



CITY OF EDGEWOOD
COUNCIL RULES OF PROCEDURE
Amended October 27, 2015

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SECTION 1. AUTHORITY; ENFORCEMENT; CONSTRUCTION

- 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. These rules shall be construed in accordance with applicable state law. If any provision of these rules irreconcilably conflicts with any applicable state law provision, the state law provision shall control to the extent of such conflict.
- 1.2 These rules are for the sole use and convenience of the City Council and Mayor, and may only be enforced thereby. Nothing in these rules shall be construed as creating any enforceable right, entitlement and/or cause of action in or for any third party.

SECTION 2. COUNCIL MEETINGS

- 2.1 Council's regular meetings will be held the second and fourth Tuesday of each month in the City Council chambers of Edgewood City Hall, located at 2224 104th 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 every Tuesday of each month upon which a regular meeting pursuant to Section 2.1 is not scheduled. Study sessions will be held in the City Council chambers of Edgewood City Hall, located at 2224 104th Avenue East. Study sessions will begin at the hour of 7:00 PM, and will adjourn no later than 9:00 PM. To continue past this time of adjournment, a majority of the Council must concur. Council study sessions will be for the purpose of reviewing forthcoming programs, issues and policies, receiving progress reports on current programs or projects, or receiving other similar information. Council study sessions shall be considered regular meetings for purposes of Chapter 42.30 RCW, but the Council will typically not take binding or formal action on behalf of the City during a study session. Except for informal direction to staff, Council decisions and/or final 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 the next business day unless cancelled and/or rescheduled for a different date as a special meeting.
- 2.4 Information will be available to the public at each meeting stating a summary of the relevant content of Section 5 (audience comment).
- 2.5 The Mayor will state the applicable 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 Mayor.

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 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 or study session meeting with at least 24 hours advanced notice. A special Council meeting may be scheduled by the Mayor or at the request of any four (4) Councilmembers.
- (3) Study Session - work sessions of the Council where no formal, binding action is taken.
- (4) Emergency - a special Council meeting called without 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 Mayor. The minutes will indicate the reason for the emergency.
- (5) Executive session - a portion of a Council meeting that is closed except to the Council, the Mayor, staff members, consultants and/or other persons authorized by the Mayor. 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 matters authorized by applicable state law, including without limitation RCW 42.30.110 and RCW 42.30.140. 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 executive session require more time, a public announcement shall be made that the executive session is being extended.

2.9 ORDER OF REGULAR COUNCIL MEETING AGENDA

- (1) Call Meeting To Order. The Mayor calls the meeting to order.
- (2) Pledge of Allegiance. The Mayor designates a Councilmember or an invited guest to lead the flag salute.
- (3) Roll Call. The City Clerk will call roll, announce the attendance of Councilmembers, indicate any Councilmember who is not in attendance, and indicate whether or not the absence of any Councilmember has been excused.
- (4) Public Hearing. Any public hearing(s) on the agenda shall be conducted in accordance with the provisions of Section 12 and any other applicable procedures established by state law or local regulations.

(5) Audience Comment. In accordance with Section 5, members of the audience may address the City Council on any item that is not on the agenda for that meeting during the Audience Comment portion of the meeting.

(6) Proclamations and Presentations. Proclamations (official pronouncements and statements of recognition) from the Mayor and/or City Council and presentations from invited guests shall occur during this portion of the meeting.

(7) Mayor's Report. The Mayor or his/her designee(s) shall update the City Council concerning current issues and items of Council interest.

(8) Consent Agenda. The consent agenda is comprised of routine, noncontroversial items that may be approved collectively by one motion. Items on the consent agenda will be read aloud by the Mayor or his/her designee prior to the approval vote and may include, but are not limited to, minutes, payment of budgeted claims, resolutions and ordinances that have been discussed at a previous Council meetings, bid awards, and previously discussed agreements. Any Councilmember may remove any item from the consent agenda for separate discussion and action.

(9) Council Business (Old/New). Old business includes items that were continued or left unfinished from a previous agenda and second readings, if any, of ordinances. New business involves the formal introduction of items to the Council. Councilmembers shall act on the underlying proposal, direct staff to further review the proposal, refer the proposal to Council study session, or schedule the proposal for a second reading. Council discussion, debate and audience comments is allowed for both old and new business.

(10) Council Comments. Individual Councilmembers shall update the Council concerning current issues and items of Council interest.

(11) Adjournment. The meeting shall be formally closed upon adjournment.

SECTION 3. AGENDA PREPARATION

3.1 As required by applicable state law, the City Clerk will prepare and circulate 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.

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; and/or
- (4) By the Mayor.

- 3.3 An item may be placed on a regular Council meeting agenda after the agenda is closed and the notice issued if the Councilmember or Mayor explains the necessity and receives a sufficient vote of the Council on a motion to suspend the Council Rules of Procedures to add the item at a 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 subsequent agenda to the extent possible.
- 3.8 Agenda packets will be finalized by the end of the business day on the Thursday preceding the regular Council meeting. Agenda submissions will be accepted until noon on the Wednesday preceding the Thursday packet distribution day.
- 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 Councilmembers shall observe standard principles of decorum, courtesy and professionalism while addressing each other, staff members, and members of the public.
- 4.2 The Mayor has the authority to rule on questions of order. If the Mayor rules a Councilmember's comments to be out of order, the Councilmember may explain why he or she believes the comments are not out of order. The Mayor 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's ruling, they can appeal the point of order. The question is then put to the Council to confirm or deny the Mayor's ruling and whether the Councilmember shall continue comment.

- 4.3 From time to time, a Councilmember may 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. Adequate notice must be given to allow telephone 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. TELEPHONIC PARTICIPATION

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;

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 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 be 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, 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 During the Audience Comment portion of the meeting, members of the public may comment on any subject relating to the City of Edgewood and/or the Edgewood community that is not on the agenda for that meeting, except: (i) comments related to a pending quasi-judicial matter, and (ii) comments prohibited by state law.
- 5.2 Members of the public may also comment up to three (3) minutes on individual agenda items at designated times during any regularly scheduled Council meeting prior to Council action on that item. These agenda items include, but are not limited to, ordinances, resolutions and old and new business issues.
- 5.3 Comments made on behalf of a group or organization will be limited to five (5) minutes in duration. Representation on behalf of a group or organization will be considered recognized for the purpose of Audience Comment if the group or organization notifies the City Clerk at least 24 hours in advance of the meeting.
- 5.4 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium and provide their name and address for the record.
- 5.5 All remarks will be addressed to the Council as a whole, and shall avoid personal, impertinent or slanderous content. Any person disrupting the meeting, including a person who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting. The Mayor shall consult with the City Attorney before requesting any person to leave the meeting. Applause, boos or other public demonstrations by those attending the Council meeting are considered inappropriate behavior.
- 5.2 In addition to and/or in lieu of addressing the Council, any persons may provide written comments and other written materials to the City Clerk for distribution to

the Council. A contact name, address, and phone number must be printed legibly on any such materials.

- 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 shall consult with the City Attorney before causing any person to be removed from the meeting. 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. The maintenance of order shall be enforced consistent with all applicable statutory and constitutional requirements.
- 5.4 Citizens with complaints, concerns or questions will be encouraged to refer the matter to the Mayor or ask that the matter be placed on a future Council meeting or Council study session agenda with the appropriate background information.

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, unless the Mayor votes to break the tie.
- 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, Councilmembers shall be clear and concise and shall not include arguments for the motion within the motion.
- 6.5 After a motion and second (if applicable), 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 regular 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. Its 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 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 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 Mayor 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 in the manner prescribed by law.
- 7.5 Unless expressly required by law, ordinances may be adopted by the Council upon first reading. The Council may in its discretion require a second reading of any ordinance prior to adoption.

SECTION 8. MAYOR/PRESIDING OFFICER AND DEPUTY MAYOR

- 8.1 Presiding Officer Duties. The Mayor 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.

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

- (1) He or she shall preserve order and decorum in the Council chambers;
- (2) Her or she shall observe and enforce all procedural rules adopted by the Council;
- (3) He or she shall decide all questions on order in accordance with these rules, subject to appeal by any Councilmember;
- (4) He or she recognize Councilmembers in the order in which they request the floor (Councilmembers shall wait to be recognized before speaking);
- (5) He or she shall state the applicable public hearing procedures before each public hearing;
- (6) He or she shall announce executive sessions held during regular or special Council meetings;
- (7) He or she shall indicate the names of the Councilmembers making the motion and second;
- (8) He or she shall summarize consensus at the conclusion of discussions when the Council concurs or agrees to an item that does not require a formal motion;

- (9) He or she (or his/her designee) shall read the title of the ordinance prior to voting;
- (10) He or she shall appoint Councilmembers to serve on ad hoc committees as deemed necessary;
- (11) He or she will determine ongoing dedicated schedules for regular study sessions, special Council meetings, executive sessions;
- (12) He or she will approve the Council agenda; and
- (13) 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;

8.2 Mayoral Tie-Breaking Authority and Veto Power. Pursuant to Chapter 35A.12 RCW, the Mayor shall have the following authority with respect to voting and the veto of ordinances:

(1) The Mayor shall have a vote only in the case of a tie in the votes of the Councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.

(2) The Mayor shall have the power to veto ordinances passed by the Council and submitted to him or her as provided in Chapter 35A.12 RCW. Every ordinance which passes the Council in order to become valid must be presented to the Mayor; if the Mayor approves it, he or she shall sign it, but if not, the Mayor shall return it with his or her written objections to the Council and the Council shall cause his or her objections to be entered at large into the meeting minutes and proceed to a reconsideration thereof. If upon reconsideration a majority plus one of the whole Council, voting upon a call of ayes and nays, favor its passage, the ordinance shall become valid notwithstanding the Mayor's veto. If the Mayor fails for ten days to either approve or veto an ordinance, it shall become valid without his or her approval.

8.3 Ceremonial Duties of Mayor.

(1) The Mayor shall make an annual State of the City report during a regularly scheduled Council meeting.

(2) The Mayor shall represent the City at functions and meetings with other jurisdictions/organizations.

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 Mayor, 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 in derogation of the Mayor's statutory authority.
- 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.

SECTION 10. COUNCIL MEETING STAFFING

- 10.1 If a City Administrator has been appointed, he/she shall attend all meetings of the Council unless excused. When the City Administrator has an excused absence, the Mayor shall designate another staff member to 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, 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 Quasi-judicial 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 or informational 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.

Public Hearing Types: There are two types of public hearings. The

legislative/informational public hearing is a formal opportunity for citizens to give their views for consideration in the legislative or policy-decision-making process. Quasi-judicial public hearings are hearings on quasi-judicial actions which determine the legal rights, duties, or privileges of specific parties.

A. Subject to any other applicable procedures established by state law or City ordinance, the following procedure shall be followed during public hearings on:

Legislative/Informational

- 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, appearance of fairness and other preliminary matters.
- Staff will make their presentation (15 min).
- 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 Mayor.
- 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 Mayor may allow additional time for receipt of written testimony

when needed.

- The City Clerk shall be the official timekeeper.

Quasi Judicial Public Hearings

- If a quasi-judicial hearing is on the agenda, the Council 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 applicable state law, and City ordinances, resolutions and policies.
- Testimony will be limited as set forth herein, except that the Presiding Officer shall ask the rest of the Councilmembers if they have any comments or questions before the citizen is excused.
- If comments are provided in writing, they shall be filed with the City Clerk by 1:00 PM of the calendar day preceding the hearing.

Notwithstanding any other provision of these rules, the City Council may in its discretion adopt case-specific procedures to govern any public hearing before the Council. Such procedures may supplement, modify or supersede the provisions of this section. Any such procedures shall be made available to interested parties at least 14 days in advance of the Council hearing.

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 shall 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 applicable state law.

- 15.2 If the Council, in executive session, has discussed any type of issue related to a third party, all contact with that party should be effectuated by the designated City staff representative handling the issue. Councilmembers should obtain the permission of the Mayor prior to discussing the information with anyone other than other Councilmembers, the City Attorney or City staff designated by the Mayor. Any Councilmember having any contact or discussion shall make full disclosure to the Mayor and/or the City Council in a timely manner.

SECTION 16. PRO TEMPORE AND DEPUTY MAYOR APPOINTMENTS

- 16.1 Biennially at the first meeting of the Council, or periodically thereafter, the Council may designate a Councilmember as Mayor Pro Tempore or Deputy Mayor for such period as may be specified by the Council. The Deputy Mayor shall serve in the absence or temporary disability of the Mayor.
- 16.2 Alternatively, the Council may, as the need may arise, appoint any qualified person to serve as Mayor Pro Tempore in the absence or disability of the Mayor.
- 16.3 Appointment of a Councilmember to preside over a meeting shall not in any way abridge his or her right to vote on matters coming before the Council at such meeting.
- 16.4 In the event of the extended excused absence or disability of a Councilmember, the remaining members by majority vote may appoint a Councilmember Pro Tempore to serve during the absence or disability.

SECTION 17. CITY ADVISORY BODIES

- 17.1 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 its effectiveness. This statement of purpose is made available to all citizen members when they are appointed.
- 17.2 The Council may dissolve any advisory body that, in the Council's opinion, has completed its working function or for any other reason.
- 17.3 Citizen board, commission, committee, and task force members shall be selected in accordance with the following procedures, or at the Council's discretion, any other lawful process:
 - 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 his/her 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.

SECTION 18. FILLING CITY COUNCIL VACANCIES

18.1 PURPOSE

The following procedures are intended to provide guidance to the Council when a Councilmember position becomes vacant before the expiration of the official's elected term of office. Provided, the Council in its discretion may specify another lawful process for filling any vacancy.

18.2 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.

18.3 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 exceeds 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.

18.4 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 vote.
- (4) At anytime during the balloting process, the Council may postpone 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 RCW delegates appointment powers to Pierce County.

SECTION 19. MISCELLANEOUS

19.1 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 20. SUSPENSION AND AMENDMENT OF RULES; IMPLIED WAIVER

- 20.1 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.
- 20.2 These rules may be amended or new rules adopted by a majority vote of the Council.
- 20.3 Unless identified and corrected in accordance with these rules, any action taken in violation of these rules shall be deemed an implied waiver thereof.

SECTION 21. MINUTES

- 21.1 Minutes Generally. Pursuant to RCW 42.32.030 and RCW 35A.12.110, the City Clerk shall keep minutes of all regular and special meetings of the City Council, which shall constitute the City's record of proceedings. Working copies or file copies of all minutes shall be kept in the City Clerk's office. The official, originally signed copies of all minutes shall be maintained and stored in a fire-proof vault. The minutes will be archived in accordance with applicable records retention requirements.
- 21.2 Content Of Minutes. Minutes shall document the actions taken at Council meetings, and shall at a minimum include the following:
 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, the time of departure and time of return, if applicable, shall be noted. If a Councilmember arrives after commencement of the meeting, the time of arrival shall be noted.

- 21.3 Approval Of Previous Minutes. Proposed minutes shall be placed on the consent agenda for approval. Upon approval by the Council, the minutes shall constitute the official record of the City.

21.4 Signing The Minutes. The minutes shall be signed by the City Clerk and the Mayor.

21.5 Corrections To Minutes. All authorized corrections to the approved minutes shall be recorded as a business transaction made at the meeting at which the amendment was approved. 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.

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 not be corrected by white out, cross-outs or erasures.

21.6 Preservation Of Minutes. Minutes shall be preserved by the City for the period specified by applicable record retention requirements of state law. Special attention, care and security measures shall be taken to protect the orderly and safe keeping of minutes.