council discussion will ensue.
- Council action will be taken.

Quasi-Judicial Hearings

- The Mayor will open the public hearing.
- Open for declarations of conflict of interest or appearance of fairness.
- Staff will make their presentation.
- Proponent presentation will be made. (15 min)
- Opponent presentation will be made. (15 min)
- Proponent rebuttal will be heard. (10 min)
- Staff comments will be made.
- Public hearing will be closed.
- Council discussion will ensue.
- Council action will be taken.

B. The following rules shall be observed:

Legislative/Information Gathering Public Hearings

- For an initial presentation of background information from a City department, board, commission, committee, or an organization, no more than twenty (20) minutes will be allowed unless otherwise authorized by the Presiding Officer.
- If a speaker purports to speak for an organization, club or others so as to lead Council to believe that a number of persons support a position, then such person shall state how that position was developed by the group.
- Comments should be limited to three (3) minutes for each individual or five (5) minutes if representing the official position of a recognized organization.
- The Presiding Officer may allow additional time for receipt of written testimony when needed.
- The City Clerk shall be the official timekeeper.

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.
- Quasi-judicial hearings will be conducted in conformance to procedures outlined in the City ordinances such as the Hearings Examiner Ordinances the Zoning Code, and other land use codes of the City.

- Testimony will be limited as set forth in A and B above, except that the Presiding Officer shall ask the rest of the Council-members if they have any comments or questions before the citizen is excused.
- If comments are provided in writing, it is encouraged that such written comments be filed with the City Clerk by 1:00 PM of the Wednesday preceding the regular meeting. If written comments are given at the meeting, the presenter should provide eleven (11) copies for the Council and staff.

Unfinished Business or Old Business: Those items that were continued or not finished from a previous agenda and second readings of ordinances. Discussion or debate by the Council may be held at this time. Councilmembers shall decide whether to amend the ordinance, direct staff to further review the ordinance, refer to Council study session or approve or disapprove the ordinance for adoption. Public comment is allowed during the second reading prior to Council motion and debate.

New Business: Introduction or first reading of ordinance, staff report, and public comment.

Discussion or debate by the Council will be held at this time. Councilmembers shall decide whether to amend the ordinance, direct staff to further review the ordinance, refer to Council study session or approve or disapprove the ordinance for a second reading. Public comment is also allowed during the second reading prior to Council motion and debate.

Resolutions: A resolution is adoption of a City policy or decision.

Motions: Those items requiring official action of the Council which are not handled with an ordinance or resolution.

The following items will always be at the end of the Council meeting agenda:

Council Announcements/Comments: Miscellaneous announcements of the Council.

Adjournment: With no further business to come before the Council, the Mayor adjourns the meeting. Roll call votes will only be taken if requested by a Councilmember or as required by law. The official meeting minutes will always reflect roll call votes on each action item. The Mayor may, with the concurrence of the Councilmembers, take agenda items out of the order established prior to the Council meeting.

SECTION 3. AGENDA PREPARATION

- 3.1 The City Clerk will prepare an agenda for each Council meeting specifying the time and place of the meeting, and set forth a brief general description of each item to be considered by the Council. The agenda is subject to approval by the Mayor and the City Manager.

- 3.2 An item, other than a reconsideration item, may be placed on a Council meeting agenda by any of the following methods:
- (1) A majority vote of the Council;
 - (2) Council consensus;
 - (3) By any two (2) Councilmembers;
 - (4) By the City Manager;
 - (5) By the Mayor.
- 3.3 An item may be placed on a regular Council meeting agenda after the agenda is closed and the notice published if the Councilmember or City Manager explains the necessity and receives a majority vote of the Council on a motion to suspend the Council Rules of Procedure to add the item at a public meeting.
- 3.4 Some agenda items may be listed on the agenda for a time certain. Such listing will mean that an item will be heard as soon as reasonably possible after the specified time.
- 3.5 The City Clerk will endeavor to schedule sufficient time between public hearings and other scheduled items so the public is not kept unduly waiting, and so the Council will have sufficient time to hear testimony and to deliberate matters among themselves.
- 3.6 Legally required and advertised public hearings will have a higher priority over other time-scheduled agenda items which have been scheduled for convenience rather than for statutory or other legal reasons.
- 3.7 Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.
- 3.8 Agenda packets will be finalized by the end of the business day on the Tuesday preceding the regular Council meeting. Agenda submissions will be accepted until noon on the Friday preceding the Tuesday packet distribution day. Agenda items submitted after that deadline will be processed for the next Council meeting agenda packets.
- 3.9 All agenda items packet reports will be in the format provided by the City Clerk's office.
- 3.10 The Council may use the agenda bill "Recommendation" language for making a motion.

SECTION 4. COUNCIL DISCUSSION

- 4.1 All Council discussion shall be governed by Robert's Rules of Order Newly Revised, unless otherwise governed herein. In the event of a conflict, these Council rules shall prevail.
- 4.2 The Mayor or Presiding Officer has the authority to rule on questions of order. If the Mayor rules a Councilmember's comments to be out of order (not germane,

or otherwise), the Councilmember may explain why he or she believes the comments are not out of order. The Mayor/Presiding Officer will either rescind or confirm the ruling. If confirmed, the Councilmember shall not continue comment in the manner ruled out of order.

If that Councilmember or any other Councilmember disagrees with the Mayor/Presiding Officer's ruling, they can appeal the point of order. The question is then put to the Council to confirm or deny the Mayor/Presiding Officer's ruling and whether the Councilmember shall continue comment.

- 4.3** From time to time, a Councilmember will not be able to be physically present at a regular Council meeting, but will want to be involved in the discussion and/or decision on a particular agenda item. Telephone charges are to be at the Councilmember's own expense, unless waived in the Council motion. Adequate notice must be given to allow hookup in time for the main agenda. No teleconference participation for voting purposes shall be allowed for public hearings or any quasi-judicial proceedings. The procedure and guidelines for permitting a Councilmember to attend a Council meeting via speakerphone are as follows:

A. The Rare Occasion

Attendance via speakerphone/teleconferencing should be the rare exception, not the rule, and is limited to two times per year per Councilmember. Examples of situations where teleconferencing would be appropriate include, but are not limited to:

- Teleconferencing may only be used if a quorum of the Council is physically present for the meeting, with the exception of occasions when an agenda item is time sensitive and teleconferencing is needed for a quorum;
- An agenda item is of very high importance to the Councilmember that cannot be physically present;
- It is important for **all** Councilmembers to be involved in a decision, but one Councilmember is unable to be physically present.
- Teleconferencing should be limited to one priority agenda item, not the entire Council meeting, at the Mayor's discretion.

B. Attendance - Procedure

1. The Councilmember attending via speakerphone:
 - a. must be able to hear the discussion on the agenda item taking place in the Council chambers; and
 - b. must be able to be heard by all present in the Council chambers.
2. When the particular agenda item is ready to be discussed, the Mayor (or presiding officer, if the Mayor is not physically present) should state for the record:

- a. Let the record reflect that Councilmember _____ is attending via speakerphone for Agenda Bill _____, relating to _____.
 - b. Councilmember _____, can you hear me? [There must be a clearly audible response in the affirmative.]
 - c. Councilmember _____, please confirm that no one else will present in the room with you during this teleconferencing session. [There must a clearly audible response in the affirmative.]
 - d. Let the record reflect that Councilmember _____, who is teleconferencing to participate in the proceedings related to Agenda Bill _____, can be heard by all present in the Council chambers and no one else will present in the room with him/her during with this teleconferencing session.
3. Upon conclusion of the particular agenda item, the Mayor (or presiding officer, if the Mayor is not physically present) should state:
 - a. Councilmember _____, discussion on Agenda Bill _____ has concluded. Thank you for your attendance via speakerphone. The telephone connection will now be terminated. [Connection should be terminated at this time.]
 - b. Let the record reflect that the teleconferencing session with Councilmember _____'s has been terminated. Next on the agenda is ...

SECTION 5. COMMENTS, CONCERNS AND TESTIMONY TO COUNCIL

- 5.1 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes. All remarks will be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting. Applause, boos or other public demonstrations by those attending the Council meeting are considered inappropriate behavior.
- 5.2 Persons wishing to address the Council and having more than three (3) minutes of comments may provide written comments to the City Clerk. Copies of the written comments will be furnished Council at a later date.
- 5.3 The Mayor has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct and to enforce the Rules of the Council. The Mayor may command assistance of any peace officer of the City to enforce all lawful orders of the Mayor to restore order at any meeting.

- 5.4 Citizens with complaints, concerns or questions will be encouraged to refer the matter to the City Manager or ask that the matter be placed on a future Council meeting or Council study session agenda with the appropriate background information.
- 5.5 Citizens may distribute materials at meetings of the Council on specifically assigned tables, provided a contact name, address, and phone number are printed legibly on the materials. Citizens will present all printed and written materials to the City Clerk.

SECTION 6. MOTIONS

- 6.1 A motion that does not receive a second dies. Motions that do not need a second include nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- 6.2 A motion that receives a tie vote is deemed to have failed.
- 6.3 Audience comment on a motion will be taken after the briefing on the motion occurs and before the motion is made by Council.
- 6.4 When making motions, be clear and concise and do not include arguments for the motion within the motion.
- 6.5 After a motion and second, the Mayor will indicate the names of the Councilmembers making the motion and second.
- 6.6 After a motion has been made and seconded, the Councilmember making the motion may speak to the motion and then the Council may discuss their opinions on the issue prior to the vote.
- 6.7 When the Council concurs or agrees to an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion.
- 6.8 A motion may be withdrawn by the maker of the motion at any time without the consent of the Council. If the motion had received a second, the Councilmember making the second must also agree to withdraw or the motion remains on the table for discussion, debate and disposition.
- 6.9 A motion to table shall preclude all amendments or debates of the issue under consideration. It requires a second, is not debatable, is not amendable, requires a majority vote and it cannot be reconsidered. A motion not taken from the table by the close of that meeting or the next meeting dies on the table.

If the motion to table prevails, the matter may be “taken from the table” by motion which requires a second, is not debatable and which requires a majority vote. When a motion is taken from the table, everything is in the same condition as it was when laid on the table, including any amendments to the original motion that received an affirmative vote prior to the motion to table.

- 6.10 A motion to postpone to a time certain, must be seconded, is debatable, is amendable, requires a majority vote and may be reconsidered at the same meeting. The original motion being postponed must be considered at a time certain at a future regular or special Council meeting.
- 6.11 A motion to postpone indefinitely requires a second, is debatable, is not amendable, and takes precedence over the main motion and requires a majority vote. This motion assists in disposing of the main motion. It's purpose is to reject a main motion without a vote on the main motion. Postponed indefinitely is an indirect or polite motion by which a main motion may be disposed of.
- 6.12 A motion to call for the question shall close debate on the main motion and is not debatable. This motion must receive a second and fails without a two-thirds (2/3) vote. Debate is reopened if the motion fails.
- 6.13 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. Motions that cannot be amended include motion to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order. Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- 6.14 Council discussion of the motion only occurs after the motion has been moved and seconded.
- 6.15 The motion maker, Mayor, or City Clerk should repeat the motion prior to voting.
- 6.16 The City Clerk will take a roll call vote if requested by the Mayor or a Councilmember. At the conclusion of any vote, the City Clerk will announce the results of the vote.
- 6.17 When a question has been decided, any Councilmember who voted in the majority may move for a reconsideration but no motion for reconsideration of a vote shall be made after the meeting has adjourned.
- 6.18 The City Attorney shall decide all questions of interpretations of these rules and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these rules shall be governed by the most current version of Robert's Rules of Order Newly Revised. In the event of a conflict, these Council rules shall prevail.

SECTION 7. ORDINANCES

- 7.1 All ordinances shall be prepared or reviewed by the City Attorney. No ordinance shall be prepared for presentation to the Council unless requested by a majority of the Council, or requested by the City Manager or City Attorney.

- 7.2 The Mayor shall read the title of the ordinance prior to voting. Each ordinance shall carry an agenda bill number which shall be the ordinance number.
- 7.3 Upon enactment of the ordinance, the City Clerk shall obtain the signature of the Mayor and the City Attorney.
- 7.4 Ordinances or ordinance summaries shall be published in the official newspaper as a legal publication immediately following enactment.

SECTION 8. MAYOR/PRESIDING OFFICER AND DEPUTY MAYOR

- 8.1 **Mayoral Duties:** The Chairman of the Council shall have the title of Mayor and shall preside at all meetings of the Council, and in the absence of the Mayor, the Deputy Mayor will act in that capacity. If both the Mayor and Deputy Mayor are absent, the Councilmembers present shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor. In addition to the powers conferred upon the Mayor, she/he shall continue to have all the rights, privileges, and immunities as any member of the Council. The Mayor shall be recognized as the head of the City for ceremonial purposes and by the Governor for purposes of military law. She/he shall have no regular administrative duties, except in time of public danger or emergency. She/he shall, if so authorized by ordinance, take command of the police, maintain law, and enforce order.

The responsibilities of the Mayor or Presiding Officer shall be as follows:

- (1) The Mayor or Presiding Officer shall preserve order and decorum in the Council chambers;
- (2) The Mayor or Presiding Officer shall observe and enforce all rules adopted by the Council;
- (3) The Mayor or Presiding Officer shall decide all questions on order in accordance with these rules, subject to appeal by any Councilmember;
- (4) The Mayor or Presiding Officer shall recognize Councilmembers in the order in which they request the floor (Councilmembers shall wait to be recognized before speaking);
- (5) The Presiding Officer, as a Councilmember, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers. The Presiding Officer, as Mayor, shall have the authority to present motions and vote;
- (6) The Mayor or Presiding Officer shall state the public hearing procedures before each public hearing;
- (7) The Mayor or Presiding Officer shall announce executive sessions held during regular or special Council meetings;
- (8) The Mayor or Presiding Officer shall indicate the names of the Councilmembers making the motion and second;
- (9) The Mayor or Presiding Officer shall summarize concensus at the conclusion of discussions when the Council concurs or agrees to an item that does not require a formal motion;
- (10) The Mayor or Presiding Officer shall read the title of the ordinance prior to voting;

- (11) The Mayor shall appoint Councilmembers to serve on adhoc committees as deemed necessary;
- (12) The Mayor may offer advice to fellow Councilmembers;
- (13) The Mayor shall encourage Deputy Mayor to conduct a meeting for his/her training;
- (14) Mayor and City Manager will determine ongoing dedicated schedules for regular study sessions, special Council meetings, executive sessions;
- (15) Mayor and City Manager approve the Council agenda;
- (16) Mayor may place items on council meeting agendas;
- (17) Mayor authorizes by memo Councilmember claims for the reimbursement of meal costs for non-city employees and non-city officials;
- (18) Special approvals required by this policy shall be obtained by Councilmembers from the Mayor or, in his/her absence, by the Deputy Mayor. Such approvals shall be by separate memo which identifies the policy exception being authorized and explains the reasons therefore;
- (19) Claims for financial reimbursement of Councilmembers must be approved by the Mayor;
- (20) Mayor shall make an annual State of the City report during a regularly scheduled Council meeting;
- (21) Mayor may send issues directly to a Council study session for review in lieu of or prior to being referred to a regular Council meeting;
- (22) The Mayor shall represent the City at functions and meetings with other jurisdictions/ organizations;
- (23) The Mayor is responsible for representation for the purposes of discussion and problem solving. The Mayor must conform to City resolutions, or in their absence, the perceived direction of the Council. Formal decision making is always the prerogative of the entire Council; and
- (24) The Mayor is responsible for the evaluation of the City Manager. The Mayor will call executive sessions for the purpose of Council discussion, scoring, and completing the evaluation. The Mayor, jointly with the Council, shall administer the evaluation before the City Manager.

SECTION 9. COUNCIL RELATIONS WITH CITY STAFF

- 9.1 There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities when, and if, expressing criticism in a public meeting.
- 9.2 City staff will acknowledge the Council as policy makers
- 9.3 Councilmembers will acknowledge City staff as administering the Council's policies.
- 9.4 All written informational material requested by individual Councilmembers shall be submitted by City staff, after approval of the City Manager, to all Councilmembers with a notation indicating which Councilmember requested the information.
- 9.5 Councilmembers shall not attempt to coerce or influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits.
- 9.6 The Council shall not attempt to change or interfere with the operating rules and practices of any City department.

- 9.7 Mail that is addressed to the Mayor and Councilmembers shall be copied and circulated by the City Clerk as soon as practicable after it arrives.
- 9.8 The City Clerk shall not open mail addressed to individual Councilmembers if it is marked personal and/or confidential.
- 9.9 No Councilmember shall direct the City Manager to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the consent of a majority of the Council.
- 9.10 Individual requests for information can be made directly to the Department Director unless otherwise determined by the City Manager. If the request would create a change in work assignments or City staffing levels, the request must be made through the City Manager.

SECTION 10. COUNCIL MEETING STAFFING

- 10.1 The City Manager shall attend all meetings of the Council unless excused. The City Manager may make recommendations to the Council and shall have the right to take part in the discussions of the Council but shall have no vote. When the City Manager has an excused absence, the designated Acting City Manager shall attend the meeting.
- 10.2 The City Attorney shall attend all meetings of the Council unless excused and shall, upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian.
- 10.3 The City Clerk or designee shall attend regular, special and study meetings of the Council; keep the official journal (minutes); and perform such other duties as may be needed for the orderly conduct of the meeting.

SECTION 11. COUNCILMEMBER ATTENDANCE AT REGULAR MEETINGS

- 11.1 Councilmembers will inform the Mayor, a Councilmember, the City Manager or City Clerk if they are unable to attend any regular Council meeting or if they knowingly will be late to any meeting. The minutes will show the Councilmember as having an excused absence. If notification is not given, that Councilmember will be noted as absent in the Council minutes.

SECTION 12. PUBLIC HEARINGS

- 12.1 Quasijudicial hearings require a decision be made by the Council using a certain process which may include a record of evidence considered and specific findings be made.
- 12.2 Legislative (ordinance or miscellaneous) hearings do not require a decision be made even though information is presented.
- 12.3 Councilmembers shall comply with all applicable laws related to the conflict of interest requirements in the Appearance of Fairness doctrine.

SECTION 13. MEDIA REPRESENTATION AT COUNCIL MEETINGS

- 13.1 All public meetings of the Council and its advisory committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting. Seating space shall be provided for the media at each public meeting.

SECTION 14. COUNCIL REPRESENTATION

- 14.1 If a Councilmember appears on behalf of the City before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the Councilmember needs to state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position. Councilmembers need to have other Councilmember's concurrence before representing another Councilmember's view or position with the media, another governmental agency or community organization.

SECTION 15. CONFIDENTIALITY

- 15.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during executive sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of executive sessions when the information is considered to be exempt from disclosure under exemptions set forth in the Revised Code of Washington (RCW).
- 15.2 If the Council, in executive session, has provided direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party should be done by the designated City staff representative handling the issue. Councilmembers should obtain the permission of the City Manager prior to discussing the information with anyone other than other Councilmembers, the City Attorney or City staff designated by the City Manager. Any Councilmember having any contact or discussion needs to make full disclosure to the City Manager and/or the City Council in a timely manner.

SECTION 16. COUNCIL TRAVEL AND EXPENSES

- 16.1 **PURPOSE AND ADMINISTRATION** - The objectives of this policy are to provide elected officials who incur authorized travel, subsistence, registration and related expenses while on city business, a reasonable and timely mechanisms for the reimbursement and/or the advancement of such necessary expenditures. It is also recognized that City payment for business related food and beverage for non-travel purposes will be incurred by the Council wherein reimbursement will be provided. This policy statement also serves to provide guidelines by which to determine whether or not expenditures by the Council may be reimbursable to the Councilmember, and by which to determine refreshments and related costs served or made available at meetings involving volunteers and other quasiemployees are legitimate City expenditures.

Claimants have the responsibility for becoming knowledgeable about authorized expenditures and the documentation requirements. Care must be taken to avoid unnecessary or excessive expenditures and those not directly and reasonably related to the conduct of City business.

16.2 DOCUMENTATION - Except for per diem allowances, no claim for reimbursement shall be paid unless it is accompanied by a bona fide vendor's receipt. Such receipts should show the date, a description of the purchase, vendor identification and amount paid.

16.3 CLAIMS - Claims for reimbursement shall contain the following:

- (1) The name of the person who consumed the goods or used the service for which reimbursement is requested whether it be for meals, lodging, transportation or any other purpose.
- (2) A description of the event, occasion or circumstances related to the claim and the public policy or public purpose served.

16.4 MEALS - Meal costs must be incurred directly by the claimant; direct billing to the City by a restaurant is prohibited except by way of an authorized City credit card. Payment for table service at a restaurant, commonly referred to as a tip, not to exceed fifteen percent (15%) of the restaurant price of the meal is reimbursable as a reasonable and necessary cost for such service.

16.5 PER DIEM SCHEDULE OF REIMBURSABLE MEAL COSTS - The reasonable cost of necessary meals while conducting City business is authorized for reimbursement. All City officials claiming reimbursement for meals consumed while on City business shall be entitled to reimbursement not to exceed the Renzheimer Meal/Lodging Index. Notwithstanding the foregoing index, actual meal costs may be claimed when they are part of a regularly scheduled business event such as training seminar, professional meeting, or other business meeting. If the costs of meals for persons other than the claimant are included, those persons must be entitled to meal reimbursement in their own right and they shall be listed by name and title in claim documentation.

16.6 UNAUTHORIZED MEAL COSTS - Unauthorized expenditures include, but are not limited to:

- (1) Liquor
- (2) Expenses of a spouse or other persons not authorized to receive reimbursement under this policy.

16.7 TRAVEL - Reimbursement for reasonable costs of business travel is authorized. The general guidelines are as follows.

City Vehicle: Out-of-the-area costs of vehicle operation are authorized, such as gas, oil, tires and necessary repairs.

Personal Vehicle: Expenses shall be reimbursed for travel within a 300 mile radius of the City at such rate per mile as shall be established from time to time

by the City Manager in his/her discretion, but not to exceed the then current maximum rate allowed by the United States Internal Revenue Service for reimbursement of such expenses for purposes of business travel expense deductions. Trips beyond this limit will be reimbursed at the lower of the established rate per mile or the lowest available (other than non-refundable) airfare obtainable by the City plus mileage reimbursement at the then current City rate, based upon the estimated distance between the airport and the destination. Incidental travel costs such as parking, ferry or bridge tolls are reimbursable as they would be if a City vehicle was provided.

Rental Vehicle: The cost of vehicle rental is considered an exception to this policy and must be approved in writing per Section 4A (Meal Reimbursement for Non-City Officials). Vehicle rental authorization must be separately set out in any request for approval of such expenses. Approval of vehicle rental as an item on a travel advance request will not be considered sufficient authorization without a separate statement presenting the reason such an expenditure is required.

Air Travel: Arrangement for air travel on City related business shall be arranged by the City Manager or his/her designee.

- (1) Whenever feasible, the need for air travel arrangements should be provided by way of the normal request process at least five (5) weeks in advance of the departure date.
- (2) The authorized procurer will arrange for air travel based on the lowest available (other than non-refundable) airfare for a regularly scheduled flight which reasonably accommodates the time of travel requested and the destination as specified by the requisitioning department.
- (3) The authorized procurer will purchase the tickets at the time the rate is quoted and the Councilmember will be advised of the arrangements for acquiring the tickets.
- (4) If personal travel is combined with business related travel, the traveling Councilmember shall be responsible for paying the increase in airfare necessary to accommodate the personal part of the flight. The City shall only pay the lowest available (other than non-refundable) airfare for the round trip between the Seattle/Tacoma airport and the business related destination. Such payment for personal travel shall accompany the City's payment to the vendor for the tickets.
- (5) If changes in travel plans occur that are the result of City business requirements, (i.e. delays in departure, cancellations, extended stays, or revised itinerary) any associated costs shall be paid by the City. However, all increase in cost of travel due to changes for personal convenience will be borne by the Councilmember.
- (6) Officials who obtain airline tickets on their own will be reimbursed based on the lower of: a) Actual out-of-pocket cost paid for the airline tickets or alternate means of transportation (substantiated by a receipt); or b) the lowest (other than non-refundable) airfare available for their time of travel, unless an exception is granted in writing by the Council. In this case, the official must pay the cost of the travel and seek reimbursement along with all other travel expenses. Direct billing of airfare to the City is allowed only as may be authorized by the City Manager.

First Class Air Travel: First class air travel is not authorized.

Other Travel Expenses: Miscellaneous travel costs such as bus, taxi, bridge or other tolls, parking, ferry, porter, bellman and the like (not including any maid service) are authorized by a listing of same as provided by the reimbursement form. Payment of a reasonable amount for porter service, bellman service and the like is considered to be a necessary payment for such service and, therefore, reimbursable.

- 16.8 VENDOR'S RECEIPT - A vendor's receipt will be required only when the single item cost of this type expense exceeds \$10.00. Local parking, ferry and bridge tolls may be reimbursed through the petty cash system, subject to the petty cash guidelines.
- 16.9 OUT-OF-STATE OR OVERNIGHT TRAVEL - To be eligible for any City reimbursement for out of state and/or overnight travel expense, the one way travel distance must be greater than fifty (50) miles from city or home.
- 16.10 ACCOMMODATIONS - Reasonable hotel/motel accommodations for officials are acceptable and will be reimbursed at a maximum of the single room rate. A vendor's receipt for this category is required for all claims. Direct billing of hotel/motel charges is not allowed unless by way of an authorized City credit card.
- 16.11 INCIDENTAL EXPENSES - Includes all reasonable and necessary incidental expenses and includes, but is not limited to, the following.

Allowable Incidental Expenses

- Laundry expenses if away from home four (4) or more calendar days;
- Baggage checking; and
- Business telephone and postage expenses. Personal telephone calls home, if away from home for more than a 24 hour duration, are considered a business telephone expense. Personal calls should be limited to one (1) per day.

Non-Allowable Incidental Expenses

- Personal entertainment;
- Theft, loss or damage to personal property;
- Expenses of a spouse, family or other persons not authorized to receive reimbursement under this policy;
- Barber or beauty parlor services;
- Airline and other trip insurance;
- Personal postage, reading material, telephone calls; and
- Personal toiletry articles.

16.12 NON-TRAVEL FOOD/BEVERAGE REIMBURSEMENT POLICY

- (1) Meals consumed by the City official during meetings and other functions of official City business or serve to benefit the City are reimbursable to the official.

- (2) Generally, the City will not incur costs for refreshments and other related items for meetings or functions held in the normal course of business or that are attended solely by City officials. However, such meetings or functions wherein a municipal function, public purpose, or City program is served or furthered, and wherein the City Council has expressly approved the meeting as such, the City may incur such costs directly or as a reimbursement to employees who have incurred such costs on behalf of the City.
- (3) Refreshments purchased solely for personal entertainment are not a legitimate City expense.

16.13 CEREMONIES AND CELEBRATIONS

- (1) Reasonable expenses including food and beverage associated with commemorating a dedication or an unveiling that is recognized as serving a public purpose are legitimate City expenditures.
- (2) Private celebrations rather than public celebrations are not generally considered as serving a public purpose. Refreshment, food and beverage related costs would therefore not be recognized as legitimate City expense.
- (3) Support of a local "event" or celebration may not take the form of a gratuitous contribution of public funds to a private person, committee or organization. Expenditure of public funds on a publicly sponsored event requires the existence of a recognizable public purpose that relates to the City's existence, proper authorization from the legislative authority for such public sponsorship, and a reasonable relationship between the amount of the City's expenditure and the "public" nature of the event.

16.14 MEAL REIMBURSEMENT FOR NON-CITY OFFICIALS - Councilmember claims for the reimbursement of meal costs for non-city employees and non-city officials shall be documented by a memo authoriz-ed by the Mayor or, in the Mayor's absence, the Deputy Mayor. The memo must identify:

- (1) The names of the individual or individuals being hosted;
- (2) Their official title or capacity as it related to City business;
- (3) The explanation of why this expenditure was an appropriate use of City funds.

16.15 CLAIMS AND APPROVAL PROCEDURE

- (1) All claims shall be submitted for reimbursement using the form provided by the City. Travel and subsistence expenses except for incidental and minor costs will not be paid from any petty cash fund, unless as in compliance with petty cash policy adopted by the City.
- (2) Special approvals required by this policy shall be obtained by Councilmembers from the Mayor or, in his/her absence, by the Deputy Mayor. Such approvals shall be by separate memo which identifies the policy exception being authorized and explains the reasons therefor.
- (3) Claims may include the reimbursable costs of other City officials who would be entitled in their own right to claim business expenses.
- (4) Claims for financial reimbursement of Councilmembers must be approved by the Mayor or, in his/her absence, the Deputy Mayor.

- (5) Exceptions to the expense rules for unusual circumstances may be approved at a regular Council meeting by a majority vote of the Councilmembers present at the meeting.
- (6) In preparation of the City's annual operating budget, Councilmember travel and training expenses shall be anticipated and included in budget appropriations. Attendance at annual conferences of municipal officials, such as the National League of Cities or Association of Washington Cities, shall be addressed at the time of budget adoption to reflect the number of Councilmembers who will attend to represent the City. Meetings, conventions or training programs that require expenditure of funds to be reimbursed or paid on behalf of Councilmembers and that are not anticipated at the time of budget adoption, must be submitted to the Council for approval. The request must be presented to the Council in a timely manner prior to the event to permit an opportunity for the Council to review and approve or deny the request based on its merit, to allow all Councilmembers opportunity to discuss the appropriate Council attendance. The request shall include the name of organization sponsoring meeting; the reason why attendance is requested; an explanation of the benefits to the City; Councilmember(s) to attend; location of the event; attendance dates; and the estimated cost to the City.
- (7) A report, oral and/or written as appropriate, shall be made to the Council at a meeting no later than two (2) weeks following said conference, seminar or training, in order that the full Council may benefit from the training experience received by the Councilmember who attended. A record of such reports shall be maintained by the City Clerk. The Mayor shall make an annual State of the City report during a regularly scheduled Council meeting. A written report shall be made available to the public at the time of the meeting. The City Manager shall provide an Executive Summary following each City Council retreat. A written report shall be made available to the public the first working day following the retreat.

SECTION 17. PUBLIC RECORDS

- 17.1 Public records created or received by the Mayor or any Councilmember should be transferred to the City Clerk's office for retention by the City in accordance with the public records law. Public records that are duplicates of those received by or in the possession of the City are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Attorney.
- 17.2 Whenever possible, all records will be established in electronic format and every attempt shall be made to maintain electronic formatting if not mandated otherwise.

SECTION 18. CITY MANAGER EVALUATION PROCESS

- 18.1 The Council will determine the evaluation criteria and format for the process as needed.

- 18.2 After the criteria have been developed, the Councilmembers need to concur on when the completed evaluation forms are due and who will collect these documents.
- 18.3 Councilmembers need to discuss and decide if the Mayor and one (1) or more Councilmembers should meet prior to the actual evaluation. This meeting would allow time to summarize the comments and this subcommittee (of less than a quorum) could determine recommendations for the City Manager's employment contract amendments including, but not limited to, salary, bonus, and cost-of-living increase. The subcommittee can make a recommendation to the entire Council at the time of the evaluation.
- 18.4 Copies of the City Manager's current employment contract shall be made available to the entire Council.
- 18.5 At the evaluation session, the summary comments may be given as well as individual comments by Councilmembers. The City Manager may wish to respond which is usually at the conclusion of the Council comments. The City Manager's contract should be discussed and any recommendations may be concurred to by the Council.
- 18.6 The evaluation is held in executive session. Attendance is limited to the Mayor, Councilmembers, City Manager and City Attorney.
- 18.7 The final step of the City Manager evaluation process is to have the City Attorney prepare amendments. For example, in the form of performance expectations, if any, to the City Manager's employment contract. This contract needs to be approved as an agenda item at a Council meeting.

SECTION 19. MAYOR / DEPUTY MAYOR SELECTION PROCESS

- 19.1 The Mayor and Deputy Mayor will be elected for minimum terms as designated by State Law.

RCW 35.18.190

Mayor -- Election -- Vacancy.

Biennially at the first meeting of the new council the members thereof shall choose a chairman from among their number who shall have the title of mayor. In addition to the powers conferred upon him as mayor, he shall continue to have all the rights, privileges and immunities of a member of the council. If a vacancy occurs in the office of mayor, the members of the council at their next regular meeting shall select a mayor from among their number for the unexpired term.

SECTION 20. CITY ADVISORY BODIES

- 20.1 Edgewood's citizen advisory boards, commissions, committees and task forces provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.

- 20.2 These advisory bodies originate from different sources. Some are established by ordinance while others are established by motion of the Council. It is at the discretion of the Council as to whether or not any advisory body should be established by ordinance.
- 20.3 City advisory bodies bring together citizen viewpoints which might not otherwise be heard. Persons of wide-ranging interests who want to participate in public service but not compete for public office can be involved in governmental boards, commissions, committees and task forces. These bodies also serve as a training ground or stepping stone for qualified persons who are interested in seeking public office.
- 20.4 As City advisory bodies have been formed since incorporation. The adoption of uniform rules of procedure is necessary to assure maximum productivity. The following policies govern the City's advisory groups. Some of these advisory groups may have more specific guidelines set forth by ordinance or resolution, or at times by state law.
- 20.5 Every advisory body, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the Council to determine it's effectiveness. This statement of purpose is made available to all citizen members when they are appointed.
- 20.6 The size of each advisory group is determined by the Council and the size is related to it's duties and responsibilities. Another determination to be made prior to formation, is the cost impact for City staffing a proposed advisory body.
- 20.7 The Council may dissolve any advisory body that, in their opinion, has completed it's working function or for any other reason.
- 20.8 Citizen board, commission, committee, and task force members shall be selected in accordance with the following procedures:
- A) The City Council, as a Committee of the Whole, shall establish an application packet including appropriate disclosure of interest forms and a prescreening questionnaire, containing questions specific to each individual group and the charge of that group, to be used in ranking candidates prior to scheduling interviews.
 - B) A citywide recruitment process shall be initiated seeking applicant(s). Vacancies are advertised so that any interested citizen may submit an application. Applicants are required to be citizens of the City. Councilmembers are encouraged to solicit applications from qualified citizens. Applications shall be available from the office of the City Clerk, the City's website and shall be required to be submitted within the advertised deadline in order to be considered for appointment during each application period.

Existing board, commission, committee and task force members wishing reappointment may be exempted from submitting a new application provided they notify the City Clerk in writing within the advertised deadline period of their desire to be considered for reappointment based on a previous application already on file with the City Clerk. They may also

choose to complete a new application or letter of interest with updated information they wish to be considered by Council.

- C) The City Council, as a Committee of the Whole, shall review and rank application packets to aid the Mayor in selecting candidates to interview. Should there be four or fewer applicants for any one position, all candidates shall be interviewed by the Council and the prescreening of the candidates shall not be required.
- D) The City Council, as a Committee of the Whole, shall interview candidates in a panel format, with all candidates participating in the interview session concurrently. Councilmembers are encouraged to develop a short list of questions they would like to ask of the candidates. The Mayor shall call on each Councilmember present to ask questions from their prepared list of the candidate(s) of their choice. The same questions may or may not be asked of every candidate. Depending on the number of candidates to be interviewed and in the interest of completing the interview session(s) in a timely manner, the Mayor may limit the number of questions asked by each Councilmember. If the number of questions is to be limited, the Mayor shall announce the number of questions each Councilmember may ask prior to the commencement of the interviews.
- E) Upon completing the interviews, each Councilmember will announce their ranking of the candidates interviewed and the City Clerk or designee shall tally the Council rankings. The results of the rankings shall be provided to the Council and shall be used by the Mayor for consideration in the appointment process. At the Mayor's discretion, the appointment process may take place at a regularly scheduled Council meeting or a special Council meeting following the interview session.
- F) The Mayor shall appoint or reappoint and the Council shall confirm or deny the appointments proposed by the Mayor.
- G) Should the Council deny any or all of the Mayoral appointments, the Mayor may submit appointments again at the next regular Council meeting or a special Council meeting scheduled for that purpose.
- H) Application materials for candidates interviewed and ranked, yet not appointed, will remain in a candidate pool for six months. In the event vacancies arise during that six month period, the Mayor may appoint the next highest ranked candidate(s) from the pool to fill such vacancies. These appointments are subject to confirmation by the full Council at a regular or special Council meeting. Once this six month period has passed, a citywide recruitment process shall be initiated, as detailed above, to fill any vacancies that may occur.

20.9 It is the intent of the Council that advisory body members not serve on more than one board, commission, committee or task force at any time in order to provide opportunities for diverse citizen input. However, there may be extenuating circumstances such as the specialized expertise that a citizen may bring to more than one advisory body, or lack of other qualified applicants, that will justify multiple advisory body membership.

20.10 Lengths of terms vary from one advisory body to another but in all cases overlapping terms are intended. On special work task forces where a specific project is the purpose, there need not be terms of office.

- 20.11 Newly appointed members will receive a briefing by the board, commission, committee or task force chairperson and/or City staff regarding duties and responsibilities of the members of the advisory body. Each newly appointed member will receive an information packet which will include a Certificate of Appointment signed by the Mayor, a board, commission, committee or task force membership list, contact information of the responsible City staff member, statement of purpose for the advisory body which may include an ordinance, resolution, work plan, operating policy or bylaws.
- 20.12 All advisory bodies will be responsible for adopting their operating policies and/or bylaws consistent with the establishing resolution or ordinance.
- 20.13 All meetings of advisory bodies are open to the public in accordance with the public meeting laws of the State of Washington. No advisory committee will schedule a meeting earlier than 7:00 a.m. or on a holiday or other non-business day without the approval of the City Manager.
- 20.14 The number of meetings related to business needs of the advisory group may be set by the individual body, unless set forth in a resolution or ordinance. Notice of all meetings, including date, time, place and principal subjects to be discussed will be published in accordance with the public meetings laws of the State of Washington and the policies of the City.
- 20.15 The advisory body chairperson will be responsible for coordinating the meeting agendas with the appropriate City support staff.
- 20.16 Summaries will be kept of all meetings in accordance with the public meeting laws of the State of Washington. The appropriate City support staff will be responsible for preparation of the summaries of each advisory body meeting.
- 20.17 Excessive absenteeism, excluding illness or required travel, is cause for the removal of an advisory body member. Three (3) consecutive absences will be considered resignation from the body unless prior to the third absence, the member has requested, and been granted, an excused absence. The advisory body granting the excused absence will determine the validity of the request.
- 20.18 Members may resign at any time their personal circumstances change to prevent effective service. Members may be removed, from any advisory committee, prior to the expiration of their term of office, by a majority vote of the Council, or by policies and procedures set forth in the resolution or ordinance which established the body.
- 20.19 A quorum for conducting business is a simple majority of the membership of the advisory body.
- 20.20 All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage.
- 20.21 Lobbying efforts by any advisory bodies on legislative or political matters should first be checked for consistency with existing City policy by contacting the City

Manager's office. In the event a position is taken that differs from that of the City's policy, an advisory body acting as an official body of the City cannot represent that position before another body, i.e., the State Legislature or the Pierce County Council. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that he or she is not speaking as a representative of the City or as a member of a City board, commission, committee or task force.

- 20.22 Members of advisory bodies are encouraged to attend Council meetings to keep abreast of Council actions.
- 20.23 The Council transmits referrals for information or action to the advisory groups by the adoption of a motion made and passed by a majority vote of the Council. No advisory body shall address a project, work plan or other action without the consent or assignment of such project, work plan or action by the Council. Advisory groups may transmit findings, reports, etc., to the Council in a manner determined most appropriate by the City Manager.
- 20.24 While the role of City staff is one of assisting the board, commission, committee or task force, the City staff members are not employees of that body. The City staff members are directly responsible to his or her department director and the City Manager.

SECTION 21. FILLING CITY COUNCIL VACANCIES

21.1 PURPOSE - To provide guidance to the Council when a Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.

21.2 REFERENCES

- RCW 42.30.110(h) - Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective Office
- RCW 42.30.060 - Prohibition on Secret Ballots
- RCW 42.12 - Vacant Position
- RCW 35A.13.020 - Vacancies - Filling of Vacancies in Council/Manager Form of Government

21.3 APPOINTMENT PROCESS

- (1) A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The Councilmember who is vacating his or her position cannot participate in the appointment process.
- (2) The Council shall direct staff to begin the Councilmember appointment process and establish an interview and appointment schedule so that the position is filled at the earliest opportunity.
- (3) The City Clerk's office shall prepare and submit a display advertisement to the City's official newspaper and provide courtesy copies to all other local media outlets. The advertisement will announce the vacancy consistent with the requirements necessary to hold public office; specify that the

applicant must be a registered voter of the City and have a one (1) year residency in the City. This display advertisement shall be published once a each week for two (2) consecutive weeks. This display advertisement shall contain other information including, but not limited to, time to be served in the vacant position, election and salary information, Councilmember authority and duties, the deadline date and time for submitting applications, interview and appointment schedules, and such other information that the Council deems appropriate.

- (4) The City Clerk's Office shall prepare an application form which requests appropriate information for Council consideration of the applicants. Applications will be available at the City offices and such other locations that the Council deems appropriate.
- (5) Applications received by the deadline date and time will be copied and circulated by the City Clerk's office to the Mayor and Council. Packets may also contain additional information received such as endorsements, letters of reference and other pertinent materials.
- (6) The City Clerk's office shall publish the required public notice(s) for the meeting scheduled for interviewing applicants for consideration to the vacant position. This meeting may be a regularly scheduled Council meeting, or a special session Council meeting.
- (7) The City Clerk's office shall notify applicants of the location, date and time of Council interviews.
- (8) Prior to the date and time of the interview meeting, the Mayor shall accept one interview question from each Councilmember.

21.4 INTERVIEW MEETING - Each interview of an applicant/candidate shall be no more than thirty (30) minutes in length as follows:

- (1) The applicant shall present his or her credentials to the Council. (10 minutes).
- (2) The Council shall ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and will answer the same set of questions, and will have two (2) minutes to answer each question. (14 minutes).
- (3) An informal question and answer period in which Councilmembers may ask and receive answers to miscellaneous questions. (10 minutes).
- (4) The applicants order of appearance will be determined by a random lot drawing performed by the City Clerk.
- (5) The Council may reduce the thirty (30) minute interview time if the number of applicants exceed six (6) candidates or, alternatively, the Council may elect not to interview all of the applicants if the number exceeds six (6) candidates. The decision as to which applicants to interview will be based on the information contained in the application forms.

21.5 VOTING - Upon completion of the interviews, Councilmembers may convene into executive session to discuss the qualifications of the applicants. However, all interviews, nominations and votes taken by the Council shall be in open public session.

- (1) The Mayor shall ask for nominations from the Councilmembers.

- (2) After a nomination and second has been received, the City Clerk shall proceed with a roll-call vote.
- (3) Balloting will continue until a nominee receives a majority of four (4) votes.
- (4) At anytime during the balloting process, the Council may post-pone balloting until a date certain or regular Council meeting if a majority vote has not been received.
- (5) Nothing in this policy shall prevent the Council from reconvening into executive session to further discuss the applicant/candidate qualifications.
- (6) The Mayor shall declare the nominee receiving the majority vote as the new Councilmember and the Clerk shall swear him/her into office at the earliest opportunity, no later than the next regularly scheduled Council meeting.
- (7) If the Council does not give a majority vote within ninety (90) days of the declared vacancy, the Revised Code of Washington delegates appointment powers to Pierce County.

SECTION 22. MISCELLANEOUS

- 22.1 When Councilmembers register to attend an official conference requiring voting delegates such as the annual National League of Cities or Association of Washington Cities, the Council shall designate the voting delegate(s) and alternate voting delegate(s) during a public meeting by a majority vote. When possible, said selection of voting delegate(s) shall be done on a rotating basis for the purpose of allowing all Councilmembers the opportunity to be an official voting delegate.

SECTION 23. SUSPENSION AND AMENDMENT OF RULES

- 23.1 Any provision of these rules not governed by state law or ordinance may be temporarily suspended by a two-thirds (2/3) majority vote of the Council.
- 23.2 These rules may be amended or new rules adopted by a majority vote of the Council.

SECTION 24. CODE OF ETHICS

The purpose of the City of Edgewood Code of Ethics is to strengthen the quality of City government and promote and demand the highest standards of ethics from its elected officials. It is the intention that this code be liberally construed to accomplish its purpose of protecting the public interest against decisions that are affected by undue influence or conflict of interest. This code is supplemental to the Revised Code of Washington (RCW) 42.23 - Code of Ethics for Municipal Officers.

City Officials shall:

- 24.1 Be dedicated to the concepts of effective and democratic local government.
- i. *Democratic Leadership. Officials shall honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws, rules and regulations.*

- 24.2 Affirm the dignity and worth of the services rendered by government and maintain a deep sense of social responsibility as a trusted public servant.
- 24.3 Be dedicated to the highest ideals of honor and integrity in all public and personal relationships.
- i. Public Confidence. Officials shall conduct themselves so as to maintain public confidence in city government and in the performance of the public trust.
 - ii. Impression of Influence. Officials shall conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.
- 24.4 Recognize that the chief function of the local government at all times is to serve the best interests of all the people.
- i. Public Interest. Officials shall treat their office as a public trust, only using the power and resources of public office to advance public interests and not to attain personal benefit or pursue any other private interest incompatible with the public good.
- 24.5 Keep the community informed on municipal affairs; encourage dialogue between the citizens and all municipal officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
- i. Accountability. Officials shall assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold city officials accountable.
 - ii. Respectability. Officials shall safeguard public confidence in the integrity of city government by being honest, fair, caring and respectful and by avoiding conduct creating the appearance of impropriety of which is otherwise unbecoming a public official.
- 24.6 Seek no favor; believe that personal benefit or profit secured by confidential information or by misuse of public time is dishonest.
- i. Private Employment. Officials shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private business when such employment, service, or business creates a conflict with or impairs the proper discharge of their official duties.
 - ii. Confidential Information. Officials shall not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.
 - iii. Gifts. Officials shall not directly or indirectly solicit any gift or accept or receive any gift – whether it be money, services, loan, Travel, entertainment, hospitality, promise or any other form – under the following circumstances: (a) it could be reasonably inferred or expected that the gift was intended to influence the performance of official duties; or (b) the gift was intended to serve as a reward for any official action on the official's part.
 - iv. Investments in Conflict with Official Duties. Officials shall not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction that creates a conflict with their official duties.

- v. Personal Relationships. Personal relationships shall be disclosed in any instance where there could be the appearance of a conflict of interest.

24.7 Conduct Business of the City in a manner, which is not only fair in fact, but also in appearance.

- i. Personal Relationships. In a quasi-judicial proceedings elected officials shall abide by the directives of RCW 42.36 which requires full disclosure of contacts by proponents and opponents of land use projects which are before the City Council. Boards and Commissions are also subject to these fairness rules when they conduct quasi-judicial hearings.

24.8 Not knowingly violate any Washington statute, City ordinance or regulation in the course of performing their duties.

Chapter 42.23 RCW

CODE OF ETHICS FOR MUNICIPAL OFFICERS -- CONTRACT INTERESTS

SECTIONS

42.23.010	Declaration of purpose.
42.23.020	Definitions.
42.23.030	Interest in contracts prohibited -- Exceptions.
42.23.040	Remote interests.
42.23.050	Prohibited contracts void -- Penalties for violation of chapter.
42.23.060	Local charter controls chapter.
42.23.070	Prohibited acts.

NOTES: Cities, free passes, services prohibited - RCW 35.17.150: County officers, general provisions - Chapter 36.16 RCW: Ethics in public service act - Chapter 42.52 RCW: Public employment, civil service - Title 41 RCW: State officers, general provisions - Chapter 43.01 RCW.

RCW 42.23.010

Declaration of purpose.

It is the purpose and intent of this chapter to revise and make uniform the laws of this state concerning the transaction of business by municipal officers, as defined in chapter 268, Laws of 1961, in conflict with the proper performance of their duties in the public interest; and to promote the efficiency of local government by prohibiting certain instances and areas of conflict while at the same time sanctioning, under sufficient controls, certain other instances and areas of conflict wherein the private interest of the municipal officer is deemed to be only remote, to the end that, without sacrificing necessary public responsibility and enforceability in areas of significant and clearly conflicting interests, the selection of municipal officers may be made from a wider group of responsible citizens of the communities which they are called upon to serve.

RCW 42.23.020

Definitions.

For the purpose of chapter 268, Laws of 1961:

- (1) "Municipality" shall include all counties, cities, towns, districts, and other municipal corporations and quasi municipal corporations organized under the laws of the state of Washington;
- (2) "Municipal officer" and "officer" shall each include all elected and appointed officers of a municipality, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer;
- (3) "Contract" shall include any contract, sale, lease or purchase;
- (4) "Contracting party" shall include any person, partnership, association, cooperative, corporation, or other business entity which is a party to a contract with a municipality.

RCW 42.23.030

Interest in contracts prohibited -- Exceptions.

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. This section shall not apply in the following cases:

- (1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;*
- (2) The designation of public depositaries for municipal funds;*
- (3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;*
- (4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;*
- (5) The employment of any person by a municipality for unskilled day labor at wages not exceeding two hundred dollars in any calendar month. The exception provided in this subsection does not apply to a county with a population of one hundred twenty-five thousand or more, a city with a population of more than one thousand five hundred, an irrigation district encompassing more than fifty thousand acres, or a first class school district;*
- (6) (a) The letting of any other contract in which the total amount received under the contract or contracts by the municipal officer or the municipal officer's business does not exceed one thousand five hundred dollars in any calendar month.
(b) However, in the case of a particular officer of a second class city or town, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total amount of such contract or contracts authorized in this subsection (6) may exceed one thousand five hundred dollars in any calendar month but shall not exceed eighteen thousand dollars in any calendar year.
(c) The exceptions provided in this subsection (6) do not apply to a sale or lease by the municipality as the seller or lessor. The exceptions provided in this subsection (6) also do not apply to the letting of any contract by a county with a population of one hundred twenty-five thousand or more, a city with a population of ten thousand or more, or an irrigation district encompassing more than fifty thousand acres.
(d) The municipality shall maintain a list of all contracts that are awarded under this subsection (6). The list must be made available for public inspection and copying;*
- (7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers and the superior court in the county where the property is situated finds that all terms and conditions of such lease are fair to the port district and are in the public interest. The appraisers must be appointed from members of the American Institute of Real Estate Appraisers by the presiding judge of the superior court;*
- (8) The letting of any employment contract for the driving of a school bus in a second class school district if the terms of such contract are commensurate with the pay plan or collective bargaining agreement operating in the district;*
- (9) The letting of any employment contract to the spouse of an officer of a school district, when such contract is solely for employment as a substitute teacher for the school district. This exception applies only if the terms of the contract are commensurate with the pay plan or collective bargaining agreement applicable to all district employees and the board of directors has found, consistent with the written policy under RCW 28A.330.240, that there is a shortage of substitute teachers in the school district;*
- (10) The letting of any employment contract to the spouse of an officer of a school district if the spouse was under contract as a certificated or classified employee with the school district before the date in which the officer assumes office and the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district. However, in a second class school district that has less than two hundred full-time equivalent students enrolled at the start of the school year as defined in RCW 28A.150.040, the spouse is not required to be under contract as a certificated or classified employee before the date on which the officer assumes office;*
- (11) The authorization, approval, or ratification of any employment contract with the spouse of a public hospital district commissioner if: (a) The spouse was employed by the public hospital district before the date the commissioner was initially elected; (b) the terms of the contract are commensurate with the pay plan or collective*

bargaining agreement operating in the district for similar employees; (c) the interest of the commissioner is disclosed to the board of commissioners and noted in the official minutes or similar records of the public hospital district prior to the letting or continuation of the contract; and (d) and the commissioner does not vote on the authorization, approval, or ratification of the contract or any conditions in the contract.

A municipal officer may not vote in the authorization, approval, or ratification of a contract in which he or she is beneficially interested even though one of the exemptions allowing the awarding of such a contract applies. The interest of the municipal officer must be disclosed to the governing body of the municipality and noted in the official minutes or similar records of the municipality before the formation of the contract.

NOTES:

Findings -- Intent -- 1999 c 261: "The legislature finds that:

- (1) The current statutes pertaining to municipal officers' beneficial interest in contracts are quite confusing and have resulted in some inadvertent violations of the law.
- (2) The dollar thresholds for many of the exemptions have not been changed in over thirty-five years, and the restrictions apply to the total amount of the contract instead of the portion of the contract that pertains to the business operated by the municipal officer.
- (3) The confusion existing over these current statutes discourages some municipalities from accessing some efficiencies available to them. Therefore, it is the intent of the legislature to clarify the statutes pertaining to municipal officers and contracts and to enact reasonable protections against inappropriate conflicts of interest."

Purpose -- Captions not law -- 1991 c 363: See notes following RCW 2.32.180.

Purpose -- Statutory references -- Severability -- 1990 c 33: See RCW 28A.900.100 through 28A.900.102.

Severability -- 1989 c 263: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Severability -- 1980 c 39: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

RCW 42.23.040

Remote interests.

A municipal officer is not interested in a contract, within the meaning of RCW 42.23.030, if the officer has only a remote interest in the contract and the extent of the interest is disclosed to the governing body of the municipality of which the officer is an officer and noted in the official minutes or similar records of the municipality prior to the formation of the contract, and thereafter the governing body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer having the remote interest. As used in this section "remote interest" means:

- (1) That of a nonsalaried officer of a nonprofit corporation;
- (2) That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
- (3) That of a landlord or tenant of a contracting party;
- (4) That of a holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.

None of the provisions of this section are applicable to any officer interested in a contract, even if the officer's interest is only remote, if the officer influences or attempts to influence any other officer of the municipality of which he or she is an officer to enter into the contract.

NOTES:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

RCW 42.23.050

Prohibited contracts void -- Penalties for violation of chapter.

Any contract made in violation of the provisions of this chapter is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the municipality. Any officer violating the provisions of this chapter is liable to the municipality of which he or she is an officer for a penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the officer by law. In addition to all other penalties, civil or criminal, the violation by any officer of the provisions of this chapter may be grounds for forfeiture of his or her office.

NOTES:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

RCW 42.23.060

Local charter controls chapter.

If any provision of this chapter conflicts with any provision of a city or county charter, or with any provision of a city-county charter, the charter shall control if it contains stricter requirements than this chapter. The provisions of this chapter shall be considered as minimum standards to be enforced by municipalities.

NOTES:

Findings -- Intent -- 1999 c 261: See note following RCW 42.23.030.

RCW 42.23.070

Prohibited acts.

- (1) No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.*
- (2) No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.*
- (3) No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.*
- (4) No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.*

NOTES:

Parts and captions not law -- Effective date -- Severability -- 1994 c 154: See RCW 42.52.902, 42.52.904, and 42.52.905.

SECTION 25. PREPARATION OF MINUTES

- 25.1 Minutes Generally. City Clerk is legally required to keep a record of proceedings City Council meetings. The form in which this record is to be maintained is detailed in this section of the Council Rules.

Working copies or file copies of all minutes may be kept in the City Clerk's office. The official, originally signed copies of all minutes shall be maintained in the official minutes book(s) and shall be stored in a fire-proof vault. The paper used in the official minutes books shall be of the specially treated type to guard against deterioration. A duplicate set of minutes shall be created by the microfilming department of the State Division of Archives and Records Management and kept off-site in the event of a disaster.

- 25.2 Purpose Of Minutes. A sufficient record must be kept to furnish evidence that the City Council has complied with the law or rules by which it is governed. The facts contained in the minutes are also treated as evidence in a court of law.

- 25.3 Content Of Minutes. Minutes shall show exactly what actions were taken and decisions made at the Council meeting(s). The following is a list of information to be included in the minutes:

1. Date of meeting
2. Location of meeting
3. Type of meeting (regular, continued, special, etc.)
4. Time of meeting
5. Time meeting commenced
6. Officials/members present*
7. Officials/members absent or excused*
8. Topics of business
9. Actions taken on each business matter
10. Record of motions
11. Record of voting
12. Time of adjournment
13. Signature blocks for presiding officer and Clerk/designee

*If a Councilmember leaves during a meeting, note time of departure and time of return, if applicable. If a Councilmember arrives after commencement of the meeting, note time of arrival.

- 25.4 Standard Format. Use of standardized format to create uniformity of minute entries and to save time in composing the record, shall be developed by the City Clerk. A template shall be set up for standardized items, such as adoption of resolutions and ordinances, award of contracts, claims consideration, etc., which will require the input of only specifics, such as titles of resolutions and ordinances, agenda bill numbers and title, maker of motions and second, results of voting, remarks that clarify the "intent" of the legislative body in its decisions, etc. Other statements, discussion, and remarks of individual Councilmembers and commentators will not be noted in the official minutes unless specifically requested by the Council. Written statements may be submitted to the City Clerk and will be retained in the Council packet records for that meeting.

- 25.5 Approval Of Previous Minutes. The minutes shall be placed on the consent agenda for approval to assure the accuracy and completeness of the record. Copies of the minutes will provided to Councilmembers in sufficient time, prior to a City Council meeting, to avoid any necessity of reading of the minutes at the meeting by the Clerk. When approved as written, or as amended by the Council, the minutes are then the official record.
- 25.6 Written Reports And Communications. Since any written record is the best evidence of its contents, a written report or written communication presented at a City Council meeting shall only be referenced in the minutes with the name and title of the author, date of the report or communication, subject of the communication or title or report, and the action taken on the matter. Oral reports or communications need only be referenced in the minutes by name of person, address (if available), the subject matter, and the disposition made by the Council.
- 25.7 Hearings. Minutes of City Council meetings with respect to hearings shall include:
1. Jurisdictional facts. In order that there is sufficient proof that a hearing was held in compliance with the statute or ordinance governing the same, the record for the hearing shall include proof that the required notice was given in accordance therewith, and that the hearing was held at the time and place specified in the notice.
 2. Evidence Produced at Hearing:
 - a. Written Evidence. Minutes shall make appropriate reference to any written evidence in the form of statements, affidavits, reports, photographs, maps, correspondence, or other objects filed at the hearing, and included as part of the record.
 - b. Oral Testimony. The record shall show the name of the person speaking, his or her address, and whether testimony was for or against the hearing subject.
 3. Findings of Council. Usually, the findings made by the City Councils, in respect to public hearings, are incorporated in the ordinance or resolution adopted as a result of the hearing. When this is done, the minutes need not record these findings in the body of the minutes, but shall refer to the resolution or ordinance voted upon by the City Council.
 4. Arguments and Debates at Hearing. There is no legal requirement for inclusion of arguments and debate at hearings in the record. Council may request such dialogue be included in the record.
- 25.8 Adjournment. In recording adjournment, the minutes shall show whether it was adjourned to another time prior to the next regular meeting, or merely adjourned. The mayor or presiding officer shall declare the meeting adjourned or the Council, by majority vote, may adjourn the meeting.
- 25.9 Signing The Minutes. The minutes shall be signed by the City Clerk and the Mayor or presiding officer for that meeting to document the authenticity of the minutes as public record and reflect the approval of the City Council.
- 25.10 Use Of Recordings And Retention. There is no statutory requirement that City Council meetings be recorded (quasi-judicial hearings, however, must be recorded). Where a City Clerk makes an authorized recording of a City Council meeting to facilitate the preparation of the minutes, any person has a right to

inspect the recording and to listen to the it on equipment provided by the City. Any person also has the right to purchase a copy of the recording in accordance with the City's fee schedule. A verbatim transcript may be provided and such services subject to fees set forth in the City's fee schedule. These requests shall be addressed by staff in accordance with Edgewood Municipal Code Chapter 2.50 – Public Records.

Recordings may be used to prepare written minutes. Due to the limited lifespan of magnetic recordings and other digital media, these recordings will not serve as a permanent record of proceedings. The retention period of all recordings or transcriptions is 6 years, per the Washington State Records Retention Guidelines.

- 25.11 Recording Of The Vote. Roll call votes may be called for by the Mayor or presiding officer. The vote shall be conducted, on a rotational basis, by the City Clerk, with the Mayor/presiding officer and Deputy Mayor being called upon last. Votes shall be recorded in the following manner:

UPON ROLL CALL VOTE, WITH _____, _____, _____, VOTING YES/NO (*based on prevailing votes*), THE MOTION CARRIED/FAILED (*based on results of the vote*).

If applicable, Councilmembers abstaining or absent will also be recorded. Unanimous votes are recorded as: MOTION CARRIED UNANIMOUSLY.

- 25.12 Corrections To Minutes. A municipal body has the right and duty to amend its minutes so as to ensure correctness. The City Clerk is the custodian of the minutes. Amendments must be made promptly and must be authorized by the Council. All authorized corrections to the submitted minutes shall be recorded as a business transaction made at the meeting at which they were approved, as amended. Following the meeting, the minutes shall be corrected to include the amendment(s) prior to placement of the final, executed minutes in the minute book.

Minutes pulled from the consent agenda for amendments or corrections must be submitted for approval at the next regular Council meeting before they become the permanent record of the City. If, after approval of the minutes, a correction must be made, a notation is marked in the margin opposite the correction which states: "Amended, see minutes of _____." or "Scriber's Error, corrected by (initials of person making correction)", and shall include the date the correction was noted. Errors corrected in the official minutes shall never be corrected by white out, cross outs, or erasures. This procedure is a requirement of the State Auditor.

- 25.13 Excerpt From Minutes. Certified copies of minutes may be requested. The entire minutes of a meeting may be certified. If only a small section or one business matter is requested to be certified, the Clerk shall certify the appropriate excerpt from the minutes.

- 25.14 Preservation Of Minutes. The Revised Code or Washington (RCW) requires minutes of City Councils to be a permanent record. Therefore, special attention, care and security measures shall be taken to protect the orderly and safe keeping of minutes.