	<p style="text-align: center;">City Council Study Session July 29, 2024 - 5:30 PM City Hall Council Chambers AGENDA</p> <p style="text-align: center;">Watch the meeting video</p> <p>Meeting videos are not available until 72 hours after the meeting has concluded.</p>
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I. CALL TO ORDER

II. PUBLIC PARTICIPATION

A. Public Participation

The Auburn City Council Study Session Meeting scheduled for Monday, July 29, 2024 at 5:30 p.m. will be held in person and virtually.

Virtual Participation Link:

To view the meeting virtually please click the below link, or call into the meeting at the phone number listed below. The link to the Virtual Meeting is:

<https://www.youtube.com/user/watchauburn/live/?nomobile=1>

To listen to the meeting by phone or Zoom, please call the below number or click the link:

Telephone: 253 215 8782

Toll Free: 877 853 5257

Zoom: <https://us06web.zoom.us/j/82715145803>

B. Roll Call

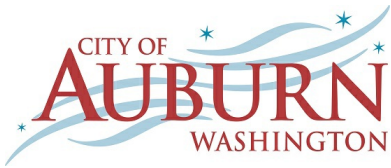
III. AGENDA MODIFICATIONS

IV. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Proposed Changes to City Council Rules of Procedure

V. ADJOURNMENT

Agendas and minutes are available to the public at the City Clerk's Office, on the City website (<http://www.auburnwa.gov>), and via e-mail. Complete agenda packets are available for review at the City Clerk's Office.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Proposed Changes to City Council Rules of Procedure

Date:

July 25, 2024

Department:

City Council

Attachments:

[Council Rules Of Procedure, All revisions shown](#)

[in track changes](#)

[Council Rules Of Procedure, All revisions](#)

[accepted with no track changes](#)

[Exhibit A - Policies](#)

[Bothell](#)

[Lacey](#)

[Vancouver](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background for Motion:**Background Summary:**

The Council Rules of Procedure Ad Hoc Committee met several times. The Committee consists of Councilmembers Hanan Amer as the Chair, Tracy Taylor and Yolonda Trout-Manuel. All suggested changes are shown in track changes.

In addition to the draft Rules of Procedure provided, the Ad Hoc Committee agreed that additional details are needed under Section 13 pertaining to filling a vacant Council position. Exhibit B includes three examples from other cities (Lacey, Bothell, and Vancouver). Each of these examples articulate greater detail and structure in such areas as advertising the vacancy, reviewing applications, conducting interviews and making a final decision. Auburn City Council Rules of Procedure lack any details regarding this approach. In late 2022 and early 2023 City Council had to develop their approach for filling a vacancy without the benefit of an already written outline. Given that Washington State Statute requires City Council to take action to fill a vacancy within 90 days, precious time is lost if the approach to filling the position has to be developed within that window of time (if 90 days pass without the position being filled, the authority to fill the position redirects to the County).

Reviewed by Council Committees:

Councilmember: Hanan Amer

Staff:

Meeting Date: July 29, 2024

Item Number:

**Council Rules Of
Procedure, All
revisions shown in
track changes**

**RULES OF PROCEDURE OF THE CITY COUNCIL OF
THE CITY OF AUBURN, WASHINGTON**

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RULES OF PROCEDURE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON

SECTION 1 AUTHORITY

Pursuant to RCW 35A.12.120, the Auburn City Council establishes the following rules for the conduct of Council meetings, proceedings, ~~and~~ business, and the maintenance of order. These rules shall be in effect on adoption by resolution of Council and until they are amended, or new rules are adopted. The Deputy Mayor will coordinate a review of these rules at least once every calendar year.

SECTION 2 COUNCIL MEETINGS

All meetings of the City Council shall be open to the public and all persons shall be permitted to attend, both in person and virtually, any meeting of this body, except as provided in RCW Chapter 42.30. The City Clerk¹ is responsible for preparing agendas for all City Council meetings.²

The City Clerk is responsible for preparing action minutes of all of the Council meetings, that contain an account of all official actions of the Council. Council meetings shall be electronically recorded and retained for the period of time as provided by State law.

2.1 **Regular Meetings.** Regular ~~M~~meetings of the City Council shall be held at 7:00 p.m. on the first and third Mondays of every month in the City Hall Council Chambers located at 25 West Main Street, Auburn, Washington.³ ~~The regular meeting location may be changed by a majority vote of the City Council.~~

A. If a scheduled Regular Council meeting falls on a legal holiday, the meeting shall be held at 7:00 p.m. on the first business day following the holiday.

B. The Mayor, as ~~P~~presiding ~~O~~fficer, shall be seated at the center of the dais, and the Deputy Mayor shall be seated to the ~~P~~presiding ~~e~~fficer's immediate left. When the Deputy Mayor is acting as the ~~P~~presiding ~~O~~fficer, in the absence of the Mayor, the Deputy Mayor shall be seated in the center of the dais. ~~The seating arrangement for the other members of the Council shall be as determined and directed by the Deputy Mayor. The seating arrangement will be decided once every calendar year.~~

¹The City Clerk may delegate any of the duties in these Rules to staff.

²ACC 2.03.100

³ACC 2.06.010(A), 2.06.020

[See ACC 2.06.010 (Ord. 3916 § 1, 1983; 1957 code § 1.04.010); ACC 2.06.020 (Ord. 3759 § 1, 1982; 1957 code § 1.04.020); ACC 2.06.030 (1957 code § 1.04.060); ACC 2.06.080 (1957 code § 1.04.090).]

2.2 **Study Sessions.** Study Sessions of the City Council shall be held at 5:30 p.m. on the second, fourth, and fifth Mondays of every month in the City Hall Council Chambers located at 25 West Main Street, Auburn, Washington.⁴ ~~The regular meeting location, including making the location a virtual forum, for Study Sessions may be changed by a majority vote of the City Council.~~

- A. If a scheduled Study Session falls on a legal holiday, the meeting shall be held at 5:30 p.m. on the first business day following the holiday.
- B. Study Sessions seating arrangement shall be located in the floor space directly in front of the dais, unless there is a public health emergency in effect. The table layout for Council, and presenters, and speakers shall be done in such a way as —to provide for maximum visibility of all attendees. The Deputy Mayor and the Special Focus Area Chairperson for the scheduled focus area, as set out by ~~per~~ the agenda, shall be at a designated head table. No particular seating arrangement shall be required for other members of the Council, or for the Mayor, for Study Sessions.
- C. The Council shall not take final action at a Study Session. For purposes of this rule, “final action” by the Council means a collective positive or negative decision, or an actual vote on a motion, proposal, resolution, order, or ordinance.⁵ Procedural parliamentary motions are not considered final action.

2.3 **Special Meetings.** A Special Meeting of the City Council may be called by the Mayor or any three members of the Council by written notice delivered to each member of the Council at least 24 hours before the time specified for the proposed meeting. Meeting notices shall be delivered by reasonable methods. Those methods can include email notification in addition to notice on the agency’s website and principal location. The City Clerk shall provide the written notices.— No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed, at any special meeting unless public notice of that meeting has been given by notice to the local press, radio, and television that is reasonably calculated to inform the city's inhabitants of the meeting.⁶

[See ACC 2.06.040 (1957 code § 1.04.070).]

2.4 **Emergency Meetings.** Emergency Meetings may be called by the Mayor or Presiding Officer in case of an emergency. Meeting site notice requirements do not apply.

⁴ ACC 2.06.010(B), 2.06.020

⁵ RCW 42.30.020(2)

⁶ ACC 2.06.040; RCW 35A.12.110

[In the event of an emergency, Council may vote on emergency expenditures pursuant to RCW 35A.34.140 and 35A.34.150.](#)

- 2.5 **Closed or Executive Sessions.** A Council meeting that is closed to the public. Council, the Mayor, City Attorney, and authorized staff members and/or consultants may attend.

Closed and Executive Sessions may be held during Regular Meetings, Study Session Meetings, and Special Meetings of the City Council, and will be announced by the Presiding Officer. Closed and Executive Session subjects are limited to considering those matters permitted by State law.⁷

- 2.6 **Cancellation of Meetings.** Meetings may be canceled by the Mayor with the concurrence of the Deputy Mayor or, in the absence of either, by the Mayor or the Deputy Mayor, or in the absence of both, by the Presiding Officer or by a majority vote of the City Council, and proper notice given by the City Clerk.

- 2.7 **Quorum.** Four (4) or more Councilmembers will constitute a quorum for the transaction of business.

SECTION 3 ORDER OF BUSINESS FOR REGULAR COUNCIL MEETING AGENDA

All items to be included on the Council's agenda for consideration should be submitted to the City Clerk, ~~in full by 5:00pm on the Wednesday in full by 12:00 Noon on the Tuesday~~ preceding each Regular Council Meeting. The City Clerk shall then prepare a proposed agenda according to the order of business, for approval by the Mayor, or their designee, provided the approval shall be exercised in a manner consistent with ACC 2.03.100. A final agenda will then be prepared by the City Clerk and distributed to Councilmembers as the official agenda for the meeting.

- 3.1 The agenda format of the Regular City Council meeting shall be as follows:
- A. **Call to Order.** The Mayor shall call the meeting to order.
 - B. **Land Acknowledgement.** The Mayor shall make a land acknowledgement.
 - C. **Public Participation.** This is the place in the agenda where the public is informed on how to participate in the public meeting and/or instructed on the available options to view the public meeting.

⁷ RCW 42.30.110(1), 42.30.140

- D. **Pledge of Allegiance.** The Mayor, Councilmembers and, at times, invited guests will lead the Pledge of Allegiance.
- E. **Roll Call.** The City Clerk will call the roll.
- F. **Announcements, Proclamations and Presentations.** A proclamation is defined as an official announcement made by the Mayor or the City Council regarding a non-controversial event, activity, or special interest group which has a major city-wide impact.
- G. **Appointments.** Appointing individuals to various committees, boards and commissions. Confirmation of appointments, where confirmation is called for, may be preceded by discussion in Executive Session, where appropriate.
- H. **Agenda Modifications.** Changes to the Council's published agenda are announced at this time.
- I. **Public Hearings and Appeals.** Individuals may comment on public hearing and appeal items by submitting written comments to the City Clerk in advance of the public hearing or by participating in the forum designated by the public hearing notice. However, if an appeal is a closed-record appeal, the matter shall be considered only based on information, evidence, and documents in the record. Argument on the appeal shall refer only to matters, information, documents, and evidence presented at the underlying hearing from which the appeal is taken, and ~~No~~ new information, evidence, or documents may be added, and argument on the appeal may only deal with information, evidence, and documents in the record. The Presiding Officer will state the public hearing and/or appeal procedures before each hearing.
- J. **Public Comment.** Members of the public may comment on any matter related to City business under the Public Comment portion of the meeting agenda. Section 10 of these Rules sets forth the procedures for receiving public comments.
- K. **Correspondence.**
- L. **Council Ad Hoc Committee Reports.** Council Ad Hoc Committee Chairs, or designee, may report on the status of their Ad Hoc Council Committees' progress on assigned tasks and may give their recommendations to the City Council, if any. ~~The Chair of an ad hoc committee must notify the Mayor, Deputy Mayor, City Clerk, and most senior member of the ad hoc committee in advance of any anticipated absence.~~

M. **Consent Agenda.** Approval of the Consent Agenda, including items considered to be routine and non-controversial, may be approved by one motion. Items on the Consent Agenda include, but are not limited to, the following. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action. [The Chair for a Special Focus Area may speak to any of the items on the Consent Agenda that are relevant to the Special Focus Area that they are assigned.](#)

1. Approval of minutes.
2. Fixing dates for public hearings and appeals.
3. Approval of claims and vouchers, bid awards, and contracts.
4. Approval of surplus property.
5. Other items designated by the City Council.

N. **Unfinished Business.** Unfinished business of a general nature that was considered by Council at a previous business meeting.

O. **New Business.** Business, other than ordinances and resolutions, that has not been previously before the City Council and items that are removed from the Consent Agenda for separate discussion and action. Councilmembers are [encouraged—required](#) to provide the Mayor [and](#) Deputy Mayor information regarding the topic of any new business 48 hours prior to the Council meeting.

P. **Ordinances.**

1. All ordinances shall be in writing.— Titles may be read aloud before the ordinance is voted on.— Any Councilmember may request a full reading of the text of a proposed ordinance before the vote on its adoption.— The request for a full reading of an ordinance does not need to be voted on.— However, the request for a reading of the title of the proposed ordinance, or a full reading of the text of the proposed ordinance, may be waived by a majority of the Councilmembers in attendance at the Council Meeting.
2. Before any ordinance is considered for adoption by the City Council, the ordinance shall be included on a Study Session agenda. Council may waive this rule.

After a motion to adopt an ordinance has been made and seconded, the Councilmember making the motion is encouraged to give a brief description of the issues involved with the ordinance, without simply repeating the

ordinance title, and may choose to comment on any results of Council discussion or action regarding the issue.

Discussion and debate by the City Council on ordinances will be held before the vote on an ordinance. Councilmembers may approve, reject, or amend the ordinance, or postpone the action and direct staff to further review the proposed ordinance.

An ordinance shall be adopted by a vote of at least a majority of the whole membership of the Council. In the event of a public emergency, an ordinance may be made effective on adoption, instead of after five days after publication, with a majority vote plus one of the whole Council. ~~provided, that public emergency ordinances require a vote of a majority plus one of the whole Council membership.~~ A public emergency ordinance is one designated to protect public health and safety, public property, or public peace.

- Q. **Resolutions.** All resolutions shall be in writing. Titles may be read aloud before the resolution is voted on. Any Councilmember may request a full reading of the text of a proposed resolution prior to the vote on its passage. The request for a full reading of a resolution does not need to be voted on. However, the request for a reading of the title of the proposed resolution, or a full reading of the text of the proposed resolution may be waived by a majority of the Councilmembers in attendance at the Council Meeting.

After a motion to pass a resolution has been made and seconded, the Councilmember making the motion is encouraged to give a very brief description of the issues involved with the resolution without simply repeating the resolution title, and the Councilmember may choose to comment on any results of Council discussion or action regarding the issue.

Discussion and debate by the City Council on resolutions will be held before the vote on a resolution. Councilmembers shall decide whether or not to amend the resolution, or direct staff to further review the proposed resolution.

A resolution shall be passed by a majority vote of a quorum of the Council, provided that passage of any resolution for the payment of money or that grants or revokes a franchise or license, shall require the affirmative vote of at least a majority of the whole membership of the Council.

- R. **Mayor and Councilmember Reports.** The Mayor and Councilmembers may report on their activities related to federal, state, regional, City, and local organizations for which they are members as appointed by the Mayor. Reports shall regard those activities and events that have occurred since the last Regular Meeting and that have an important and direct impact or benefit to the City. ~~significant City-related activities associated with their~~

~~appointed positions on federal, state, regional, City, and local organizations, since the last regular meeting.~~ The Mayor and Councilmembers shall limit their reports to not more than three (3) minutes, with sensitivity to avoiding duplicate reporting.

S. Adjournment.

3.2 **Recess.** The foregoing agenda may be interrupted for a stated time as called by the ~~P~~residing ~~O~~fficer to recess for any reason, including ~~C~~losed or ~~E~~xecutive ~~S~~essions.

3.3 **Amendment to Agenda.** The sequence of handling items on the agenda of a particular Regular Council Meeting may be amended from order listed on the printed/approved agenda as follows:

A. **Motion to Suspend the Rules.** On a motion by any member and majority vote, the City Council may suspend the rules to add an item (e.g., under New Business) or to allow an item on the agenda to be considered at a different order or placement in the agenda, or to be referred to an upcoming Study Session agenda (See Rules 2.2 and 16.1).

B. **Adjustment of Agenda by Presiding Officer.** The ~~P~~residing ~~O~~fficer may adjust the order of items on the agenda, or add items to the agenda, if agreed upon by the Mayor and the Deputy Mayor, subject to being overruled by a majority vote of the Council.

SECTION 4 COUNCILMEMBER ATTENDANCE AT MEETINGS

4.1 Council Meetings.

A. Councilmembers shall attend all scheduled meetings, including committee meetings. ~~Councilmembers shall inform the Mayor or the City Clerk if they are unable to attend any Regular Council meeting, or if they knowingly will be late to any such meetings, or unable to stay for the entire meeting. Councilmembers shall inform the Chair of the committee and the City Clerk if they are unable to attend a meeting.~~

A Councilmember will be excused from a meeting if they have submitted a request ~~to the Mayor or City Clerk~~ in advance of the meeting. Written requests should be submitted ~~whenever possible,~~ by email. If the request is made the day of the meeting, it may be made by telephone or in person. The reason for the request shall be given at the time of the request. Excessive, continued, or prolonged absences may be addressed by the City Council on a case-by-case basis.

Councilmembers shall send their email communication regarding their absence or anticipated late arrival to Council meetings or committees to the CouncilAlerts@auburnwa.gov email address.
~~Additionally, Councilmembers shall notify the Deputy Mayor of anticipated absences.~~

[See ACC 2.06.050 and RCW 35A.12.060]

- B. Councilmembers may participate remotely at Council meetings via telephone, video conference, or other approved electronic means with notification to the Mayor, Deputy Mayor, and designated City staff prior to noon on the day of the meeting. If a Councilmember appears remotely for a Council meeting, the Councilmember will use the City of Auburn approved virtual background. Technical circumstances shall be considered as to the acceptability of remote attendance. Council prefers in-person attendance when possible.
- C. Remote attendance of the entire council may be permissible when and if a declaration of emergency is declared locally, regionally, state-wide, and/or nationally that would prohibit in person attendance by Councilmembers. The Mayor shall direct remote attendance of the Council as necessary and when it is in the interest of the City to conduct Council business.

[See ACC 2.06.050 and RCW 35A.12.060]

4.2 Study Sessions.

- A. Councilmembers shall attend all Study Sessions. Councilmembers shall inform the Mayor or the City Clerk and the Deputy Mayor if they are unable to attend a Study Session, or if they knowingly will be late to any such meeting, or unable to stay for the entire meeting. Councilmembers shall also inform the Chair of ad hoc committees, and Special Focus Areas if they are unable to attend a such meetings.

A Councilmember will be excused from a meeting if they have submitted a request pursuant to section 4.1A of these rules, to the Mayor or City Clerk and the Deputy Mayor in advance of the meeting. Written requests should be submitted whenever possible, by email. If the request is made the day of the meeting, it may be made by telephone or in person. The reason for the request shall be given at the time of the request. Excessive, continued, or prolonged absences may be addressed by the City Council on a case-by-case basis.

[See ACC 2.06.050 and RCW 35A.12.060]

- B. Councilmembers may participate remotely at Study Sessions under the same protocol set forth in Section 4.1B-C.

- 4.3. **Ad Hoc Council Committee Meetings.** Attendance at Ad Hoc Council Committee ~~M~~meetings and Special ~~M~~meetings will not be considered “~~R~~egular ~~M~~meetings” for the purposes of RCW 35A.12.060, applicable to Regular City Council meetings. However, unexcused absences from any Regular or Special meetings, or Ad Hoc Committee meetings, is a violation of these Rules of Procedure.
- 4.4. **Use of Cell Phones Prohibited.** —At all meetings of the City Council, Councilmembers may not use their City cell phones. All cell phones must remain on silent for the duration of the meeting.— Personal communication devices may only be used in the event of an emergency. Councilmembers shall not send, receive, read or post e-mails, texts, or social media posts during meetings of the Council.
- 4.5. **Department.** To the extent feasible, Councilmembers shall utilize language appropriate to the seriousness of the public legislative matters at hand. Councilmembers shall address their remarks to the ~~P~~residing ~~e~~Officer, and shall address elected officials and staff by their title or other method that uses their last name rather than first name, e.g., “Mayor [surname],” “Deputy Mayor [surname],” “Council-member [surname]” “Chief [surname],” or “Director [surname],” as applicable. The purpose of this approach is to ensure that the City Clerk can create accurate meeting minutes. Councilmembers shall refrain from side conversations with other individual Councilmembers. Councilmembers shall also refrain from inappropriate or derogatory body language, comments, or any other actions that detract from the department of the City Council.

SECTION 5 PRESIDING OFFICER - DUTIES

5.1 Conduct of Meetings.

- A. The Mayor will preside over all Regular Meetings, and Special Meetings, and Emergency Meetings of the Council. If the Mayor is absent, the Deputy Mayor will preside. If both the Mayor and Deputy Mayor are absent, the Chair of Municipal Service Special Focus Area or Chair of the Finance and Internal Services Special Focus Area (in that order) ~~Senior Councilmember~~ will preside.
- ~~B.~~—The Deputy Mayor will preside over Council Study Sessions, other than those portions for which Special Focus Areas are scheduled, in which case the Chair of the Special Focus Area will preside. If the Deputy Mayor is absent, the Special Focus Area Chair will preside. If both the Deputy Mayor

and the Special Focus Area Chair are absent, the [Special Focus Area Vice Chair](#)~~Senior Councilmember~~ will preside.

~~C. The Chair of a Special Focus Area must notify the Mayor, Deputy Mayor, City Clerk, and Vice Chair of the Special Focus Area in advance of any anticipated absence.~~

~~_____~~The Mayor is encouraged to attend Study Sessions.

5.2 The Presiding Officer:

- A. Shall preserve order and decorum at all meetings of the Council and cause the removal of any person in the audience from any meeting who interrupts the meeting after having been warned to cease the interruptive behavior.
- B. Shall observe and enforce all rules adopted by the Council.
- C. Shall decide all questions on order, in accordance with these rules, subject to appeal by any Councilmember.
- D. May affix approximate time limits for each agenda item.

SECTION 6 COUNCILMEMBERS

- 6.1 **Remarks.** Councilmembers who wish to speak shall address the ~~P~~[P](#)residing ~~O~~[O](#)fficer, and, when recognized, shall limit their comments to questions under consideration.
- 6.2 **Questioning.** Any member of the Council, and the Mayor, shall have the right to question any individual, including members of the staff, on matters related to the issue properly before the Council for discussion.
- 6.3 **Obligation to the Public Agency.** Notwithstanding the right of Councilmembers to express their independent opinions and exercise their freedom of speech, Councilmembers should act in a way that reflects positively on the reputation of the City and of the community. Councilmembers shall also interact with other members of the City Council, the Mayor, and City staff in ways that promote effective local government.
- 6.4 **Council Training.** —Councilmembers shall participate in training offered by individuals, agencies, entities, and organizations including, but not limited to, the Association of Washington Cities and the State of Washington. This includes initial orientation after taking office, and other required or recommended training.

6.5 **Participation in Committees, Agencies and Organizations.** To better represent the interests of the City of Auburn, Councilmembers are encouraged to participate in assignments to local, regional, state, and national committees, agencies and organizations, and to attend community, regional, and state events. Councilmembers who have confirmed their intent to attend are expected to arrange their appearance in order to avoid unnecessary expenditure of City funds.

6.6 **Conduct.** Councilmembers shall be subject to the policies in Exhibit A of these Rules. Unless otherwise stated in these Rules, the terms, provisions, and conditions set forth in the Polices are hereby incorporated into these Rules. Any violation of these policies, as determined by the City Council, shall be subject to section 20.1 of these Rules.

SECTION 7 DEBATES

7.1 **Speaking to the Motion.** No member of the Council, or the Presiding Officer, shall speak more than twice on the same motion except by consent of the Presiding Officer or a majority of the Councilmembers present at the time the motion is before the Council. The Presiding Officer shall recognize Councilmembers in the order in which they request the floor. The Councilmember who made a motion shall be permitted to speak to it first. The Presiding Officer may also allow discussion of an issue before stating a motion when such discussion would facilitate wording of a motion.

7.2 **Interruption.** No member of the Council, or the Presiding Officer, shall interrupt or argue with any other member while such member has the floor, other than the Presiding Officer's duty to preserve order during meetings as provided in Section 5.2.A of these rules.

7.3 **Courtesy.** Members of the Council and the Presiding Officer, in the discussion, comments, or debate of any matter or issue, shall address their remarks to the Presiding Officer, be courteous in their language and deportment, and shall not engage in or discuss or comment on personalities, or ~~indulge in~~ make derogatory remarks or insinuations ~~in~~ with respect to any other member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant to the question or matter under discussion.

7.4 **Challenge to Ruling.** Any member of the Council shall have the right to challenge any action or ruling of the Presiding Officer, in which case the decision of the majority of the members of the Council present shall govern.

SECTION 8 PARLIAMENTARY PROCEDURES AND MOTIONS

- 8.1 Unless specifically provided in these rules, all City Council meeting discussions shall be governed by *ROBERTS RULES OF ORDER, NEWLY REVISED* (latest edition).
- 8.2 If a motion does not receive a second, it dies. Matters that do not constitute a motion (and for which no second is needed) include nominations, withdrawal of motion by the person making the motion, request for a roll call vote, and point of order or privilege.
- 8.3 A motion that receives a tie vote fails. ~~Except where prohibited by law, the Mayor, as Presiding Officer, shall be allowed to vote to break a tie vote, except where prohibited by law.~~
- 8.4 Motions shall be stated in the affirmative. For example, “I move to approve” as opposed to “I move to reject.” Councilmembers shall be clear and concise and not include arguments for the motion within the motion.
- 8.5 After a motion has been made and seconded, the Councilmembers may discuss their opinions on the issue prior to the vote. A motion and second to approve is not an indication by a Councilmember that they support the action. The motion enables discussion and debate in advance of a formal vote.
- 8.6 If any Councilmember wishes to abstain from a vote on a motion that Councilmember shall so advise the City Council, shall remove and absent themselves from the deliberations and considerations of the motion, and shall have no further participation in the matter. The Councilmember should make this determination before any discussion or participation on the subject matter or as soon thereafter as the Councilmember identifies a need to abstain. ~~A~~ Councilmember may confer with the City Attorney to determine whether the Councilmember is required to abstain.
- 8.7 A motion to table is non-debatable and shall preclude all amendments or debates of the issue under consideration. A motion to table effectively removes the item without a time certain. ~~A~~ A motion to table to a time certain will be considered a motion to postpone as identified in Section 8.8. To remove an item from the table requires a two-thirds' majority vote.
- 8.8 A motion to postpone to a certain time is debatable, is amendable and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or at a time certain at a future Regular or Special City Council meeting. ~~To~~ To remove an item from postponement in advance of the time certain requires a two-thirds' majority vote.
- 8.9 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.

- 8.10 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' vote; debate is reopened if the motion fails.
- 8.11 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.
- 8.12 Motions that cannot be amended include: Motions to adjourn, lay on the table (table), roll call vote, point of order, reconsideration, and take from the table.
- 8.13 A point of order can be raised by any member of the governing body. A member of the governing body can appeal the eChair's ruling. An appeal must be immediate and must be seconded. The eChair will then explain the ruling. The members of the governing body can debate the matter, each member may speak once. The members of the governing body will then make a decision on the appeal by a majority vote.
- 8.14 Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- 8.15 Debate of the motion only occurs after the motion has been moved and seconded.
- 8.16 The presiding officer, City Attorney, or City Clerk should repeat the motion prior to voting.
- 8.17 When a question has been decided, any Councilmember who voted with the prevailing side may move for reconsideration at the same, or the next meeting. In order to afford Councilmembers who voted with the prevailing side the potential basis for a motion for reconsideration, Councilmembers who voted with the prevailing side may inquire of Councilmembers who voted with the minority as to the reasons for their minority vote, if not stated during debate prior to the vote. A motion for reconsideration is debatable if the motion being reconsidered was debatable. If the motion being reconsidered was not debatable, the motion for reconsideration is not debatable.
- 8.18 The City Attorney shall act as the Council's parliamentarian and shall advise the Presiding Officer on all questions of interpretations of these rules which may arise at a Council meeting.
- 8.19 These rules may be amended, or new rules adopted, by a majority vote of the full Council.

SECTION 9 VOTING

9.1 **Voice vote.** A generalized verbal indication by the Council as a whole of “aye or yes” or “nay or no” vote on a matter, the outcome of which vote shall be recorded in the official minutes of the Council. Silence of a Councilmember during a voice vote shall be recorded as a “no” vote except where a Councilmember abstains because of a stated conflict of interest or appearance of fairness issue.

If there is uncertainty as to the outcome of a voice vote, the [P](#)residing [O](#)fficer or any [C](#)ouncilmember may ask for a raise of hands for the ayes or nays.

9.2 **Roll Call Vote.** A roll call vote may be requested by the [P](#)residing [O](#)fficer or by any Councilmember. The City Clerk shall conduct the roll call vote.

9.3 **Abstentions.**— It is the responsibility of each Councilmember to vote when requested on a matter before the full Council. A Councilmember may only abstain from discussion and voting on a question because of a stated conflict of interest or appearance of fairness.

9.4 **Votes by Mayor.** —Except where prohibited by law, the Mayor, as [P](#)residing [O](#)fficial, shall be allowed to vote to break a tie vote.

SECTION 10 COMMENTS, CONCERNS AND TESTIMONY TO COUNCIL

10.1 Persons or groups specifically scheduled on a Council [M](#)meeting [A](#)agenda may address the Council in accordance with the speaking times included on the agenda.

10.2 Persons or groups that are not specifically scheduled on the agenda may address the council by filling out a speaker sign-in sheet (available at the City Clerk’s desk or at a designated location within the [e](#)Council [e](#)Chambers), and (when recognized by the [e](#)council [P](#)residing [O](#)fficer) stepping up to the podium and giving their name and [address-city of residence](#) for the record.

Unscheduled public comments to the Council are subject to the following rules:

1. Remarks will be limited to 3 minutes. —The City Clerk shall use a suitable device to electronically measure speaker time. —The [P](#)residing [O](#)fficer may make discretionary exceptions to speaker time restrictions;

2. Speakers may not “donate” their speaking time to any other speaker;

3. Remarks will be addressed to the Council as a whole.

10.3 Meeting interruptions. Any speaker or person who interrupts the orderly conduct of a meeting may be barred from further participation in the meeting by the

Presiding Officer, unless permission to continue is granted by a majority of Councilmembers present. Examples of interruptions under this rule include:

1. failing to comply with an allotted speaking time;
2. committing acts of violence or property destruction;
3. directly or indirectly threatening physical violence against anyone attending the meeting;
4. interfering with the meeting or with other speakers through vocal interruptions or disruptive action.

If a meeting interruption occurs, the Presiding Officer shall address the person(s) causing the interruption by citing the interrupting conduct, ordering it to stop, and warning that continuation may result in removal from the meeting.

The Presiding Officer may remove the interrupting person(s) if the conduct persists after the warning. If removal of the person(s) does not restore the meeting to order, the Presiding Officer may clear the room of spectators and continue the meeting, or adjourn the meeting and reconvene it at a different location selected by Council majority.⁸

SECTION 11 PUBLIC HEARINGS AND APPEALS

- 11.1 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 made. The following procedure shall apply:
- A. The Department Director of the department most affected by the subject matter of the hearing, or that Director's designee, will present the City's position and findings. Staff will be available to respond to Council questions.
 - B. The proponent spokesperson shall speak first and be allowed ten (10) minutes. Council may ask questions.
 - C. The opponent spokesperson shall be allowed ten (10) minutes for presentation and Council may ask questions.
 - D. Each side shall then be allowed five (5) minutes for rebuttal, with the proponent spokesperson speaking first, followed by the opponent spokesperson.

⁸ RCW 42.30.050

- E. The City Clerk shall serve as timekeeper during these hearings.
 - F. After each proponent and opponent spokesperson have used their speaking time, Council may ask further questions of the speakers, who shall be entitled to respond but limit their response to the question asked.
- 11.2 Public hearings where a general audience is in attendance to present arguments for or against a public issue:
- A. The Department Director or designee shall present the issue to the Council and respond to questions.
 - B. A person may speak for three (3) minutes. No one may speak for a second time until everyone who wishes to speak has had an opportunity to speak. The Presiding Officer may make exceptions to the time restrictions of persons speaking at a public hearing when warranted, in the discretion of the Presiding Officer.
 - C. The City Clerk shall serve as timekeeper during these hearings.
 - D. After the speaker has used their allotted time, Council may ask questions of the speaker and the speaker may respond, but may not engage in further debate.
 - E. The hearing will then be closed to public participation and open for discussion among Councilmembers.
 - F. The Presiding Officer may exercise changes in the procedures at a particular meeting or hearing, but the decision to do so may be overruled by a majority vote of the Council.

SECTION 12 DEPUTY MAYOR

- 12.1 Annually or more often as deemed appropriate, the members of the City Council, by majority vote, shall designate one of their members as Deputy Mayor for a one-year time period, except as provided in Section 12.1, Paragraphs G and H. Elections will be held no later than the last Council meeting of the year for determining the Deputy Mayor for the subsequent year.
- A. Any member of the City Council ~~who will have served on the Council for one year at the beginning for that Councilmember's terms as Deputy Mayor,~~ may be nominated for the position of Deputy Mayor by having that Councilmember's name placed in nomination by a Councilmember. The nomination of a councilmember for the position of Deputy Mayor does not require a second, and a councilmember may nominate him or herself.

1. Nominations for the position of Deputy Mayor shall be made by members of the City Council on the dates of election for the Deputy Mayor position.
 2. In connection with the selection of Deputy Mayor, ~~it is strongly suggested that~~ Councilmembers are expected to approach the election in an open, transparent, and respectful manner, avoiding anything that jeopardizes harmony among Councilmembers.
- B. The Councilmember receiving a majority of the votes cast by the members of the City Council shall be elected Deputy Mayor. A Councilmember may vote for ~~themselves~~ him or herself.
 - C. The names of all nominees for the position of Deputy Mayor shall be included in the vote.
 - D. If no single Councilmember received a majority of the votes cast, a second vote/ballot between the two nominees who received the largest number of votes will be held.
 - E. The Deputy Mayor shall serve at the pleasure of the Council.
 - F. In the event of a prolonged ~~the~~ absence or unavailability of the Deputy Mayor, the Council shall vote on which Councilmember shall serve as the Interim Deputy Mayor. The Interim Deputy Mayor shall be the Councilmember who receives a majority vote. That Councilmember the senior member of the City Council, other than the Deputy Mayor, shall then serve as interim Deputy Mayor until the return of the regular Deputy Mayor. The Interim Deputy Mayor shall have all the rights, duties, and authority of the Deputy Mayor under these rules
 - G. If the designated Deputy Mayor is unable to serve the full term of the position of Deputy Mayor, the Council shall elect the next Deputy Mayor in accordance with Section 12 to serve the remainder of the term. If the appointment is declined the process shall continue until a Deputy Mayor is designated.
 - H. In the event that the Councilmember selected as Deputy Mayor (or Interim Deputy Mayor) is unable to perform the duties of the position of Deputy Mayor, or fails to act in accordance with the City Council Rules of Procedure, the City Council may, by a majority vote of the full City Council, remove the Deputy Mayor (or Interim Deputy Mayor) from this position, in which case, the Council shall elect the next Deputy Mayor (or Interim Deputy Mayor) in accordance with Section 12 to serve the remainder of the term.

[See RCW 35A.12.065.]

12.2 The Deputy Mayor or Interim Deputy Mayor, as the head of the legislative branch of the City, shall perform the following duties:

A. Intra-Council Relations:

1. Serve as the Chair of the Council Study Sessions in accordance with Rule 5.1.B;
- ~~2. Serve as an ex-officio member of all ad hoc committees of the City Council. If the Deputy Mayor's attendance at an ad hoc committee meeting brings the number of councilmembers attending to four, the meeting shall comply with the Open Public Meetings Act (RCW 42.30), unless expressly exempted;~~
- ~~3.2.~~ Assist in new councilmember training including conducting a review of the rules of procedure with one to two individual Councilmembers, and a staff liaison, if requested, provided the Mayor is notified of the request;
- ~~4.3.~~ Support cooperative and interactive relationships among Council members;
- ~~5.4.~~ Work with Mayor and Administration to prepare agendas for Council Study Sessions, in accordance with Rules 2.2 and 16.1.B;
- ~~5.~~ Preside over the Study Sessions of the City Council, designate Special Focus Area Chairs and Vice-Chairs, designate Special Focus Area assignments, and work with the chairs of the Special Focus Areas on the portions of Study Sessions over which the Special Focus Areas chairs preside in order to reinforce appropriate Special Focus Area topics and to ensure the Councilmember understands how to preside over their portion of the meeting.
- ~~6.~~ With support from the City Attorney and/or City Clerk, ensure that Councilmembers are aware of the requirements and limitations related to the Open Public Meetings Act (OPMA) and reinforce adherence to the OPMA and quorum triggers when Councilmembers are operating and communicating in their Ad-Hoc Committee and Special Focus Areas roles. The Deputy Mayor has a responsibility to report violations of the OPMA when they are made aware of a violation.

B. Mayor-Council Relations:

1. Help maintain a positive and cooperative relationship between the Mayor and the City Council;
2. Act as conduit between the Mayor and the City Council on issues or concerns relating to their duties;
3. Preside over Regular Meetings of the City Council in the absence or unavailability of the Mayor;
4. In the event of a prolonged absence or incapacitation that exceeds two weeks (a state of disability that prohibits the function of duties) of the Mayor, the Deputy Mayor shall perform the duties of the Mayor.
 - (a) A prolonged absence that exceeds two weeks is defined as requiring a leave of absence that prohibits the performance of the duties of the office. Vacation leave for periods up to two weeks, illnesses requiring an absence of less than two weeks, out of state or out of country travel lasting not more than two weeks, or other similar short-term absences shall not be considered prolonged absences.
 - (b) In the event of a disaster, emergency, or other similar circumstance, where the Mayor is out-of-town and unable to carry out the duties of the office of Mayor, the Deputy Mayor, in consultation with the Mayor, shall act as Mayor until the return and availability of the Mayor;
5. The Deputy Mayor shall also stand in on behalf of the Mayor in other situations as requested by the Mayor;
6. In the performance of the duties of the Mayor, the Deputy Mayor shall not have authority to appoint, remove, replace, discipline or take other similar action on any [Department Director](#) or employee of the City;
7. The Deputy Mayor shall not have veto authority for actions that may be taken by the City Council;
8. The Deputy Mayor shall be aware of City, regional, and intergovernmental policies and activities in order to properly execute the role of Mayor.

C. Intergovernmental and Community Relations:

1. Act in absence of Mayor as requested and/or as required;

2. Be aware of all City regional and intergovernmental policies and activities in order to be prepared to step into the role of Mayor if necessary;
3. Serve as the Chair of the City's Emergency Management Compensation Board.

D. Other Duties of the Deputy Mayor:

1. In cooperation with the Mayor and Special Focus Area ~~group's~~ Chairpersons and with assistance from Administration, create and establish agendas for all Study Sessions;
2. Serve as liaison to the Junior City Council, ~~participating as a non-voting member of the Junior City Council,~~ encouraging, guiding, and counseling the members of the Junior City Council in connection with its duties and assignments;
3. Facilitate any issue related to the conduct and/or actions of Councilmembers that may be inappropriate or that may be in violation of the Council Rules of Procedure (Section 20.1);
4. Conduct regular and periodic meetings with individual Councilmembers and a staff liaison, if a staff liaison is requested by the Deputy Mayor or the individual Councilmember and provided the Mayor is notified of the request, to address Councilmember issues, concerns, legislative processes, Councilmember proposals, Councilmember training, and other similar related items;
5. Conduct group meetings with Councilmembers, including two on one meetings with Councilmembers on a rotating basis provided that such meetings shall not have more than two Councilmembers at such meetings. All such meetings at which a quorum of the City Council is in attendance shall be in compliance with the Open Public Meetings Act (RCW 42.30), unless expressly exempted.

SECTION 13 COUNCIL POSITION VACANCY OR ABSENCE

- 13.1 If an unexpired Council position becomes vacant, the City Council has ninety (90) days from the occurrence of the vacancy to appoint, by majority vote of a quorum of the remaining members of the Council, a qualified person to fill the vacancy pursuant to State law. The Council may make such appointment at its next Regular Meeting, or at a Special Meeting called for that purpose. If the

Council does not appoint a person within the ninety (90) day period, the County may appoint a qualified person to fill the vacancy as provided by RCW 42.12.070.

- 13.2 If there is an 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 14 COUNCIL MEETING STAFFING

- 14.1 Department Directors or designees shall attend all meetings of the Council unless excused by the Mayor.
- 14.2 The City Attorney, or designee, shall attend all meetings of the Council unless excused by the Mayor, and shall upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian.

SECTION 15 COUNCIL RELATIONS WITH STAFF

- 15.1 There will be mutual courtesy and respect from both City staff and Councilmembers toward each other and of their respective roles and responsibilities.
- 15.2 City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies under the direction of the Mayor.
- 15.3 It is the intent of Council that all pertinent information asked for by individual Council-members shall be made available to the full Council.
- 15.4 Individual 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. Councilmembers may, at the request of the Mayor, participate in discussions and decisions related to these matters.
- 15.5 Other than through legislative action taken by the Council as a whole, individual Councilmembers shall not interfere with the operating rules and practices of any City department.
- 15.6 No individual Councilmember shall direct the Mayor 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. This provision, however, does not prohibit

individual Councilmembers from discussing issues with the Mayor or making individual requests or suggestions to the Mayor. The Mayor shall endeavor to advise and update the Councilmember(s) on the status or follow-up of such issues.

- 15.7 All Councilmember requests for information, agenda bills and staff analysis, other than requests for legal advice from the City Attorney's Office, shall be directed through the Mayor in order to assign the task to the proper staff. The Deputy Mayor may work with the Mayor's designated staff to prepare Study Session agendas and related materials, and facilitate Study Session work.
- 15.8 Any written communication with staff shall also include the Mayor as a recipient.

SECTION 16 COUNCIL STUDY SESSIONS, COMMITTEES AND CITIZEN ADVISORY BOARDS

- 16.1 Study Sessions and Special Focus Areas. In addition to the regularly scheduled City Council meetings (Regular Council Meetings) scheduled on the first and third Mondays of the month, ~~Different than the format for Regular Council Meetings (identified in Section 3 hereof), City Council shall regularly schedule Council Study Sessions on the second, fourth and fifth Mondays of the month for review of matters that would come back before the City Council at Regular Council Meetings. Different than the format for Regular Council Meetings (identified in Section 3 hereof),~~ Study Sessions shall be less formal than Regular Council Meetings and shall give the City Council the opportunity to discuss and debate issues coming before it for action at Regular Council meetings. The format for these meetings shall be as follows:

- A. General Business Focus and Special Focus Areas.

Study Sessions shall consist of (1) a General Business Focus and (2) a Special Focus Area in each meeting. The General Business Focus shall be scheduled first, and shall include agenda items that relate to issues of general City concern, items that will be coming before the City Council at upcoming meetings, and presentations and reports to the City Council. The Special Focus Area groups shall, on a rotating basis described below, commence their portion of the Study Session following the conclusion of the Study Session General Business Focus. The Special Focus Area groups shall review matters of Council concern related to their areas of oversight responsibility. The Special Focus Area groups shall consist of the following: (1) Public Works & Community Development; (2) Municipal Services; (3) Community Wellness; and (4) Finance, ~~Technology & Economic Development~~ & Internal Services. These Special Focus Area groups shall be tasked with oversight of Council considerations as follows:

1. Community Wellness
 - Health, Equity, ~~and~~ & Wellness
 - Neighborhood Services
 - Homelessness Prevention
 - Social Services
 - Diversity, Equity, & Inclusion
 - Cultural Arts & Community Events
 - Housing Policy
2. Finance ~~and~~ & Internal Services
 - Facilities
 - Technology
 - Property management
 - Risk management & Insurance
 - Fiscal Sustainability
3. Public Works & Community Development
 - Utilities
 - Transportation
 - Environmental Policy
 - Land Use & Development
 - Right of Way Management
 - Airport
 - Park Development
 - Economic Development
4. Municipal Services
 - Public Safety
 - Courts
 - Recreation, Museum ~~and~~ & Senior Services
 - Animal Control
 - Emergency Planning
 - Cemetery
 - Communications

~~Aside from the above Special Focus Area topics, there shall be a Finance ad hoc Committee to review vouchers and payroll.~~

B. Scheduling of Special Focus Area.

1. The Special Focus Areas shall conduct their portion of the Study Sessions on ~~2nd-second~~ and ~~4th-fourth~~ Mondays of the month on a rotating basis such as follows: Public Works & Community Development, then Municipal Services, then Community Wellness, then Finance & ~~Economic Development~~ Internal Services, then Public Works & Community Development, then Municipal Services, and so on.
2. On ~~5th-fifth~~ Mondays of the ~~m~~Month, Study Sessions will not typically include any of the above Special Focus Areas, but may include

special topics and issues of general concern to the City Council, including Council operating arrangements and Council Rules of Procedure. It is provided, however, that in order for the City Council to address the matters coming before the City Council, the Mayor and Deputy Mayor may, as they deem appropriate, insert into any Study Session any matters calling for City Council consideration and discussion, regardless of Special Focus Areas; ~~provided that to the extent feasible~~ Such matters will be scheduled to allow sufficient time for preparation of relevant background analysis and information concerning said items and provision to all Council members in advance of the Study Session.

3. Topics for Special Focus Area consideration (for inclusion in the Special Focus Area portion of the Study Session agenda) shall be determined by the Chair of each Special Focus Area along with the Mayor, ~~and the Deputy Mayor~~, the Vice-Chair, and the designated ~~Departments~~ ~~D~~irector(s) for the Special Focus Area; ~~with t~~The matters ~~to will~~ be scheduled to ~~the extent feasible to~~ allow sufficient time for preparation of relevant background analysis and information concerning said items and provision to all Council members in advance of the Study Session. The ~~D~~epartment ~~D~~irector(s) shall review agenda topics and suggestions by other Councilmembers of such topics. The Deputy Mayor may review agenda items and topics with each Special Focus Area ~~C~~hairperson individually when convenient.

C. Meeting Times

Study Sessions shall be scheduled as set forth in Section 2.2, above.

1. Three to four hours maximum timeframe (goal).
2. Agenda items should relate to future policy-making, strategic planning, or key state or federal issues affecting current or future city operations.
3. Agenda items should be substantive only (e.g., traffic impact fee increase proposals, comprehensive plan updates, rather than day-to-day operational issues. ~~Non-substantive items (e.g., accepting a grant, authorizing contract bidding, etc.) should go directly to the Regular City Council M~~meeting.

D. Study Session Meeting Format.⁹

1. Call to Order.

⁹ It is the intention of the City Council that Study Sessions shall be televised on the City's public access channel if reasonably possible.

2. Roll Call.
3. Announcements, Reports, and Presentations.
4. Agenda Items for Council Discussion.
5. Ordinances.
6. Special Focus Area (the Chair of the Special Focus Area scheduled for the Study Session shall preside over this portion of the Study Session). The Vice Chair shall preside over this portion of the Study Session in the Chair's absence.
7. Adjournment.

E. Council discussion at Study Sessions of each agenda item shall be managed by the Presiding Officer through recognition of each Councilmember in turn. After presentation of an agenda item, the Presiding Officer will ask each Councilmember whether the member would like to make a statement or ask a question regarding the agenda item. The Presiding Officer will start with the Councilmember at the Presiding Officer's right and address each Councilmember in order of seating, as determined by the Presiding Officer. After all Councilmembers have been addressed, the Presiding Officer will again ask for a statement by each Councilmember in the same order. Invitation by the Presiding Officer to each Councilmember to make a statement or ask a question shall be repeated three times. There shall be a limit of three questions per Councilmember for each round. Further questions by any Councilmember should be sent via email to the appropriate Department Director after the meeting, provided the Mayor is included in that email. Questions posed at Study Session or via follow up email shall be limited to the matter presented at Study Session.

16.2 **Ad Hoc Committees.** The Mayor, the Deputy Mayor, or a majority of the City Council may establish Ad Hoc Committees as may be appropriate to consider special matters that require special approach or emphasis.

- A. Ad Hoc Committees may be established and matters referred to them at Study Sessions, without the requirement that such establishment or referral take place at a regular City Council Meeting.
- B. The Mayor and the Deputy Mayor shall each appoint a Councilmember to each Council Ad Hoc Committee. The Deputy Mayor may appoint themselves. The third Councilmember to be appointed to the Ad Hoc Committee shall be selected by majority vote of the Council. The Deputy Mayor shall appoint Councilmembers to Council ad hoc committees, provided that the Mayor shall appoint members to Council ad hoc committees if the Deputy Mayor is disabled or precluded from acting in that capacity.

- C. Ad Hoc Committees shall consider all matters referred to them and take action by majority vote only when all Ad Hoc Councilmembers are present. The Chair of such Ad Hoc Committee shall report to the Council the findings of the committee. Committees may refer items to the Council with a committee recommendation or with no committee recommendation. The Mayor shall appoint Council representatives to intergovernmental councils, boards and committees.
- D. Unless otherwise expressly provided for when forming an Ad Hoc Committee, it is the intention of the Council that Ad Hoc Committees function informally and not in any way that takes action in lieu of or on behalf of the full Council. The purpose and function of such Ad Hoc Committees shall be to review matters in advance of their consideration by the full Council, and perhaps record and make recommendations to the full Council. They are not “committees of a governing body” subject to the requirements of the Open Public Meetings Act (Chapter 42.30. RCW). Ad Hoc Committees shall not receive public testimony or allow audience participation in connection with or related to the agenda item being discussed by the Committee. Councilmember appointments to intergovernmental councils, boards and committees, including ad hoc committees, shall be periodically reviewed. All councilmembers shall have the opportunity to serve on such councils, boards, and/or committees as assigned by the Mayor and on a rotating basis at the discretion of the Mayor. Councilmember appointments to intergovernmental councils, boards, and committees by the Mayor shall be done with consideration of a councilmember’s expertise, background, knowledge, working experience and/or education in that council, board, or committee. Ad hoc committee appointment by the Mayor or Deputy Mayor shall be at their discretion.
- E. Councilmembers on Ad Hoc Committees may request a staff liaison, and City Attorney or City Attorney’s designee, be present to assist the Councilmembers with institutional knowledge on the subject matter to be discussed, provided the Mayor is notified of the request.
 - a. ~~Ad hoc council committees shall consider all matters referred to them. The chair of such ad hoc committee shall report to the City Council the findings of the committee. Committees may refer items to the Council with a committee recommendation or with no committee recommendation.~~

16.3 Intergovernmental Councils, Boards and Committees. The Mayor shall appoint Council representatives to intergovernmental councils, boards, and committees.

- A. Councilmember appointments to intergovernmental councils, boards and committees, including Ad Hoc Committees, shall be periodically reviewed. All Councilmembers shall have the opportunity to serve on such councils, boards, and/or committees as assigned by the Mayor and on a rotating basis at the discretion of the Mayor. Councilmember appointments to intergovernmental councils, boards, and committees by the Mayor shall be done with

consideration of a Councilmember's expertise, background, knowledge, working experience and/or education in that council, board, or committee. Ad Hoc Committee appointment by the Mayor or Deputy Mayor shall be at their discretion.

B. Councilmembers will prioritize appointments to Intragovernmental Councils, Boards, and Committees by seeking and filling positions that provide value to the City and its constituents. Providing value occurs in the following order of priority: (1) bringing money to the City, (2) bringing projects and/or investments into the City, (3) influencing policy or investment outcomes in the City, and (4) protecting City interests. These community-wide benefits are a priority over the personal interests of an individual Councilmember.

C. Advisory Boards, Committees, and Commissions established by ordinance, consisting of citizens appointed pursuant to the establishing Ordinance and serving in the capacity and for the purposes indicated in the Ordinance, shall act as an advisory committee to the Council.

~~b. Advisory Boards, Committees and Commissions established by ordinance, consisting of citizens appointed pursuant to the establishing Ordinance and serving in the capacity and for the purposes indicated in the Ordinance, shall act as an advisory committee to the City Council.~~

~~c. Committee Chairpersons shall have broad discretion in conducting their meetings. They will generally follow Roberts Rules of Order, Newly Revised.~~

~~d. Unless otherwise expressly provided for when forming an ad hoc committee, it is the intention of the City Council that ad hoc committees function informally and not in any way that takes action in lieu of or on behalf of the full City Council. The purpose and function of such ad hoc committees shall be to review matters in advance of their consideration by the full City Council, and perhaps record and make recommendations to the full City Council. They are not "committees of a governing body" subject to the requirements of the Open Public Meetings Act (Chapter 42.30. RCW). Ad hoc committees shall not receive public testimony or allow audience participation in connection with or related to the agenda item being discussed by the Committee.~~

~~e. Committee Chairpersons shall approve all agenda items and may, at their discretion, remove or add agenda items during the course of the meeting.~~

SECTION 17 COUNCIL REPRESENTATION AND INTERNAL COMMUNICATION

17.1 If a Councilmember meets with, attends a meeting, or otherwise appears before individuals, another governmental agency, a community organization, or a private

entity or organization, including individuals, agencies, or organizations with whom or with which the City has a business relationship, and makes statements directly or through the media, commenting on an issue that does or could affect the City, the Councilmember shall state the majority position of the Council, if known, on that issue. Personal opinions and comments which differ from those of the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position, and the statements are those of the Councilmember as an individual. Additionally, before a Councilmember discusses anything that does or could relate to City liability, the Councilmember should talk to the City Attorney or the City's Risk Manager, so that the Councilmember would have a better understanding of what may be said or how the discussion should go to control or minimize the City's liability risk and exposure.

17.2 Councilmembers need to have other Councilmember's concurrence before representing another Councilmember's view or position with the media, another government agency, or community organization.

17.3 Councilmembers shall not knowingly communicate with an opposing party or with an opposing attorney in connection with any pending or threatened litigation in which the City is a party or in connection with any disputed claim involving the City without the prior approval of the City Attorney, unless the Councilmember is individually a party to the litigation or is involved in the disputed claim separate from the Councilmember's role as a City official.

17.4 Communication among Councilmembers shall conform to the following parameters:

A. Except in connection with Councilmembers meeting, informally, in committees not subject to the Open Public Meetings Act, to assure that communication on agenda items occurs to the greatest extent possible at the public meetings, and to avoid even the perception that email is being used in a way that could constitute a public meeting, successive communications on Council topics that involve a quorum of the Councilmembers shall not occur. e.g., successive communications on City Council topics that involve a quorum of the Councilmembers. Councilmembers ~~should~~ shall refrain from emailing Councilmembers about such agenda items. Councilmembers should be prepared to communicate about matters that are on upcoming Council agendas at the public meetings. If Councilmembers wish to share information with other Councilmembers about matters that are on upcoming agendas, the Councilmembers should forward that information to the Mayor for distribution in the Council meeting packets.

B. Councilmembers may communicate via email to other Councilmembers, including to a quorum of the full City-Council about matters within the scope of the City-Council's authority or related to City business, but not yet scheduled on upcoming Council agendas, to indicate a desire that certain

items be included on upcoming meeting agendas; provided that Councilmembers shall never ask for responses from the other Councilmembers in that communication.

- C. Email communication among Councilmembers relating to City operations should also include the Mayor as a recipient/addressee.
- D. Councilmembers may email the Mayor about City business without limitations or restrictions.
- E. The Deputy Mayor from time to time may need to communicate with all Councilmembers on various items such as the annual review of the Rules of Procedure. All such correspondence, usually in the form of email, shall be provided to Council as a whole through the Council Assistant. Any responses from Council shall also be directed to the Council Assistant who shall then provide all Councilmembers with email correspondence regarding questions, comments, suggestions, recommendations, or any similar item.
- F. City Council email correspondence and all electronic communications shall utilize the designated city email account or city device with no exceptions and within the parameters of the Open Public Meetings Act and the Public Records Act.

17.5 Councilmembers shall not communicate with staff regarding their own personal business during times set out to discuss City of Auburn business. Councilmembers shall not discuss personal business with staff immediately before or after Council meetings.

~~17.5 Internet & Electronic Resources/Equipment and Facility Use.~~

- ~~A. Policy. It is the policy of the City Council that Internet and electronic resources equipment use shall conform to and be consistent with the requirements of City of Auburn Administrative Policy and Procedure 500-03, "Internet & Electronic Resources/Equipment Use – Elected Officials."~~

~~All letters, memoranda, and interactive computer communication involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, are public records.~~

- ~~B. Communications. Each Councilmember is responsible for checking their communication device multiple times on a daily basis and respond to requests by City staff as soon as possible.~~

- ~~C. Electronic Communications.~~

- ~~1. For emergency notifications of absences, and not planned absences, Councilmembers shall send an email to CouncilAlerts@auburnwa.gov to ensure the auto-distribution of communications to necessary people.~~
- ~~2. Messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Those records are subject to public inspection and copying.~~
- ~~3. Electronic communications that are intended to be shared among a quorum of the City Council or of an ad hoc Council Committee, whether concurrently or serially, must be considered in light of the Open Public Meetings Act, if applicable. If the intended purpose of the electronic communication is to have a discussion that should be held at an open meeting, the electronic discussion shall not occur. Further, the use of electronic communication to form a collective decision of the Council shall not occur.~~
- ~~4. Electronic communication should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other confidential City business. In general, electronic communication is discoverable in litigation, and even deleted electronic communication is not necessarily removed from the system. Confidential electronic communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.~~
- ~~5. Electronic communication between Councilmembers and between Councilmembers and staff shall not be transmitted to the public or news media without the filing of a public disclosure request with the City Clerk.~~
- ~~6. Even if a Councilmember uses their personal electronic devices all electronic communications and documents related to City business will be subject to discovery demands and public disclosure requests.~~

~~D. Use of City Equipment and Facilities.~~

- ~~1. City Councilmembers are provided various tools to assist them in handling the business of the City in the role as members of the City Council. These tools include, but are not limited to: (1) an individual office assigned to each Councilmember in which there is (a) office furniture; (b) a computer accommodating access to the City's computer network and (c) a telephone tied to the City's telephone system; (2) and I-Pad or comparable equipment also tied to the City's computer system that can be used remotely (not just in the~~

~~Councilmember's office); (3), an I-Phone or comparable equipment accommodating mobile communication needs for (a) telephone calls, (b) emails, and (c) texting; (4) a City badge accommodating physical access to City Hall facilities and Council Offices; and (5) Council mailboxes.~~

~~In order to assure transmittal of information necessary to conduct business of the City and to avoid Public Records Act liability for the City and Councilmembers for improper or private equipment use, Councilmembers shall use the tools identified above to assist them in being able to receive and work with information related to duties as councilmembers.~~

17.6 Council Relations with City Boards and Commissions.

- A. **Council Liaisons.** In addition to where a ~~City~~ Councilmember is appointed by the ~~City~~ Council or the Mayor to serve as a member of a board, commission, committee, task force, or any other advisory body, the City Council may, on limited occasions or under unusual circumstances, appoint a Councilmember to serve as a non-member Liaison to a board, commission, committee, task force, or any other advisory body. Anytime a Councilmember is appointed as such a Liaison, the position or role of Liaison is subordinate to that of Councilmember, and the Councilmember's responsibility is first and foremost to the City and to the ~~City~~ Council. The role and responsibility of the Councilmember-Liaison is to keep the City Council apprised of the activities, positions, and actions of the entity or organization to which the Councilmember has been appointed Liaison, and not to communicate to the board, commission, committee, task force, or other advisory body a statement as the position of the City Council, except as authorized or directed by the ~~City~~ Council. Insofar as a ~~Councilmember-Council~~ Liaison position does not give all ~~C~~councilmembers equal access to the activities, functions, and information of or about a board, commission, committee, task force or any other advisory body, appointments to Council Liaison positions should be reserved to those instances where a Report to the Council by the board, commission, committee, task force, or any other advisory body would not be convenient or practical.
- B. **Reports to the Council.** Each board, commission, committee, task force, or any other advisory body of the City shall be requested to present a report to the City Council at a Regular Meeting or a Study Session of the City Council, as scheduled by the Mayor or Deputy Mayor. Such reports shall be scheduled for a Regular Council Meeting or a Council Study Session, and shall be delivered by the ~~C~~chair of the board, commission, committee, task force, or any other advisory body or designee. The reports shall inform the City Council of the activities, functions and information with which the board, commission, committee, task force, or any other advisory body has been involved since the previous report, and shall include the opportunity for questions by Councilmembers.

- 17.7 Whenever a member of the City Council attends any meeting of any other entity or organization, he or she should endeavor to be prudent in what he or she says or does at such meeting. Further, the Councilmember should avoid attending such meeting if that attendance would impose an interference with the meeting or the operations of the other entity or organization, or of the operations of the City.

SECTION 18 TRAVEL AUTHORIZATION

- 18.1 **Value of Council Travel.** The Auburn City Council recognizes the need of its members to attend conferences, trainings, and meetings to broaden their knowledge of and familiarity with a diverse collection of City-related issues, including, but not limited to, Public Works, Communications, Transportation, Economic Development, Public Safety, and Energy. These conferences also provide valuable opportunities to network with other elected Ceity ~~elected~~ officials. Comparing Auburn's specific issues with those of other cities often provides the City Council with established policies already in place in other cities that can be adapted to meet the specific needs of the City of Auburn, as well as expediently and efficiently acquainting Auburn City Councilmembers with ideas of how to address Auburn issues and solve Auburn problems.
- 18.2 **Annual Budget Amounts for Council Travel.** To accommodate Council travel, the Auburn City Council shall allocate an identified amount of money each year in the City budget process to each Councilmember for City-related travel costs, including transportation, lodging, meals, and registration costs.
- 18.3 **Adjustment of Council Travel Allocations.** If a Cecouncilmember needs more than the amount of travel related funds allocated for their use, the Cecouncilmember shall (1) see if there are unused funds available from any other Cecouncilmember(s) who are willing to transfer funds from their account to the Cecouncilmember needing additional travel funds. If so, with the consent of the Deputy Mayor and the other transferring Cecouncilmember(s), funds will be transferred to the requesting Cecouncilmember's allotment; or (2) shall request a net adjustment to the budget adding additional funds to their allotment, which adjustment shall be approved by a majority of the whole City Council.
- 18.4 **Receipts and Travel Documentation.** Each City Councilmember shall be responsible for providing to the Mayor or Finance Director, within ten (10) business days of returning from City travel, any and all City travel related receipts and documentation, and a written report regarding the authorized travel the Councilmember attended. All documentation shall also be sent via email to the CouncilAlerts@auburnwa.gov email address. Quarterly reports of the travel costs incurred by each eCcouncilmember shall be provided by the Finance Department.

**SECTION 19
CONFIDENTIALITY**

- 19.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive or Closed Sessions and as provided in RCW 42.23.070, 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 by the exempt from disclosure under exemptions set forth in the Revised Code of Washington.

**SECTION 20
ENFORCEMENT OF RULES OF PROCEDURE**

- 20.1 Councilmembers shall conform their conduct to the requirements, standards and expectations set forth in these Rules of Procedure. In addition to and notwithstanding whatever other enforcement mechanisms may exist for legal, ethical or practical obligations on Councilmember performance or conduct, violations of these Rules of Procedure by Councilmembers may be enforced by action of the City Council through sanctions such as votes of censure or letters of reprimand, and such other action as may be permitted by law.

City Council Rules of Procedure:

Adopted: February 2, 2004

Ordinance No. 5802

Amended by Resolution No. 4282, December 17, 2007

Amended by Resolution No. 4429, December 15, 2008

Amended by Resolution No. 4467, April 6, 2009

Amended by Resolution No. 4615, July 6, 2010

Amended by Resolution No. 4686, February 22, 2011

Amended by Resolution No. 4740, August 15, 2011

Amended by Resolution No. 4813, May 21, 2012

Amended by Resolution No. 4909, February 19, 2013

Amended by Resolution No. 5105, November 3, 2014

Amended by Resolution No. 5112, December 1, 2014

Amended by Resolution No. 5115, December 15, 2014

Amended by Resolution No. 5217, May 2, 2016

Amended by Resolution No. 5240, July 5, 2016

Amended by Resolution No. 5283, February 21, 2017

Amended by Resolution No. 5308, August 7, 2017

Amended by Resolution No. 5367, May 7, 2018

Amended by Resolution No. 5399, December 17, 2019

Amended by Resolution No. 5469, November 4, 2019

Amended by Resolution No. 5543, September 8, 2020

Amended by Resolution No. 5676, September 19, 2022

Amended by Resolution No. 5721, June 5, 2023

**Council Rules Of
Procedure, All
revisions accepted
with no track changes**

**RULES OF PROCEDURE OF THE CITY COUNCIL OF
THE CITY OF AUBURN, WASHINGTON**

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RULES OF PROCEDURE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON

SECTION 1 AUTHORITY

Pursuant to RCW 35A.12.120, the Auburn City Council establishes the following rules for the conduct of Council meetings, proceedings, business, and the maintenance of order. These rules shall be in effect on adoption by resolution of Council and until they are amended, or new rules are adopted. The Deputy Mayor will coordinate a review of these rules at least once every calendar year.

SECTION 2 COUNCIL MEETINGS

All meetings of the City Council shall be open to the public and all persons shall be permitted to attend, both in person and virtually, any meeting of this body, except as provided in RCW Chapter 42.30. The City Clerk¹ is responsible for preparing agendas for all City Council meetings.²

The City Clerk is responsible for preparing action minutes of all of the Council meetings that contain an account of all official actions of the Council. Council meetings shall be electronically recorded and retained for the period of time as provided by State law.

2.1 **Regular Meetings.** Regular Meetings of the City Council shall be held at 7:00 p.m. on the first and third Mondays of every month in the City Hall Council Chambers located at 25 West Main Street, Auburn, Washington.³

A. If a scheduled Regular Council meeting falls on a legal holiday, the meeting shall be held at 7:00 p.m. on the first business day following the holiday.

B. The Mayor, as Presiding Officer, shall be seated at the center of the dais, and the Deputy Mayor shall be seated to the Presiding Officer's immediate left. When the Deputy Mayor is acting as the Presiding Officer, in the absence of the Mayor, the Deputy Mayor shall be seated in the center of the dais. The seating arrangement for the other members of the Council shall be as determined and directed by the Deputy Mayor. The seating arrangement will be decided once every calendar year.

[See ACC 2.06.010 (Ord. 3916 § 1, 1983; 1957 code § 1.04.010); ACC 2.06.020 (Ord. 3759 § 1, 1982; 1957 code § 1.04.020); ACC 2.06.030 (1957 code § 1.04.060); ACC 2.06.080 (1957 code § 1.04.090).]

¹The City Clerk may delegate any of the duties in these Rules to staff.

²ACC 2.03.100

³ACC 2.06.010(A), 2.06.020

2.2 **Study Sessions.** Study Sessions of the City Council shall be held at 5:30 p.m. on the second, fourth, and fifth Mondays of every month in the City Hall Council Chambers located at 25 West Main Street, Auburn, Washington.⁴

- A. If a scheduled Study Session falls on a legal holiday, the meeting shall be held at 5:30 p.m. on the first business day following the holiday.
- B. Study Sessions seating arrangement shall be located in the floor space directly in front of the dais, unless there is a public health emergency in effect. The table layout for Council, presenters, and speakers shall be done in such a way as to provide for maximum visibility of all attendees. The Deputy Mayor and the Special Focus Area Chairperson for the scheduled focus area, as set out by the agenda, shall be at a designated head table. No particular seating arrangement shall be required for other members of the Council, or for the Mayor, for Study Sessions.
- C. The Council shall not take final action at a Study Session. For purposes of this rule, “final action” by the Council means a collective positive or negative decision, or an actual vote on a motion, proposal, resolution, order, or ordinance.⁵ Procedural parliamentary motions are not considered final action.

2.3 **Special Meetings.** A Special Meeting of the City Council may be called by the Mayor or any three members of the Council by written notice delivered to each member of the Council at least 24 hours before the time specified for the proposed meeting. Meeting notices shall be delivered by reasonable methods. Those methods can include email notification in addition to notice on the agency’s website and principal location. The City Clerk shall provide the written notices. No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed, at any special meeting unless public notice of that meeting has been given by notice to the local press, radio, and television that is reasonably calculated to inform the city’s inhabitants of the meeting.⁶

[See ACC 2.06.040 (1957 code § 1.04.070).]

2.4 **Emergency Meetings.** Emergency Meetings may be called by the Mayor or Presiding Officer in case of an emergency. Meeting site notice requirements do not apply.

In the event of an emergency, Council may vote on emergency expenditures pursuant to RCW 35A.34.140 and 35A.34.150.

⁴ ACC 2.06.010(B), 2.06.020

⁵ RCW 42.30.020(2)

⁶ ACC 2.06.040; RCW 35A.12.110

- 2.5 **Closed or Executive Sessions.** A Council meeting that is closed to the public. Council, the Mayor, City Attorney, and authorized staff members and/or consultants may attend.

Closed and Executive Sessions may be held during Regular Meetings, Study Session Meetings, and Special Meetings of the City Council, and will be announced by the Presiding Officer. Closed and Executive Session subjects are limited to considering those matters permitted by State law.⁷

- 2.6 **Cancellation of Meetings.** Meetings may be canceled by the Mayor with the concurrence of the Deputy Mayor or, in the absence of either, by the Mayor or the Deputy Mayor, or in the absence of both, by the Presiding Officer or by a majority vote of the City Council, and proper notice given by the City Clerk.
- 2.7 **Quorum.** Four (4) or more Councilmembers will constitute a quorum for the transaction of business.

SECTION 3 ORDER OF BUSINESS FOR REGULAR COUNCIL MEETING AGENDA

All items to be included on the Council's agenda for consideration should be submitted to the City Clerk in full by 5:00pm on the Wednesday preceding each Regular Council Meeting. The City Clerk shall then prepare a proposed agenda according to the order of business, for approval by the Mayor, or their designee, provided the approval shall be exercised in a manner consistent with ACC 2.03.100. A final agenda will then be prepared by the City Clerk and distributed to Councilmembers as the official agenda for the meeting.

- 3.1 The agenda format of the Regular City Council meeting shall be as follows:
- A. **Call to Order.** The Mayor shall call the meeting to order.
 - B. **Land Acknowledgement.** The Mayor shall make a land acknowledgement.
 - C. **Public Participation.** This is the place in the agenda where the public is informed on how to participate in the public meeting and/or instructed on the available options to view the public meeting.
 - D. **Pledge of Allegiance.** The Mayor, Councilmembers and, at times, invited guests will lead the Pledge of Allegiance.
 - E. **Roll Call.** The City Clerk will call the roll.

⁷ RCW 42.30.110(1), 42.30.140

- F. **Announcements, Proclamations and Presentations.** A proclamation is defined as an official announcement made by the Mayor or the City Council regarding a non-controversial event, activity, or special interest group which has a major city-wide impact.
- G. **Appointments.** Appointing individuals to various committees, boards and commissions. Confirmation of appointments, where confirmation is called for, may be preceded by discussion in Executive Session, where appropriate.
- H. **Agenda Modifications.** Changes to the Council's published agenda are announced at this time.
- I. **Public Hearings and Appeals.** Individuals may comment on public hearing and appeal items by submitting written comments to the City Clerk in advance of the public hearing or by participating in the forum designated by the public hearing notice. However, if an appeal is a closed-record appeal, the matter shall be considered only based on information, evidence, and documents in the record. Argument on the appeal shall refer only to matters, information, documents, and evidence presented at the underlying hearing from which the appeal is taken. No new information, evidence, or documents may be added and argument on the appeal may only deal with information, evidence, and documents in the record. The Presiding Officer will state the public hearing and/or appeal procedures before each hearing.
- J. **Public Comment.** Members of the public may comment on any matter related to City business under the Public Comment portion of the meeting agenda. Section 10 of these Rules sets forth the procedures for receiving public comments.
- K. **Correspondence.**
- L. **Council Ad Hoc Committee Reports.** Council Ad Hoc Committee Chairs, or designee, may report on the status of their Ad Hoc Council Committees' progress on assigned tasks and may give their recommendations to the City Council, if any.
- M. **Consent Agenda.** Approval of the Consent Agenda, including items considered to be routine and non-controversial, may be approved by one motion. Items on the Consent Agenda include, but are not limited to, the following. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action. The Chair for a Special Focus Area may speak to any of the items on the Consent Agenda that are relevant to the Special Focus Area that they are assigned.
 - 1. Approval of minutes.

2. Fixing dates for public hearings and appeals.
 3. Approval of claims and vouchers, bid awards, and contracts.
 4. Approval of surplus property.
 5. Other items designated by the City Council.
- N. **Unfinished Business.** Unfinished business of a general nature that was considered by Council at a previous business meeting.
- O. **New Business.** Business, other than ordinances and resolutions, that has not been previously before the City Council and items that are removed from the Consent Agenda for separate discussion and action. Councilmembers are required to provide the Mayor and Deputy Mayor information regarding the topic of any new business 48 hours prior to the Council meeting.
- P. **Ordinances.**
1. All ordinances shall be in writing. Titles may be read aloud before the ordinance is voted on. Any Councilmember may request a full reading of the text of a proposed ordinance before the vote on its adoption. The request for a full reading of an ordinance does not need to be voted on. However, the request for a reading of the title of the proposed ordinance, or a full reading of the text of the proposed ordinance, may be waived by a majority of the Councilmembers in attendance at the Council Meeting.
 2. Before any ordinance is considered for adoption by the City Council, the ordinance shall be included on a Study Session agenda. Council may waive this rule.

After a motion to adopt an ordinance has been made and seconded, the Councilmember making the motion is encouraged to give a brief description of the issues involved with the ordinance, without simply repeating the ordinance title, and may choose to comment on any results of Council discussion or action regarding the issue.

Discussion and debate by the City Council on ordinances will be held before the vote on an ordinance. Councilmembers may approve, reject, or amend the ordinance, or postpone the action and direct staff to further review the proposed ordinance.

An ordinance shall be adopted by a vote of at least a majority of the whole membership of the Council. In the event of a public emergency, an ordinance may be made effective on adoption, instead of after five days after publication, with a majority vote plus one of the whole Council. A public

emergency ordinance is one designated to protect public health and safety, public property, or public peace.

- Q. **Resolutions.** All resolutions shall be in writing. Titles may be read aloud before the resolution is voted on. Any Councilmember may request a full reading of the text of a proposed resolution prior to the vote on its passage. The request for a full reading of a resolution does not need to be voted on. However, the request for a reading of the title of the proposed resolution, or a full reading of the text of the proposed resolution may be waived by a majority of the Councilmembers in attendance at the Council Meeting.

After a motion to pass a resolution has been made and seconded, the Councilmember making the motion is encouraged to give a very brief description of the issues involved with the resolution without simply repeating the resolution title, and the Councilmember may choose to comment on any results of Council discussion or action regarding the issue.

Discussion and debate by the City Council on resolutions will be held before the vote on a resolution. Councilmembers shall decide whether or not to amend the resolution, or direct staff to further review the proposed resolution.

A resolution shall be passed by a majority vote of a quorum of the Council, provided that passage of any resolution for the payment of money or that grants or revokes a franchise or license, shall require the affirmative vote of at least a majority of the whole membership of the Council.

- R. **Mayor and Councilmember Reports.** The Mayor and Councilmembers may report on their activities related to federal, state, regional, City, and local organizations for which they are members as appointed by the Mayor. Reports shall regard those activities and events that have occurred since the last Regular Meeting and that have an important and direct impact or benefit to the City. The Mayor and Councilmembers shall limit their reports to not more than three (3) minutes, with sensitivity to avoiding duplicate reporting.

S. **Adjournment.**

- 3.2 **Recess.** The foregoing agenda may be interrupted for a stated time as called by the Presiding Officer to recess for any reason, including Closed or Executive Sessions.
- 3.3 **Amendment to Agenda.** The sequence of handling items on the agenda of a particular Regular Council Meeting may be amended from order listed on the printed/approved agenda as follows:

- A. **Motion to Suspend the Rules.** On a motion by any member and majority vote, the City Council may suspend the rules to add an item (e.g., under New Business) or to allow an item on the agenda to be considered at a different order or placement in the agenda, or to be referred to an upcoming Study Session agenda (See Rules 2.2 and 16.1).
- B. **Adjustment of Agenda by Presiding Officer.** The Presiding Officer may adjust the order of items on the agenda or add items to the agenda, if agreed upon by the Mayor and the Deputy Mayor, subject to being overruled by a majority vote of the Council.

**SECTION 4
COUNCILMEMBER ATTENDANCE AT MEETINGS**

4.1 Council Meetings.

- A. Councilmembers shall attend all scheduled meetings, including committee meetings.

A Councilmember will be excused from a meeting if they have submitted a request in advance of the meeting. Written requests should be submitted by email. If the request is made the day of the meeting, it may be made by telephone or in person. The reason for the request shall be given at the time of the request. Excessive, continued, or prolonged absences may be addressed by the City Council on a case-by-case basis.

Councilmembers shall send their email communication regarding their absence or anticipated late arrival to Council meetings or committees to the CouncilAlerts@auburnwa.gov email address.

[See ACC 2.06.050 and RCW 35A.12.060]

- B. Councilmembers may participate remotely at Council meetings via telephone, video conference, or other approved electronic means with notification to the Mayor, Deputy Mayor, and designated City staff prior to noon on the day of the meeting. If a Councilmember appears remotely for a Council meeting, the Councilmember will use the City of Auburn approved virtual background. Technical circumstances shall be considered as to the acceptability of remote attendance. Council prefers in-person attendance when possible.
- C. Remote attendance of the entire council may be permissible when and if a declaration of emergency is declared locally, regionally, statewide, and/or nationally that would prohibit in person attendance by Councilmembers. The Mayor shall direct remote attendance of the Council as necessary and when it is in the interest of the City to conduct Council business.

[See ACC 2.06.050 and RCW 35A.12.060]

4.2 **Study Sessions.**

- A. Councilmembers shall attend all Study Sessions.

A Councilmember will be excused from a meeting if they have submitted a request pursuant to section 4.1A of these rules, in advance of the meeting. Written requests should be submitted by email. If the request is made the day of the meeting, it may be made by telephone or in person. The reason for the request shall be given at the time of the request. Excessive, continued, or prolonged absences may be addressed by the City Council on a case-by-case basis.

[See ACC 2.06.050 and RCW 35A.12.060]

- B. Councilmembers may participate remotely at Study Sessions under the same protocol set forth in Section 4.1B-C.

4.3. **Ad Hoc Council Committee Meetings.** Attendance at Ad Hoc Council Committee Meetings and Special Meetings will not be considered “Regular Meetings” for the purposes of RCW 35A.12.060, applicable to Regular City Council meetings. However, unexcused absences from any Regular or Special meetings, or Ad Hoc Committee meetings, is a violation of these Rules of Procedure.

4.4 **Use of Cell Phones Prohibited.** At all meetings of the City Council, Councilmembers may not use their City cell phones. All cell phones must remain on silent for the duration of the meeting. Personal communication devices may only be used in the event of an emergency. Councilmembers shall not send, receive, read or post e-mails, texts, or social media posts during meetings of the Council.

4.5 **Department.** To the extent feasible, Councilmembers shall utilize language appropriate to the seriousness of the public legislative matters at hand. Councilmembers shall address their remarks to the Presiding Officer and shall address elected officials and staff by their title or other method that uses their last name rather than first name, e.g., “Mayor [surname],” “Deputy Mayor [surname],” “Councilmember [surname]” “Chief [surname],” or “Director [surname],” as applicable. The purpose of this approach is to ensure that the City Clerk can create accurate meeting minutes. Councilmembers shall refrain from side conversations with other individual Councilmembers. Councilmembers shall also refrain from inappropriate or derogatory body language, comments, or any other actions that detract from the department of the City Council.

SECTION 5 PRESIDING OFFICER - DUTIES

5.1 Conduct of Meetings.

- A. The Mayor will preside over all Regular Meetings, Special Meetings, and Emergency Meetings of the Council. If the Mayor is absent, the Deputy Mayor will preside. If both the Mayor and Deputy Mayor are absent, the Chair of Municipal Service Special Focus Area or Chair of the Finance and Internal Services Special Focus Area (in that order) will preside.

The Deputy Mayor will preside over Council Study Sessions, other than those portions for which Special Focus Areas are scheduled, in which case the Chair of the Special Focus Area will preside. If the Deputy Mayor is absent, the Special Focus Area Chair will preside. If both the Deputy Mayor and the Special Focus Area Chair are absent, the Special Focus Area Vice Chair will preside.

The Mayor is encouraged to attend Study Sessions.

5.2 The Presiding Officer:

- A. Shall preserve order and decorum at all meetings of the Council and cause the removal of any person in the audience from any meeting who interrupts the meeting after having been warned to cease the interruptive behavior.
- B. Shall observe and enforce all rules adopted by the Council.
- C. Shall decide all questions on order, in accordance with these rules, subject to appeal by any Councilmember.
- D. May affix approximate time limits for each agenda item.

SECTION 6 COUNCILMEMBERS

6.1 Remarks. Councilmembers who wish to speak shall address the Presiding Officer and, when recognized, shall limit their comments to questions under consideration.

6.2 Questioning. Any member of the Council, and the Mayor, shall have the right to question any individual, including members of the staff, on matters related to the issue properly before the Council for discussion.

- 6.3 **Obligation to the Public Agency.** Notwithstanding the right of Councilmembers to express their independent opinions and exercise their freedom of speech, Councilmembers should act in a way that reflects positively on the reputation of the City and of the community. Councilmembers shall also interact with other members of the City Council, the Mayor, and City staff in ways that promote effective local government.
- 6.4 **Council Training.** Councilmembers shall participate in training offered by individuals, agencies, entities, and organizations including, but not limited to, the Association of Washington Cities and the State of Washington. This includes initial orientation after taking office, and other required or recommended training.
- 6.5 **Participation in Committees, Agencies and Organizations.** To better represent the interests of the City of Auburn, Councilmembers are encouraged to participate in assignments to local, regional, state, and national committees, agencies and organizations, and to attend community, regional, and state events. Councilmembers who have confirmed their intent to attend are expected to arrange their appearance in order to avoid unnecessary expenditure of City funds.
- 6.6 **Conduct.** Councilmembers shall be subject to the policies in Exhibit A of these Rules. Unless otherwise stated in these Rules, the terms, provisions, and conditions set forth in the Policies are hereby incorporated into these Rules. Any violation of these policies, as determined by the City Council, shall be subject to section 20.1 of these Rules.

SECTION 7 DEBATES

- 7.1 **Speaking to the Motion.** No member of the Council, or the Presiding Officer, shall speak more than twice on the same motion except by consent of the Presiding Officer or a majority of the Councilmembers present at the time the motion is before the Council. The Presiding Officer shall recognize Councilmembers in the order in which they request the floor. The Councilmember who made a motion shall be permitted to speak to it first. The Presiding Officer may also allow discussion of an issue before stating a motion when such discussion would facilitate wording of a motion.
- 7.2 **Interruption.** No member of the Council, or the Presiding Officer, shall interrupt or argue with any other member while such member has the floor, other than the Presiding Officer's duty to preserve order during meetings as provided in Section 5.2.A of these rules.
- 7.3 **Courtesy.** Members of the Council and the Presiding Officer, in the discussion, comments, or debate of any matter or issue, shall address their remarks to the Presiding Officer, be courteous in their language and deportment, and shall not engage in or discuss or comment on personalities, or make derogatory remarks or

insinuations with respect to any other member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant to the question or matter under discussion.

- 7.4 **Challenge to Ruling.** Any member of the Council shall have the right to challenge any action or ruling of the Presiding Officer, in which case the decision of the majority of the members of the Council present shall govern.

SECTION 8 PARLIAMENTARY PROCEDURES AND MOTIONS

- 8.1 Unless specifically provided in these rules, all City Council meeting discussions shall be governed by *ROBERTS RULES OF ORDER, NEWLY REVISED* (latest edition).
- 8.2 If a motion does not receive a second, it dies. Matters that do not constitute a motion (and for which no second is needed) include nominations, withdrawal of motion by the person making the motion, request for a roll call vote, and point of order or privilege.
- 8.3 A motion that receives a tie vote fails. The Mayor, as Presiding Official, shall be allowed to vote to break a tie vote, except where prohibited by law.
- 8.4 Motions shall be stated in the affirmative. For example, "I move to approve" as opposed to "I move to reject." Councilmembers shall be clear and concise and not include arguments for the motion within the motion.
- 8.5 After a motion has been made and seconded, the Councilmembers may discuss their opinions on the issue prior to the vote. A motion and second to approve is not an indication by a Councilmember that they support the action. The motion enables discussion and debate in advance of a formal vote.
- 8.6 If any Councilmember wishes to abstain from a vote on a motion that Councilmember shall so advise the City Council, shall remove and absent themselves from the deliberations and considerations of the motion, and shall have no further participation in the matter. The Councilmember should make this determination before any discussion or participation on the subject matter or as soon thereafter as the Councilmember identifies a need to abstain. A Councilmember may confer with the City Attorney to determine whether the Councilmember is required to abstain.
- 8.7 A motion to table is non-debatable and shall preclude all amendments or debates of the issue under consideration. A motion to table effectively removes the item without a time certain. A motion to table to a time certain will be considered a motion to postpone as identified in Section 8.8. To remove an item from the table requires a two-thirds' majority vote.

- 8.8 A motion to postpone to a certain time is debatable, is amendable and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or at a time certain at a future Regular or Special City Council meeting. To remove an item from postponement in advance of the time certain requires a two-thirds' majority vote.
- 8.9 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.
- 8.10 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' vote; debate is reopened if the motion fails.
- 8.11 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.
- 8.12 Motions that cannot be amended include motions to adjourn, lay on the table (table), roll call vote, point of order, reconsideration, and take from the table.
- 8.13 A point of order can be raised by any member of the governing body. A member of the governing body can appeal the Chair's ruling. An appeal must be immediate and must be seconded. The Chair will then explain the ruling. The members of the governing body can debate the matter, each member may speak once. The members of the governing body will then make a decision on the appeal by a majority vote.
- 8.14 Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- 8.15 Debate of the motion only occurs after the motion has been moved and seconded.
- 8.16 The presiding officer, City Attorney, or City Clerk should repeat the motion prior to voting.
- 8.17 When a question has been decided, any Councilmember who voted with the prevailing side may move for reconsideration at the same, or the next meeting. In order to afford Councilmembers who voted with the prevailing side the potential basis for a motion for reconsideration, Councilmembers who voted with the prevailing side may inquire of Councilmembers who voted with the minority as to the reasons for their minority vote, if not stated during debate prior to the vote. A motion for reconsideration is debatable if the motion being reconsidered was debatable. If the motion being reconsidered was not debatable, the motion for reconsideration is not debatable.

- 8.18 The City Attorney shall act as the Council’s parliamentarian and shall advise the Presiding Officer on all questions of interpretations of these rules which may arise at a Council meeting.
- 8.19 These rules may be amended, or new rules adopted, by a majority vote of the full Council.

SECTION 9 VOTING

- 9.1 **Voice vote.** A generalized verbal indication by the Council as a whole of “aye or yes” or “nay or no” vote on a matter, the outcome of which vote shall be recorded in the official minutes of the Council. Silence of a Councilmember during a voice vote shall be recorded as a “no” vote except where a Councilmember abstains because of a stated conflict of interest or appearance of fairness issue.

If there is uncertainty as to the outcome of a voice vote, the Presiding Officer or any Councilmember may ask for a raise of hands for the ayes or nays.

- 9.2 **Roll Call Vote.** A roll call vote may be requested by the Presiding Officer or by any Councilmember. The City Clerk shall conduct the roll call vote.
- 9.3 **Abstentions.** It is the responsibility of each Councilmember to vote when requested on a matter before the full Council. A Councilmember may only abstain from discussion and voting on a question because of a stated conflict of interest or appearance of fairness.
- 9.4 **Votes by Mayor.** Except where prohibited by law, the Mayor, as Presiding Official, shall be allowed to vote to break a tie vote.

SECTION 10 COMMENTS, CONCERNS AND TESTIMONY TO COUNCIL

- 10.1 Persons or groups specifically scheduled on a Council Meeting Agenda may address the Council in accordance with the speaking times included on the agenda.
- 10.2 Persons or groups that are not specifically scheduled on the agenda may address the council by filling out a speaker sign-in sheet (available at the City Clerk’s desk or at a designated location within the Council Chambers), and (when recognized by the Presiding Officer) stepping up to the podium and giving their name and city of residence for the record.

Unscheduled public comments to the Council are subject to the following rules:

1. Remarks will be limited to 3 minutes. The City Clerk shall use a suitable device to electronically measure speaker time. The Presiding Officer may make discretionary exceptions to speaker time restrictions;
2. Speakers may not “donate” their speaking time to any other speaker;
3. Remarks will be addressed to the Council as a whole.

10.3 Meeting interruptions. Any speaker or person who interrupts the orderly conduct of a meeting may be barred from further participation in the meeting by the Presiding Officer, unless permission to continue is granted by a majority of Councilmembers present. Examples of interruptions under this rule include:

1. failing to comply with an allotted speaking time;
2. committing acts of violence or property destruction;
3. directly or indirectly threatening physical violence against anyone attending the meeting;
4. interfering with the meeting or with other speakers through vocal interruptions or disruptive action.

If a meeting interruption occurs, the Presiding Officer shall address the person(s) causing the interruption by citing the interrupting conduct, ordering it to stop, and warning that continuation may result in removal from the meeting.

The Presiding Officer may remove the interrupting person(s) if the conduct persists after the warning. If removal of the person(s) does not restore the meeting to order, the Presiding Officer may clear the room of spectators and continue the meeting or adjourn the meeting and reconvene it at a different location selected by Council majority.⁸

SECTION 11 PUBLIC HEARINGS AND APPEALS

- 11.1 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 made. The following procedure shall apply:
 - A. The Department Director of the department most affected by the subject matter of the hearing, or that Director’s designee, will present the City’s position and findings. Staff will be available to respond to Council questions.

⁸ RCW 42.30.050

- B. The proponent spokesperson shall speak first and be allowed ten (10) minutes. Council may ask questions.
 - C. The opponent spokesperson shall be allowed ten (10) minutes for presentation and Council may ask questions.
 - D. Each side shall then be allowed five (5) minutes for rebuttal, with the proponent spokesperson speaking first, followed by the opponent spokesperson.
 - E. The City Clerk shall serve as timekeeper during these hearings.
 - F. After each proponent and opponent spokesperson have used their speaking time, Council may ask further questions of the speakers, who shall be entitled to respond but limit their response to the question asked.
- 11.2 Public hearings where a general audience is in attendance to present arguments for or against a public issue:
- A. The Department Director or designee shall present the issue to the Council and respond to questions.
 - B. A person may speak for three (3) minutes. No one may speak for a second time until everyone who wishes to speak has had an opportunity to speak. The Presiding Officer may make exceptions to the time restrictions of persons speaking at a public hearing when warranted, in the discretion of the Presiding Officer.
 - C. The City Clerk shall serve as timekeeper during these hearings.
 - D. After the speaker has used their allotted time, Council may ask questions of the speaker and the speaker may respond but may not engage in further debate.
 - E. The hearing will then be closed to public participation and open for discussion among Councilmembers.
 - F. The Presiding Officer may exercise changes in the procedures at a particular meeting or hearing, but the decision to do so may be overruled by a majority vote of the Council.

SECTION 12 DEPUTY MAYOR

- 12.1 Annually or more often as deemed appropriate, the members of the City Council, by majority vote, shall designate one of their members as Deputy Mayor for a one-

year time period, except as provided in Section 12.1, Paragraphs G and H. Elections will be held no later than the last Council meeting of the year for determining the Deputy Mayor for the subsequent year.

- A. Any member of the City Council may be nominated for the position of Deputy Mayor by having that Councilmember's name placed in nomination by a Councilmember. The nomination of a councilmember for the position of Deputy Mayor does not require a second, and a councilmember may nominate him or herself.
 - 1. Nominations for the position of Deputy Mayor shall be made by members of the City Council on the dates of election for the Deputy Mayor position.
 - 2. In connection with the selection of Deputy Mayor, Councilmembers are expected to approach the election in an open, transparent, and respectful manner, avoiding anything that jeopardizes harmony among Councilmembers.
- B. The Councilmember receiving a majority of the votes cast by the members of the City Council shall be elected Deputy Mayor. A Councilmember may vote for themselves.
- C. The names of all nominees for the position of Deputy Mayor shall be included in the vote.
- D. If no single Councilmember received a majority of the votes cast, a second vote/ballot between the two nominees who received the largest number of votes will be held.
- E. The Deputy Mayor shall serve at the pleasure of the Council.
- F. In the event of a prolonged absence or unavailability of the Deputy Mayor, the Council shall vote on which Councilmember shall serve as the Interim Deputy Mayor. The Interim Deputy Mayor shall be the Councilmember who receives a majority vote. That Councilmember shall then serve as Interim Deputy Mayor until the return of the regular Deputy Mayor. The Interim Deputy Mayor shall have all the rights, duties, and authority of the Deputy Mayor under these rules
- G. If the designated Deputy Mayor is unable to serve the full term of the position of Deputy Mayor, the Council shall elect the next Deputy Mayor in accordance with Section 12 to serve the remainder of the term. If the appointment is declined the process shall continue until a Deputy Mayor is designated.

- H. In the event that the Councilmember selected as Deputy Mayor (or Interim Deputy Mayor) is unable to perform the duties of the position of Deputy Mayor, or fails to act in accordance with the City Council Rules of Procedure, the City Council may, by a majority vote of the full City Council, remove the Deputy Mayor (or Interim Deputy Mayor) from this position, in which case, the Council shall elect the next Deputy Mayor (or Interim Deputy Mayor) in accordance with Section 12 to serve the remainder of the term.

[See RCW 35A.12.065.]

12.2 The Deputy Mayor or Interim Deputy Mayor, as the head of the legislative branch of the City, shall perform the following duties:

A. Intra-Council Relations:

1. Serve as the Chair of the Council Study Sessions in accordance with Rule 5.1.B;
2. Assist in new councilmember training including conducting a review of the rules of procedure with one to two individual Councilmembers, and a staff liaison, if requested, provided the Mayor is notified of the request;
3. Support cooperative and interactive relationships among Councilmembers;
4. Work with Mayor and Administration to prepare agendas for Council Study Sessions, in accordance with Rules 2.2 and 16.1.B;
5. Preside over the Study Sessions of the City Council, designate Special Focus Area Chairs and Vice-Chairs, designate Special Focus Area assignments, and work with the chairs of the Special Focus Areas on the portions of Study Sessions over which the Special Focus Areas chairs preside in order to reinforce appropriate Special Focus Area topics and to ensure the Councilmember understands how to preside over their portion of the meeting.
6. With support from the City Attorney and/or City Clerk, ensure that Councilmembers are aware of the requirements and limitations related to the Open Public Meetings Act (OPMA) and reinforce adherence to the OPMA and quorum triggers when Councilmembers are operating and communicating in their Ad-Hoc Committee and Special Focus Areas roles. The Deputy Mayor has a responsibility to report violations of the OPMA when they are made aware of a violation.

B. Mayor-Council Relations:

1. Help maintain a positive and cooperative relationship between the Mayor and the City Council;
2. Act as conduit between the Mayor and the City Council on issues or concerns relating to their duties;
3. Preside over Regular Meetings of the City Council in the absence or unavailability of the Mayor;
4. In the event of a prolonged absence or incapacitation that exceeds two weeks (a state of disability that prohibits the function of duties) of the Mayor, the Deputy Mayor shall perform the duties of the Mayor.
 - (a) A prolonged absence that exceeds two weeks is defined as requiring a leave of absence that prohibits the performance of the duties of the office. Vacation leave for periods up to two weeks, illnesses requiring an absence of less than two weeks, out of state or out of country travel lasting not more than two weeks, or other similar short-term absences shall not be considered prolonged absences.
 - (b) In the event of a disaster, emergency, or other similar circumstance, where the Mayor is out-of-town and unable to carry out the duties of the office of Mayor, the Deputy Mayor, in consultation with the Mayor, shall act as Mayor until the return and availability of the Mayor;
5. The Deputy Mayor shall also stand in on behalf of the Mayor in other situations as requested by the Mayor;
6. In the performance of the duties of the Mayor, the Deputy Mayor shall not have authority to appoint, remove, replace, discipline or take other similar action on any Department Director or employee of the City;
7. The Deputy Mayor shall not have veto authority for actions that may be taken by the City Council;
8. The Deputy Mayor shall be aware of City, regional, and intergovernmental policies and activities in order to properly execute the role of Mayor.

C. Intergovernmental and Community Relations:

1. Act in absence of Mayor as requested and/or as required;
2. Be aware of all City regional and intergovernmental policies and activities in order to be prepared to step into the role of Mayor if necessary;
3. Serve as the Chair of the City's Emergency Management Compensation Board.

D. Other Duties of the Deputy Mayor:

1. In cooperation with the Mayor and Special Focus Area Chairpersons and with assistance from Administration, create and establish agendas for all Study Sessions;
2. Serve as liaison to the Junior City Council, encouraging, guiding, and counseling the members of the Junior City Council in connection with its duties and assignments;
3. Facilitate any issue related to the conduct and/or actions of Councilmembers that may be inappropriate or that may be in violation of the Council Rules of Procedure (Section 20.1);
4. Conduct regular and periodic meetings with individual Councilmembers and a staff liaison, if a staff liaison is requested by the Deputy Mayor or the individual Councilmember and provided the Mayor is notified of the request, to address Councilmember issues, concerns, legislative processes, Councilmember proposals, Councilmember training, and other similar related items;
5. Conduct group meetings with Councilmembers, including two on one meetings with Councilmembers on a rotating basis provided that such meetings shall not have more than two Councilmembers at such meetings. All such meetings at which a quorum of the City Council is in attendance shall be in compliance with the Open Public Meetings Act (RCW 42.30), unless expressly exempted.

**SECTION 13
COUNCIL POSITION VACANCY OR ABSENCE**

- 13.1 If an unexpired Council position becomes vacant, the City Council has ninety (90) days from the occurrence of the vacancy to appoint, by majority vote of a quorum of the remaining members of the Council, a qualified person to fill the vacancy pursuant to State law. The Council may make such appointment at its next Regular Meeting, or at a Special Meeting called for that purpose. If the Council does not

appoint a person within the ninety (90) day period, the County may appoint a qualified person to fill the vacancy as provided by RCW 42.12.070.

- 13.2 If there is an 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 14 COUNCIL MEETING STAFFING

- 14.1 Department Directors or designees shall attend all meetings of the Council unless excused by the Mayor.
- 14.2 The City Attorney, or designee, shall attend all meetings of the Council unless excused by the Mayor, and shall upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian.

SECTION 15 COUNCIL RELATIONS WITH STAFF

- 15.1 There will be mutual courtesy and respect from both City staff and Councilmembers toward each other and of their respective roles and responsibilities.
- 15.2 City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies under the direction of the Mayor.
- 15.3 It is the intent of Council that all pertinent information asked for by individual Councilmembers shall be made available to the full Council.
- 15.4 Individual 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. Councilmembers may, at the request of the Mayor, participate in discussions and decisions related to these matters.
- 15.5 Other than through legislative action taken by the Council as a whole, individual Councilmembers shall not interfere with the operating rules and practices of any City department.
- 15.6 No individual Councilmember shall direct the Mayor 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. This provision, however, does not prohibit

individual Councilmembers from discussing issues with the Mayor or making individual requests or suggestions to the Mayor. The Mayor shall endeavor to advise and update the Councilmember(s) on the status or follow-up of such issues.

- 15.7 All Councilmember requests for information, agenda bills and staff analysis, other than requests for legal advice from the City Attorney's Office, shall be directed through the Mayor in order to assign the task to the proper staff. The Deputy Mayor may work with the Mayor's designated staff to prepare Study Session agendas and related materials, and facilitate Study Session work.
- 15.8 Any written communication with staff shall also include the Mayor as a recipient.

SECTION 16 COUNCIL STUDY SESSIONS, COMMITTEES AND CITIZEN ADVISORY BOARDS

- 16.1 **Study Sessions and Special Focus Areas.** In addition to the regularly scheduled City Council meetings (Regular Council Meetings) scheduled on the first and third Mondays of the month. Different than the format for Regular Council Meetings (identified in Section 3 hereof), Study Sessions shall be less formal than Regular Council Meetings and shall give the City Council the opportunity to discuss and debate issues coming before it for action at Regular Council meetings. The format for these meetings shall be as follows:

- A. General Business Focus and Special Focus Areas.

Study Sessions shall consist of (1) a General Business Focus and (2) a Special Focus Area in each meeting. The General Business Focus shall be scheduled first and shall include agenda items that relate to issues of general City concern, items that will be coming before the City Council at upcoming meetings, and presentations and reports to the City Council. The Special Focus Area groups shall, on a rotating basis described below, commence their portion of the Study Session following the conclusion of the Study Session General Business Focus. The Special Focus Area groups shall review matters of Council concern related to their areas of oversight responsibility. The Special Focus Area groups shall consist of the following: (1) Public Works & Community Development; (2) Municipal Services; (3) Community Wellness; and (4) Finance & Internal Services. These Special Focus Area groups shall be tasked with oversight of Council considerations as follows:

1. Community Wellness
 - Health, Equity, & Wellness
 - Neighborhood Services
 - Homelessness Prevention

- Social Services
 - Diversity, Equity, & Inclusion
 - Cultural Arts & Community Events
 - Housing Policy
2. Finance & Internal Services
 - Facilities
 - Technology
 - Property management
 - Risk management & Insurance
 - Fiscal Sustainability
 3. Public Works & Community Development
 - Utilities
 - Transportation
 - Environmental Policy
 - Land Use & Development
 - Right of Way Management
 - Airport
 - Park Development
 - Economic Development
 4. Municipal Services
 - Public Safety
 - Courts
 - Recreation, Museum & Senior Services
 - Animal Control
 - Emergency Planning
 - Cemetery
 - Communications

B. Scheduling of Special Focus Area.

1. The Special Focus Areas shall conduct their portion of the Study Sessions on second and fourth Mondays of the month on a rotating basis such as follows: Public Works & Community Development, then Municipal Services, then Community Wellness, then Finance & Internal Services, then Public Works & Community Development, then Municipal Services, and so on.
2. On fifth Mondays of the month, Study Sessions will not typically include any of the above Special Focus Areas but may include special topics and issues of general concern to the City Council, including Council operating arrangements and Council Rules of Procedure. It is provided, however, that in order for the City Council to address the matters coming before the City Council, the Mayor and Deputy Mayor may, as they deem appropriate, insert into any Study Session any matters calling for City Council consideration and discussion, regardless of Special Focus Areas. Such matters will be

scheduled to allow sufficient time for preparation of relevant background analysis and information concerning said items and provision to all Councilmembers in advance of the Study Session.

3. Topics for Special Focus Area consideration (for inclusion in the Special Focus Area portion of the Study Session agenda) shall be determined by the Chair of each Special Focus Area along with the Mayor, the Deputy Mayor, the Vice-Chair, and the designated Departments Director(s) for the Special Focus Area. The matters will be scheduled to allow sufficient time for preparation of relevant background analysis and information concerning said items and provision to all Councilmembers in advance of the Study Session. The Department Director(s) shall review agenda topics and suggestions by other Councilmembers of such topics. The Deputy Mayor may review agenda items and topics with each Special Focus Area Chairperson individually when convenient.

C. Meeting Times

Study Sessions shall be scheduled as set forth in Section 2.2, above.

1. Three to four hours maximum timeframe (goal).
2. Agenda items should relate to future policy-making, strategic planning, or key state or federal issues affecting current or future city operations.
3. Agenda items should be substantive only (e.g., traffic impact fee increase proposals, comprehensive plan updates, rather than day-to-day operational issues. Non-substantive items (e.g., accepting a grant, authorizing contract bidding, etc.) should go directly to the Regular City Council Meeting.

D. Study Session Meeting Format.⁹

1. Call to Order.
2. Roll Call.
3. Announcements, Reports, and Presentations.
4. Agenda Items for Council Discussion.
5. Ordinances.

⁹ It is the intention of the City Council that Study Sessions shall be televised on the City's public access channel if reasonably possible.

6. Special Focus Area (the Chair of the Special Focus Area scheduled for the Study Session shall preside over this portion of the Study Session). The Vice Chair shall preside over this portion of the Study Session in the Chair's absence.
7. Adjournment.

E. Council discussion at Study Sessions of each agenda item shall be managed by the Presiding Officer through recognition of each Councilmember in turn. After presentation of an agenda item, the Presiding Officer will ask each Councilmember whether the member would like to make a statement or ask a question regarding the agenda item. The Presiding Officer will start with the Councilmember at the Presiding Officer's right and address each Councilmember in order of seating, as determined by the Presiding Officer. After all Councilmembers have been addressed, the Presiding Officer will again ask for a statement by each Councilmember in the same order. Invitation by the Presiding Officer to each Councilmember to make a statement or ask a question shall be repeated three times. There shall be a limit of three questions per Councilmember for each round. Further questions by any Councilmember should be sent via email to the appropriate Department Director after the meeting, provided the Mayor is included in that email. Questions posed at Study Session or via follow up email shall be limited to the matter presented at Study Session.

16.2 **Ad Hoc Committees.** The Mayor, the Deputy Mayor, or a majority of the City Council may establish Ad Hoc Committees as may be appropriate to consider special matters that require special approach or emphasis.

- A. Ad Hoc Committees may be established and matters referred to them at Study Sessions, without the requirement that such establishment or referral take place at a regular City Council Meeting.
- B. The Mayor and the Deputy Mayor shall each appoint a Councilmember to each Council Ad Hoc Committee. The Deputy Mayor may appoint themselves. The third Councilmember to be appointed to the Ad Hoc Committee shall be selected by majority vote of the Council.
- C. Ad Hoc Committees shall consider all matters referred to them and take action by majority vote only when all Ad Hoc Councilmembers are present. The Chair of such Ad Hoc Committee shall report to the Council the findings of the committee. Committees may refer items to the Council with a committee recommendation or with no committee recommendation.
- D. Unless otherwise expressly provided for when forming an Ad Hoc Committee, it is the intention of the Council that Ad Hoc Committees function informally and not in any way that takes action in lieu of or on behalf of the full Council. The purpose and function of such Ad Hoc Committees shall be to review matters in advance of their consideration by the full Council, and perhaps record and

make recommendations to the full Council. They are not “committees of a governing body” subject to the requirements of the Open Public Meetings Act (Chapter 42.30. RCW). Ad Hoc Committees shall not receive public testimony or allow audience participation in connection with or related to the agenda item being discussed by the Committee.

- E. Councilmembers on Ad Hoc Committees may request a staff liaison, and City Attorney or City Attorney’s designee, be present to assist the Councilmembers with institutional knowledge on the subject matter to be discussed, provided the Mayor is notified of the request.

16.3 Intergovernmental Councils, Boards and Committees. The Mayor shall appoint Council representatives to intergovernmental councils, boards, and committees.

- A. Councilmember appointments to intergovernmental councils, boards and committees, including Ad Hoc Committees, shall be periodically reviewed. All Councilmembers shall have the opportunity to serve on such councils, boards, and/or committees as assigned by the Mayor and on a rotating basis at the discretion of the Mayor. Councilmember appointments to intergovernmental councils, boards, and committees by the Mayor shall be done with consideration of a Councilmember’s expertise, background, knowledge, working experience and/or education in that council, board, or committee. Ad Hoc Committee appointment by the Mayor or Deputy Mayor shall be at their discretion.
- B. Councilmembers will prioritize appointments to Intragovernmental Councils, Boards, and Committees by seeking and filling positions that provide value to the City and its constituents. Providing value occurs in the following order of priority: (1) bringing money to the City, (2) bringing projects and/or investments into the City, (3) influencing policy or investment outcomes in the City, and (4) protecting City interests. These community-wide benefits are a priority over the personal interests of an individual Councilmember.
- C. Advisory Boards, Committees, and Commissions established by ordinance, consisting of citizens appointed pursuant to the establishing Ordinance and serving in the capacity and for the purposes indicated in the Ordinance, shall act as an advisory committee to the Council.

**SECTION 17
COUNCIL REPRESENTATION
AND INTERNAL COMMUNICATION**

- 17.1 If a Councilmember meets with, attends a meeting, or otherwise appears before individuals, another governmental agency, a community organization, or a private entity or organization, including individuals, agencies, or organizations with whom or with which the City has a business relationship, and makes statements directly

or through the media, commenting on an issue that does or could affect the City, the Councilmember shall state the majority position of the Council, if known, on that issue. Personal opinions and comments which differ from those of the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position, and the statements are those of the Councilmember as an individual. Additionally, before a Councilmember discusses anything that does or could relate to City liability, the Councilmember should talk to the City Attorney or the City's Risk Manager, so that the Councilmember would have a better understanding of what may be said or how the discussion should go to control or minimize the City's liability risk and exposure.

- 17.2 Councilmembers need to have other Councilmember's concurrence before representing another Councilmember's view or position with the media, another government agency, or community organization.
- 17.3 Councilmembers shall not knowingly communicate with an opposing party or with an opposing attorney in connection with any pending or threatened litigation in which the City is a party or in connection with any disputed claim involving the City without the prior approval of the City Attorney, unless the Councilmember is individually a party to the litigation or is involved in the disputed claim separate from the Councilmember's role as a City official.
- 17.4 Communication among Councilmembers shall conform to the following parameters:
 - A. Except in connection with Councilmembers meeting, informally, in committees not subject to the Open Public Meetings Act, to assure that communication on agenda items occurs to the greatest extent possible at the public meetings, and to avoid even the perception that email is being used in a way that could constitute a public meeting, successive communications on Council topics that involve a quorum of the Councilmembers shall not occur. Councilmembers shall refrain from emailing Councilmembers about such agenda items. Councilmembers should be prepared to communicate about matters that are on upcoming Council agendas at the public meetings. If Councilmembers wish to share information with other Councilmembers about matters that are on upcoming agendas, the Councilmembers should forward that information to the Mayor for distribution in the Council meeting packets.
 - B. Councilmembers may communicate via email to other Councilmembers, including to a quorum of the full Council about matters within the scope of the Council's authority or related to City business, but not yet scheduled on upcoming Council agendas, to indicate a desire that certain items be included on upcoming meeting agendas; provided that Councilmembers shall never ask for responses from the other Councilmembers in that communication.

- C. Email communication among Councilmembers relating to City operations should also include the Mayor as a recipient/addressee.
- D. Councilmembers may email the Mayor about City business without limitations or restrictions.
- E. The Deputy Mayor from time to time may need to communicate with all Councilmembers on various items such as the annual review of the Rules of Procedure. All such correspondence, usually in the form of email, shall be provided to Council as a whole through the Council Assistant. Any responses from Council shall also be directed to the Council Assistant who shall then provide all Councilmembers with email correspondence regarding questions, comments, suggestions, recommendations, or any similar item.
- F. Council email correspondence and all electronic communications shall utilize the designated city email account or city device with no exceptions and within the parameters of the Open Public Meetings Act and the Public Records Act.

17.5 Councilmembers shall not communicate with staff regarding their own personal business during times set out to discuss City of Auburn business. Councilmembers shall not discuss personal business with staff immediately before or after Council meetings.

17.6 Council Relations with City Boards and Commissions.

- A. **Council Liaisons.** In addition to where a Councilmember is appointed by the Council or the Mayor to serve as a member of a board, commission, committee, task force, or any other advisory body, the City Council may, on limited occasions or under unusual circumstances, appoint a Councilmember to serve as a non-member Liaison to a board, commission, committee, task force, or any other advisory body. Anytime a Councilmember is appointed as such a Liaison, the position or role of Liaison is subordinate to that of Councilmember, and the Councilmember's responsibility is first and foremost to the City and to the Council. The role and responsibility of the Councilmember-Liaison is to keep the City Council apprised of the activities, positions, and actions of the entity or organization to which the Councilmember has been appointed Liaison, and not to communicate to the board, commission, committee, task force, or other advisory body a statement as the position of the City Council, except as authorized or directed by the Council. Insofar as a Councilmember-Liaison position does not give all Councilmembers equal access to the activities, functions, and information of or about a board, commission, committee, task force or any other advisory body, appointments to Council Liaison positions should be reserved to those instances where a Report to the Council by the

board, commission, committee, task force, or any other advisory body would not be convenient or practical.

- B. **Reports to the Council.** Each board, commission, committee, task force, or any other advisory body of the City shall be requested to present a report to the City Council at a Regular Meeting or a Study Session of the City Council, as scheduled by the Mayor or Deputy Mayor. Such reports shall be scheduled for a Regular Council Meeting or a Council Study Session and shall be delivered by the Chair of the board, commission, committee, task force, or any other advisory body or designee. The reports shall inform the City Council of the activities, functions and information with which the board, commission, committee, task force, or any other advisory body has been involved since the previous report and shall include the opportunity for questions by Councilmembers.

- 17.7 Whenever a member of the City Council attends any meeting of any other entity or organization, he or she should endeavor to be prudent in what he or she says or does at such meeting. Further, the Councilmember should avoid attending such meeting if that attendance would impose an interference with the meeting or the operations of the other entity or organization, or of the operations of the City.

SECTION 18 TRAVEL AUTHORIZATION

- 18.1 **Value of Council Travel.** The Auburn City Council recognizes the need of its members to attend conferences, trainings, and meetings to broaden their knowledge of and familiarity with a diverse collection of City-related issues, including, but not limited to, Public Works, Communications, Transportation, Economic Development, Public Safety, and Energy. These conferences also provide valuable opportunities to network with other elected City officials. Comparing Auburn's specific issues with those of other cities often provides the Council with established policies already in place in other cities that can be adapted to meet the specific needs of the City of Auburn, as well as expediently and efficiently acquainting Auburn City Councilmembers with ideas of how to address Auburn issues and solve Auburn problems.
- 18.2 **Annual Budget Amounts for Council Travel.** To accommodate Council travel, the Auburn City Council shall allocate an identified amount of money each year in the City budget process to each Councilmember for City-related travel costs, including transportation, lodging, meals, and registration costs.
- 18.3 **Adjustment of Council Travel Allocations.** If a Councilmember needs more than the amount of travel related funds allocated for their use, the Councilmember shall (1) see if there are unused funds available from any other Councilmember(s) who are willing to transfer funds from their account to the Councilmember needing additional travel funds. If so, with the consent of the Deputy Mayor and the other

transferring Councilmember(s), funds will be transferred to the requesting Councilmember's allotment; or (2) shall request a net adjustment to the budget adding additional funds to their allotment, which adjustment shall be approved by a majority of the whole Council.

- 18.4 **Receipts and Travel Documentation.** Each Councilmember shall be responsible for providing to the Mayor or Finance Director, within ten (10) business days of returning from City travel, any and all City travel related receipts and documentation, and a written report regarding the authorized travel the Councilmember attended. All documentation shall also be sent via email to the CouncilAlerts@auburnwa.gov email address. Quarterly reports of the travel costs incurred by each Councilmember shall be provided by the Finance Department.

SECTION 19 CONFIDENTIALITY

- 19.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive or Closed Sessions and as provided in RCW 42.23.070, 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 by the exempt from disclosure under exemptions set forth in the Revised Code of Washington.

SECTION 20 ENFORCEMENT OF RULES OF PROCEDURE

- 20.1 Councilmembers shall conform their conduct to the requirements, standards and expectations set forth in these Rules of Procedure. In addition to and notwithstanding whatever other enforcement mechanisms may exist for legal, ethical or practical obligations on Councilmember performance or conduct, violations of these Rules of Procedure by Councilmembers may be enforced by action of the City Council through sanctions such as votes of censure or letters of reprimand, and such other action as may be permitted by law.

City Council Rules of Procedure:

Adopted: February 2, 2004

Ordinance No. 5802

Amended by Resolution No. 4282, December 17, 2007

Amended by Resolution No. 4429, December 15, 2008

Amended by Resolution No. 4467, April 6, 2009

Amended by Resolution No. 4615, July 6, 2010

Amended by Resolution No. 4686, February 22, 2011

Amended by Resolution No. 4740, August 15, 2011

Amended by Resolution No. 4813, May 21, 2012

Amended by Resolution No. 4909, February 19, 2013

Amended by Resolution No. 5105, November 3, 2014

Amended by Resolution No. 5112, December 1, 2014

Amended by Resolution No. 5115, December 15, 2014

Amended by Resolution No. 5217, May 2, 2016

Amended by Resolution No. 5240, July 5, 2016

Amended by Resolution No. 5283, February 21, 2017

Amended by Resolution No. 5308, August 7, 2017

Amended by Resolution No. 5367, May 7, 2018

Amended by Resolution No. 5399, December 17, 2019

Amended by Resolution No. 5469, November 4, 2019

Amended by Resolution No. 5543, September 8, 2020

Amended by Resolution No. 5676, September 19, 2022

Amended by Resolution No. 5721, June 5, 2023

EXHIBIT A
CITY COUNCIL CONDUCT POLICIES

1. CONDUCT

City Policy Reference 200-81

PURPOSE

To emphasize the high standards of professionalism, public service, and integrity expected.

POLICY

It shall be the duty of all City personnel to maintain high standards of cooperation, efficiency and integrity in their work with the City. It is the responsibility of each individual to conduct themselves with professionalism and commitment towards customer service not only with the citizens and public of the City of Auburn but also when working within other elected officials or working with other departments within the City structure.

2. FAIR PRACTICES

City Policy Reference 200-2

PURPOSE

To establish guidelines for the promotion of fair practice and nondiscrimination in activities relating to employment and treatment of all citizens in order to foster trust and cooperation between City personnel and the diverse and pluralistic society that makes up the City of Auburn.

The City is committed to recognizing that all people are vital to the City's shared prosperity and that all people must be respected and valued. City personnel can, and should, lead the way forward in making inclusiveness and diversity priorities, and pledges active efforts to seek to achieve that goal.

POLICY

The Policy of the City of Auburn is to promote and afford equal treatment and services to all citizens and to assure equal employment opportunity to all persons regardless of race, creed, color ethnicity, nation origin, sex, age, marital status, veteran's status, sexual orientation, or the presence of any sensory, mental, or physical disability, unless based upon a bona fide occupational qualification: provided that the prohibition against discrimination shall not apply if it prevents the proper performance of the particular worker involved.

The City of Auburn will cooperate with all organizations and commissions organized to promote fair practices and equal opportunity in employment.

DEFINITIONS:

For the purpose of this policy, sexual orientation means heterosexual, homosexual, bisexual, and gender expression or identity. As used in this definition, " gender expression or identity" means having or being perceived as having a gender identity, self image, appearance, behavior, or

expressions, whether or not that gender identity self image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.

3. NONDISCRIMINATION

City Policy Reference 200-03

PURPOSE

To establish policy for a nondiscriminatory working environment within the City Auburn.

POLICY

The policy of the City of Auburn is to promote and afford equal treatment and services to all citizens and to assure equal employment opportunity to all qualified persons regardless of race, creed, 'color, ethnicity, national origin, sex, age, marital status, sexual orientation, veteran's status, or the presence of any sensory, mental, or physical disability, unless based on a bona fide occupational qualification.

It is the policy of the City of Auburn to foster and maintain a harmonious and nondiscriminatory working environment for all. Toward this end, the City will not tolerate racial, ethnic, religious, disability or sexual oriented behaviors or comments by any citizen, employee, or elected official to or about any citizen, employee, or elected official.

DEFINITIONS

For the purpose of this policy, sexual orientation means heterosexual, homosexual, bisexual, and gender expression or identity. As used in this definition, "gender expression or identify" means having or being perceived as having a gender identity, self image, appearance, behavior, or expressions, whether or not that gender identity self image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.

4. WORKPLACE HARASSMENT

City Policy Reference 200-4

PURPOSE

To establish the policy and procedures defining the City's position on workplace harassment, including sexual harassment, and to provide guidance to any City personnel who believes he/she has experienced harassment by a supervisor, co-worker, other City personnel, or outside individual.

POLICY

It is the policy of the City of Auburn to provide a work environment for everyone that is harmonious and free from intimidation and harassment. The City is committed to ensuring that

the practices and conduct of all City personnel comply with the requirements of federal and state laws against employment discrimination. To that end, the City expects all City personnel to work in a manner that respects the feelings and dignity of others.

It is the policy of the City that everyone have the right to work in an environment free from harassment based upon their race, color, religion, gender, national origin, ethnic background, age, marital status, sexual orientation, military or veteran's status, presence of a disability or the presence of any other protected status or characteristic, or any other basis prohibited by local, state, or federal laws unless based on a bona fide occupational qualification. Workplace harassment, including sexual harassment, negatively affects morale, motivation, and job performance. The City will not tolerate any form of workplace harassment, including sexual harassment, toward City personnel by other City personnel or other individuals.

Those who in good faith report an incident of workplace harassment, including sexual harassment, shall not be subjected to any form of retaliation.

DEFINITIONS

1. Workplace harassment includes, but is not limited to, unsolicited remarks, gestures, or physical contact; display or circulation of written materials or pictures derogatory to a specific gender, racial, ethnic, religious groups, persons with physical, mental, or sensory disabilities, or any other basis prohibited by local, state, or federal laws; or basing employment decisions on an employee's response to sexually-orientated requests.
2. Sexual harassment means unwelcome behavior of a sexual nature that affects terms and conditions of the work environment. These include, but are not limited to, sexual advances and/or other verbal or physical conduct made when: (a) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment; (b) submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individuals; or (c) such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include, but are not limited to:

1. Unwelcome or unwanted flirtations, propositions, advances, patting, pinching, brushing up against, hugging, cornering, blocking, kissing, fondling, putting ones arms around another, or any other similar physical contact considered unacceptable by another individual.
2. Verbal comments, suggestions, jokes, innuendos, or derogatory remarks based on sex;
3. Visual harassment, leering, whistling, gesturing, posting sexually suggestive or derogatory pictures, cartoons, drawings.

4. Pressure for sexual favors, subtle or blatant expectations, pressures, or requests for any type of sexual favor accompanied by implied or stated promises of preferential treatment or negative consequences concerning an individual's employment (such as an employee's performance evaluation, work assignment, advancement, or training opportunities).

3. Other harassment (nonsexual) is defined as verbal or physical conduct that denigrates, shows hostility, or aversion toward an individual because of such individual's protected status or characteristics such as his/her race, color, religions, gender, national origin, age marital status, veteran's status, sexual orientation, or disability that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or has the purpose or effect of unreasonably interfering with an individual's work performance; or otherwise adversely affects the individual's employment opportunities.

4. Sexual orientation means heterosexual, homosexual, bisexual, and gender expression or identity. As used in this definition, "gender expression or identify" means having or being perceived as having a gender identity, self image, appearance, behavior, or expressions, whether or not that gender identity self image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.

5. WORKPLACE VIOLENCE

City Police Reference 200-13

PURPOSE

To establish policy defining the City's position on not tolerating violence in the workplace, and provide guidance in the event a violent or threatening act or situation occurs.

POLICY

No person shall display violent or threatening behavior to others, including employees, the public, vendors, or contractors in the performance of his/her job and/or while on City property. Given the City's commitment to ensuring a healthy, safe and non-violent work environment, prohibitive behavior includes, but is not limited to:

1. Any verbal threat of harm towards persons or property.
2. Any threatening or actual physical act such as threatening gestures, hitting, pushing, kicking, holding, impeding or blocking the movement of another person.
3. The use, threatening use or possession of firearms, other weapons or explosives, openly or concealed, licensed or otherwise, while performing City business and/or while on City premises including parking lots. Exception: Commissioned law enforcement officers or other official purposes sanctioned by the City.

DEFINITIONS

Weapon: Any object, instrument or chemical used to inflict harm or injury to another person or any item used in a manner threatening harm or injury to another person.

Possession of mace, pepper spray or the like for defensive purposes is not a violation of this policy.

6. TOBACCO-FREE WORK ENVIRONMENT

City Policy Reference 200-08

RCW 70.160

WAC 296-62-12005

PURPOSE

The purpose of this policy is to set out a plan and timelines for the City and City personnel to maintain a tobacco -free work environment.

POLICY

1. The City is committed to achieving a tobacco-free work environment, providing as much support as possible to assist tobacco users in this transition, and to fulfill its obligations under the law.
2. Smoking, the use of vapor and/or e -cigarettes, and all other tobacco products are prohibited in City buildings, facilities, entryways, near air intakes, or other openings that allow airflow directly into an office, building, or City vehicle.
3. City personnel may use tobacco products, vapors, and/or e -cigarettes during breaks and meal periods in outdoor areas surrounding City vehicles and facilities absent any other ordinance, rules, and/or regulations prohibiting tobacco usage.
4. Smoking cessation programs are offered by the City to assist current tobacco users who wish to stop using tobacco products.

7. ALCOHOL AND DRUG FREE WORK ENVIRONMENT

City Policy Reference 200-09

Drug -Free Workplace Act of 1988, Federal Register, Vol. 54 No 19.

PURPOSE

The City of Auburn has a significant interest in ensuring the health and safety of its City personnel and citizens. Therefore, the City will maintain a policy of an alcohol and drug free workplace.

This policy outlines those steps the City is taking to ensure that City personnel are free of the influence of controlled substances and/or alcohol while in the performance of their duties or acting on the City's behalf.

POLICY

1. Prohibited Conduct.

- a. The City of Auburn strictly prohibits the manufacture, possession, distribution, dispensing or use of alcohol or controlled substances in the workplace, while on duty, or while representing the City of Auburn.
- b. Reporting for work, remaining on duty, or acting on behalf of the City of Auburn while under the influence of alcohol or a controlled substance is strictly prohibited.
- c. No personnel shall perform safety sensitive functions on behalf of the City within four (4) hours after using alcohol.

8. INTERNET & ELECTRONIC RESOURCES-EQUIPMENT USE-ELECTED OFFICIALS

City Policy Reference 500-3

PURPOSE

To establish a policy and identify the principles of acceptable use of the internet and other electronic communications resources/equipment provided for use during his/her term of office for elected officials.

POLICY

It is the policy of the Council that Internet and electronic resources equipment use shall conform to and be consistent with the requirements of City of Auburn Administrative Policy and Procedure 500-03, "Internet & Electronic Resources/Equipment Use – Elected Officials."

All letters, memoranda, and interactive computer communication involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, are public records.

When individual Councilmembers have completed their term of office, they will return all City electronic equipment to the Director of Information Technologies.

COMMUNICATIONS

Each Councilmember is responsible for checking their communication device multiple times daily and respond to requests by City staff as soon as possible.

ELECTRONIC COMMUNICATIONS

1. For emergency notifications of absences, and not planned absences, Councilmembers shall send an email to CouncilAlerts@auburnwa.gov to ensure the auto-distribution of communications to necessary people.
2. Messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Those records are subject to public inspection and copying.
3. Electronic communications that are intended to be shared among a quorum of the Council or of an Ad Hoc Council Committee, whether concurrently or serially, must be considered in light of the Open Public Meetings Act, if applicable. If the intended purpose of the electronic communication is to have a discussion that

should be held at an open meeting, the electronic discussion shall not occur. Further, the use of electronic communication to form a collective decision of the Council shall not occur.

2. Electronic communication should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other confidential City business. In general, electronic communication is discoverable in litigation, and even deleted electronic communication is not necessarily removed from the system. Confidential electronic communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.
3. Electronic communication between Councilmembers and between Councilmembers and staff shall not be transmitted to the public or news media without the filing of a public disclosure request with the City Clerk.
4. Even if a Councilmember uses their personal electronic devices, all electronic communications and documents related to City business will be subject to discovery demands and public disclosure requests.

USE OF CITY EQUIPMENT AND FACILITIES

1. Councilmembers are provided various tools to assist them in handling the business of the City in the role as members of the Council. These tools include, but are not limited to: (1) an individual office assigned to each Councilmember in which there is (a) office furniture; (b) a computer accommodating access to the City's computer network and (c) a telephone tied to the City's telephone system; (2) and I-Pad or comparable equipment also tied to the City's computer system that can be used remotely (not just in the Councilmember's office); (3) an I-Phone or comparable equipment accommodating mobile communication needs for (a) telephone calls, (b) emails, and (c) texting; (4) a City badge accommodating physical access to City Hall facilities and Council Offices; and (5) Council mailboxes.
2. In order to assure transmittal of information necessary to conduct business of the City and to avoid Public Records Act liability for the City and Councilmembers for improper or private equipment use, Councilmembers shall use the tools identified above to assist them in being able to receive and work with information related to duties as Councilmembers.

PROHIBITED USES: The creation, transmission, downloading or storage of any document, data or message which reasonably can be construed as relating to or promoting the following, are prohibited:

1. Discrimination or harassment on the basis of age, race, color, gender, creed, marital status, national origin, disability or sexual orientation;
2. Any language and subject matter that is objectionable, offensive, obscene, threatening or otherwise inappropriate as described in the City's Workplace Harassment Policy;
3. Any communication to solicit for or promote commercial or non-profit ventures, religious or political causes, outside organizations, rumor or slander or other non-job related solicitations;

4. Any information that violates copyright laws;
5. Copying any City licensed computer software for personal use is prohibited;
6. See also specific prohibitions related to individual types of system use, below.

INTERNET: Browsing, List-Servs, Newsgroups, etc.

1. It is the policy of the City to maximize the cost-effective use of its computer systems as a means to improve efficiency and productivity. All Councilmembers are responsible for using the Internet resources in an effective, ethical, and lawful manner, and in accordance with this policy.
2. Access to the City e-mail (Outlook web access) from any remote computer that has internet access may be granted to City officials, as approved by the Mayor. Those approved to have this access must maintain virus protection software on their connections. Failure to maintain virus protection may result in the access being revoked.
3. Limited personal use may only consist of browser capability and may not include ListServs, Newsgroups, Chat Rooms or other capabilities.
4. Using City equipment or City internet connection to violate the integrity of another system (hacking) is prohibited.

SYSTEM SECURITY

1. Acquisition of computer equipment. All acquisitions of information systems components will be coordinated through the Information Technologies Department. This includes demonstration hardware and software used for evaluation purposes as well as products acquired for ongoing use.
2. Conscientious care. All Councilmembers are responsible for care of the personal computer system components that they are assigned or using. Councilmembers are responsible for promptly reporting any equipment, software and data damage and/or destruction of which they become aware. Any damage caused by personal use, including repair costs, will be the responsibility of the Councilmember.
3. Downloading/installing software (including upgrades and screensavers). The City computer system is designed to work in a network environment. Installation of unauthorized software can result in damaging the integrity of the system. Councilmembers should not download or install software on any City-owned computer. If additional software is required, a request should be addressed to the Information Services Service Desk.
4. Downloading files from the Internet. Councilmembers are individually and directly responsible for checking files for viruses using the latest version of the recommended virus-checking program. Downloading or uploading files is restricted to City business.
5. Unauthorized access. Councilmembers are prohibited from using “loopholes” or knowledge or a special password to damage computer systems, obtain extra resources, or to gain access to systems for which proper authorization has been given. Councilmembers are responsible for keeping their password confidential and not sharing it with other users.

6. Use of aliases. Use of aliases while using the Internet or internal e-mail is prohibited. Anonymous messages and anonymous newsgroup postings are prohibited.
7. Unlicensed or copied software is prohibited on any City computer. No Councilmember may use unlicensed or copied software on any City computer. The City shall seek reimbursement from any Councilmember who installs, downloads, uses or authorizes the use of any unlicensed or copied software on any City computer, or any fines, costs or other expenses incurred by the City resulting from such use.

MONITORING, ENFORCEMENT AND PENALTIES

1. All hardware, software, programs, applications, templates, data and data files residing on City information systems or storage media, whether City business or personal, are the property of the City of Auburn. The City retains the right to access, copy and change, alter, modify, destroy, delete or erase this property without prior notice to Councilmembers.
2. The City retains the right to monitor and audit the use of e-mail and Internet use. The right to use these technologies does not include the right to privacy.
3. Deleted documents, messages and data may be retrieved from a variety of points in the network. Councilmembers should assume that electronic evidence discovery might recover deleted or unsaved data.
4. Councilmembers' use of a personal Internet account on City equipment is to be arranged through the Information Technologies service desk and is subject to the provisions of this policy. Said Councilmembers should be aware that their personal e-mail and electronic files could be monitored by the City and could be reviewed as part of a Public Records request.

9. E-MAIL ETIQUETTE

City Policy Reference 200-16

City of Auburn's E-Mail Policy

Computer systems, network utilities and electronic mail are powerful business tools. These systems are designed to foster open and efficient communications. The Electronic Messaging System, like paper files and notebooks, is an asset provided to City personnel to assist them in performing their work efficiently and for limited personal use. These tools, and the work product they contain, are the property of the City. Please use your good judgment as you use the electronic mail system. While it is the general intention of the City to keep electronic mail private, it is possible that other people may view other's electronic mail messages, the recipient may route the message to others, or the City may be required to provide public disclosure of e-mail messages. You should assume that any message may be viewed by persons other than the recipient and format your messages accordingly. All messages should be composed with the expectation that they will be made public.

Getting The Message Across

Electronic mail, or e-mail, is unique. Once sent, it will wait for the recipient for hours or days. It is more tangible than voice mail and faster than paper mail. By saving copies of messages and responses, a record of communications can be built and saved. It also is useful for sharing documents in electronic form. The unique qualities of electronic mail make it an extremely useful tool in the business place. For those who spend much of their time at a desktop computer or a terminal on a network, e-mail can provide an immediate messaging service and mailbox.

Privacy vs. Public Disclosure Issues

All e-mail messages are considered to be public records and the public has the right to examine public records. Therefore, if you are concerned about public disclosure or internal disclosure, e-mail should not be used as a communication tool. Confidential and sensitive issues should not be communicated via e-mail. A user, in forwarding a message that originates from someone else, may not make changes to that message without clearly notes that changes were made to the message and the identity of the person making the changes.

Alternatives To E-Mail

The City Intranet is a better way for making announcements such as retirement parties or broad policy statements. Telephones provide a more immediate response and can be a better way to make initial contacts with people. Memos and internal mail are best for sending specific policy statements, financial forms, and documentation. The US Postal Service, UPS, Federal Express and other such companies are the best way to send and receive external business documents. One-on-one meetings are still a good way of communicating info.

Messages

E-mail is best for short messages. A message of one to five paragraphs or one that takes only one screen is most likely to be read and used. When composing your message, take a few extra seconds to think of an accurate description of the message to put in the subject field. Titles such as "???" or "more stuff" are less useful than "Network Questions" or "New Uses for Bulletin Board System." If you are sending e-mail to someone you have not met or dealt with in a long time, it is a good idea to let them first know who you are and why you want their attention. ("Hi, I work for Purchasing and have a question about...")

Attachments

The attachment feature of e-mail programs allows you to send files, such as spreadsheets and formatted documents to other computer users. When you send attachments, be certain that the receiver can read them. Just because a document can be attached to a message does not mean that the person at the other end can read it. For instance, if you attach an

Excel spreadsheet to an e-mail note and the recipient of the note does not have Excel on their PC, then they will not be able to open the attachment.

Language And Behavior

Good E-mail is businesslike and free from obscene, pornographic, sexual, harassing, menacing defamatory, threatening or otherwise offensive language. The City does not tolerate racism, sexism, and other inappropriate behavior. It is also not tolerated in the e-mail environment.

Some people will send an angry e-mail message; one that they would never say in person. Take a minute before you respond. Be careful about which words you use and how you say them. Remember that messages can be printed or forwarded. Do not say things you may regret later.

Mail Lists

Mailing lists, called Personal Groups, are a useful tool. If you are working and exchanging mail with a group of people on a regular basis, a Personal Group allows you to send the same message to all of them by entering only one address. You may want to build a Personal Group that will target your regular or special group of mail recipients. The Help File accessible through your e-mail can help you set up Personal Groups.

"Junk" Mail

"Junk" e-mail is inevitable. Try not to generate it yourself by limiting your general broadcasts. Target your audience carefully by making use of Personal Groups. If you must send a large mailing, try not to use attachments; including attachments increases the load on the network and can be costly when you consider the amount of time it takes to open an attachment. Delete e-mail you consider "junk", before opening it.

Personal Business

Use of e-mail is primarily to be reserved for official City business. However, limited personal use is authorized. There shall be no negative impact or disruption to either the sender's or receiver's performance of public duties (i.e. forwarding jokes takes time away from the job and wastes computer memory).

Return Receipts

Leave "Return Receipt" turned off unless a return receipt is absolutely necessary. Return receipts also slow down the e-mail system. If everyone requested a return receipt for each message they sent, it would double the traffic load on the mail system.

Glossary of Terms

Attachment

A file that is included with a message. It is displayed in the message as an icon, representing the type of file it is.

Broadcast

Distribution of a message to a wide number of mail users.

Intranet

A computer system used as an information source and message system. It is similar to a physical bulletin board, but messages are posted electronically on a computer bulletin board system.

E-Mail

Electronic mail

"Junk" Mail

A broadcast that includes individuals who do not need or want the information contained in the message.

Personal Groups

Assignment of a single name to multiple users. When the group name is added to the recipient list for a message, each individual in that group receives the message.

Return Receipt

Displays the date and time the message you sent was opened by the recipient.

10. CELLULAR PHONE & TABLET

City Policy Reference 200-16A

RCW 46.61.672

WAC 204-10

PURPOSE

To establish a policy that provides for and regulates cellular phone and tablet use by City personnel.

POLICY

The City of Auburn recognizes that cellular phones and tablets are an important and necessary tool in the performance of certain job duties. For those who have a valid business purpose, the City of Auburn provides cell phones and tablets for City business use.

Cell phone and tablet use can create distractions for drivers. City Personnel are prohibited from texting, using e-mail, or performing any other operation with electronic equipment, while driving a vehicle on City business. If a cell phone must be used while driving, all personnel must follow Washington State Law and use the cell phone in a "hand-free mode". "Hands-free mode" means the use of a wireless communication device with a speaker phone, headset, or earpiece.

USAGE POLICY. The City of Auburn issues cellular phones to allow efficient and cost-effective execution of City business. All City use cellular phones and services will be acquired and/or approved by the Information Technology Department.

The City of Auburn audits all City-provided cellular phone services (voice minutes used, text messages sent/received, and data service use) which include a review of the monthly billing by the individual's supervisor.

Most wireless transmissions are not secure. Therefore, individuals using wireless services should use discretion in relaying confidential information. Reasonable precautions should be made to prevent equipment theft and vandalism to City-issued cellular phones.

Cellular phone use by a driver of City-owned vehicles or by a driver of a privately owned or leased/rented vehicle, when driving to or from City business, is prohibited unless "hands-free" is used.

When using a cell phone in a "hands-free mode" dialing of the phone shall only be done when the vehicle is stopped or through the use of voice activated commands. Texting while driving a vehicle is prohibited.

PERSONAL USE OF CITY-PROVIDED CELLULAR PHONES. City-provided cellular phone use is billed on a time-used basis and intended for City business only. Emergency personal use should be limited to 3 minutes or less.

11. CITY OWNED VEHICLES, EQUIPMENT

City Policy Reference 200-11

PURPOSE

To establish a policy regarding personal use of City owned vehicles, equipment and materials.

POLICY

City owned vehicles, equipment, materials, or services for personal convenience or profit is prohibited. Use is to be restricted to such services as are available to the public generally, for the authorized conduct of official business, and for such purposes and under such conditions as are directed by administrative order of the chief executive officer of the City (Mayor).

DEFINITIONS

Vehicles: Automobiles, vans, trucks, tractors and other specialty vehicles

Equipment: Telephones, computers, copy machines, fax machines, or other office equipment provided for the accomplishment of clerical tasks; tools and equipment used to repair facilities, grounds, and vehicles; and/or any other type of city owned property.

Materials: Paper, pens, other desk and office supplies; items such as fertilizer, cleaner, pesticide, etc., used in grounds and facilities maintenance; and operational supplies used to repair, clean or fuel equipment.

Services: Any service provided by the City in the performance of its municipal responsibilities.

PROCEDURE

City Mail Room: The City mail room will not accept personal packages from City personnel to be mailed or packages of a personal nature mailed to City personnel at the City address. The mail room is very busy with business related mail distribution and other responsibilities. Personal letters that are self-stamped and sealed will be accepted and mailed by the City mail room. However, the City will not be responsible if a letter is not delivered to the recipient.

12. USE OF PERSONAL VEHICLES

City Policy Reference 200-17

PURPOSE

To document the policy for the use of personal vehicles for official city business.

POLICY

The City encourages City personnel to use city-owned vehicles for official city business; however, the use of personal vehicles is allowed per the following guidelines:

1. **LIABILITY INSURANCE.** Those who use personal vehicles for city business must purchase and maintain auto liability insurance that meets or exceeds the state's minimum requirements for bodily injury and property damage and must keep a copy of proof of insurance in their vehicle at all times. In the event of an accident the individual's personal auto insurance provides the primary coverage, and the City's liability insurance provides coverage in excess of that policy. The City does not provide collision or comprehensive insurance coverage for personal vehicles even when used for official city business. In some cases an individual's insurance company may require a special endorsement for business use; therefore, those individuals should contact their insurance agent to determine if special coverage is required.
2. **DRIVING UNDER THE INFLUENCE OF DRUGS AND ALCOHOL.** Driving any vehicle on city business during or after consumption of drugs, alcohol or prescription medication that affect driving ability is strictly prohibited per the City's Alcohol and Drug Free Work Environment Policy.
3. **COMPENSATION FOR BUSINESS USE OF PERSONAL VEHICLES.** The City will compensate City personnel who use personal vehicles for official City business on a per mile basis at the current standard mileage rate established by the Federal Government. To receive compensation for local mileage, City personnel must submit a Travel Authorization and Explain Claim form per the City's Travel Authorization & Reimbursement for Business-Related Travel Expenses Policy.

13. WORKPLACE INSPECTIONS

City Policy Reference 200-33

PURPOSE

The City of Auburn has a responsibility to ensure a safe workplace and conduct any related investigations in a timely and thorough manner. For these, and any other reason the City determines appropriate and necessary, the City has a right to conduct random and unannounced inspections workspaces.

POLICY

The City provides equipment, furniture/lockers, vehicles, materials and other items for the use by City personnel in their conduct of official City business. The City does not assume responsibility for any theft or damage to any personal belongings occurring within the workplace.

The City of Auburn retains the right to conduct random and unannounced inspections of workspaces.

14. WORKPLACE HEALTH AND SAFETY

City Policy Reference 300-01

PURPOSE

To document the City of Auburn's policy on workplace health and safety.

POLICY

The City of Auburn takes the health and safety of its workforce seriously and will comply with all applicable federal, state and local health and safety regulations to provide a work environment free from recognized hazards likely to cause injury, illness or death.

15. ID BADGES

City Policy Reference 200-38

PURPOSE

To establish the City's policy on City personnel identification and building access badges.

POLICY

The City utilizes a keyless entry ID Badge Access system for entry to most City building. Building access assignments are made by Human Resources based on position, assigned responsibilities and individual building policies. Oversight of badge access systems management is a collaborative effort involving Human Resources, Facilities and Information & Technology.

The City will issue photo identification access badges to all elected officials, full-time, part-time and non-benefitted employees. Volunteers will receive non-photo identification/building access

badges, unless they are volunteering in the Police Department or Emergency Management Division, in which case they will receive a photo identification/building access badge.

16. DRESS FOR YOUR DAY

City Policy Reference 200-39

PURPOSE

The policy articulates the City's "Dress for Your Day" philosophy and provides a flexible and reasonable dress standard for all. This policy is to support a work environment that is comfortable and inclusive for all City personnel.

Ultimately, the racially, gender, religiously, and politically inclusive business casual dress code aims to balance individual expression, professionalism, and safety requirements, fostering an environment where all feel valued, respected, and able to perform their duties effectively.

POLICY - DRESS FOR YOUR DAY

1. The City's "Dress for your Day" philosophy encourages individuality and personal discretion by allowing individuals to tailor their clothing choices to the day-to-day demands of their role and the work that they perform. Individuals should consider their day's schedule, tasks being performed, and the people with whom they'll have interaction.
2. Good judgment should always be applied when making decisions on workday attire. Dress for Your Day embodies the basic sentiment that the City trusts individuals to know how to exercise good judgment in choosing clothing for the workday. This philosophy is intended to reinforce that trust.
3. General Expectations. To provide guidance, some minimum standards are outlined below.
 - a. Casual is the default dress code. Casual is defined as all shirts with collars, crewneck or v-neck shirts, blouses, and golf and polo shirts. Casual slacks and trousers, jeans without holes, etc. Dresses/skirts that are mid-thigh or longer, except for safety sensitive positions prohibited by the Department of Labor & Industries. Clean, athletic shoes, casual slip-on or tie shoes and dress sandals.
 - b. Business attire may be necessary for meetings with elected officials, community members or customers, colleagues or networking opportunities. Business attire is defined as all shirts with collars, blouses, and golf and polo shirts. Slacks and trousers. Dresses/skirts that are mid-thigh or longer. Slip on or tie shoes, dress sandals and clean athletic shoes.
 - c. Attire and appearance should be clean and appropriate to the workday.
 - d. Hats should have the City of Auburn logo to aid in identification when serving the public.
4. Inappropriate Attire. It would be impossible to provide an exhaustive list of what is or is not acceptable when it comes to appropriate attire. That said, below are some examples of inappropriate or unprofessional attire. This list is not intended to be exhaustive.
 - a. Garments that are dirty, ripped, extremely worn or threadbare.
 - b. Attire printed with social movements, counter movement, or political affiliations.
 - c. Sleepwear, including slippers.

- d. Beachwear, including flip-flops, swimwear and shorts.
- e. Shirt or blouse that ends above the waist, exposing a midriff section.
- f. Exercise gear is generally not appropriate but may be worn when participating in wellness, recreation or City-based activities.
- g. Applying the Dress for Your Day standard, beach wear and/or exercise gear would be reasonable attire for parks/recreation staff.
- h. Heavily scented lotions, perfumes, colognes should be generally avoided, as some people have scent allergies and sensitivities. Where specific disability accommodations have been put in place, use of such products may be formally restricted.

17. PUBLIC RECORDS REQUESTS

City Policy Reference 400-03

PURPOSE

To establish the procedures the City of Auburn (“City”) will follow in order to provide full access to public records. These rules provide information to persons wishing to request access to public records of the City and establish processes for both requestors and the City staff.

POLICY

RCW 42.56.070 (1) requires each agency to make available for inspection and copying nonexempt “public records” in accordance with published rules. The act defines “public record” to include any “writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained” by the agency.

RCW 42.56.070(2) requires each agency to set forth “for informational purposes” every law, in addition to the Public Records Act, that exempts or prohibits the disclosure of public records held by that agency. The City adopts by reference the list of exemptions found in Appendix C of the Public Records Act for Washington Cities, Counties, and Special Purpose Districts published by Municipal Research & Service Center, last update March 2019, as that list may be amended.

In accordance with RCW 42.56.070(4)(a), the City finds that the City is comprised of multiple departments, which maintain separate databases and document management systems. The City further concludes that because of the multiple locations, formats, and storage systems, it is unduly burdensome to main an all-inclusive index of public records. Therefore, the City does not maintain an all-inclusive index of public records.

18. ELECTRONIC SIGNATURES

City Policy Reference 400-04

PURPOSE AND ADMINISTRATION

To establish an electronic signature policy for the City.

This policy may be modified, rescinded, or replaced at any time by the City Attorney.

POLICY

The City recognizes electronic signatures as legally binding and equivalent in force and effect as an original handwritten signature and authorizes the use of an electronic signature platform to affix signatures to City records as provided in this policy. Electronic signatures may be affixed to all records not legally required to have an original handwritten signature, including but not limited to, meeting minutes, resolutions, ordinances, engineering records, and any and all leases, contracts, and agreements to which the City is a signatory.

Electronic signatures may be used on City records requiring execution by a third party. Electronic signatures cannot be applied using another employee's name. Records signed by a designee on behalf of the Mayor, City Clerk, City Attorney, City Engineer, Engineer of Record or Department Director shall use the designee's own electronic signature.

If an electronic signature is used for interstate transactions or for documents required by the U.S. Federal government, the electronic signature shall comply with the requirements of the Electronic Signatures in Global and Electronic Commerce Act. This policy in no way affects the City's ability to conduct a transaction using a physical medium and shall not be construed as a prohibition on the use of original handwritten signatures.

19. PETITIONS AND SIGNATURE DRIVES AT CITY HALL

City Policy Reference 500-1

PURPOSE

It is the purpose and intent of this policy to make available at City Hall and other public facilities of the City access to and an opportunity for exchange of information. There are occasions when public service projects and matters of community interest would warrant the use of City Hall and other City facilities. Among the methods that information may be gathered and shared are petitions and signature drives. However, state law (RCW 42.17.130) provides strict limitations on the use of public facilities for political campaigns, ballot measures and elections matters. Accordingly, the accessibility and availability of City Hall and other City facilities for petitions and signature drives related to political campaigns, ballot measures and elections matters must be curtailed in accordance with state law. Therefore, in order to provide for distinction between those petitions and signature drives that are election related and those that are community oriented but unrelated to election matters, a policy should be implemented.

POLICY

Whenever proponents of a petition or signature drive wish to solicit signatures and have petitions available for signature at City Hall and other City facilities, the Community Development Director shall screen the petitions and signature drives to assess whether they have any relationship to any political campaigns, ballot measures or election matters.

1. If the Community Development Director determines that the signature drive or petition is related to any ballot measure, election or candidacy, it shall be denied permission to utilize City Hall or other City facilities.
2. If the Community Development Director determines that the petition or signature drive is unrelated to any political campaigns, ballot measures or elections matters, the Community Development Director shall then assess whether the petition or signature

drive is community oriented or directed to issues and matters objectively beneficial to the City.

3. If the Community Development Director determines that the signature drive or petition is not community oriented or directed to issues and matters objectively beneficial to the City, it shall be denied permission to utilize City Hall or other City facilities.
4. On the other hand, if the Community Development Director determines that the signature drive or petition is community oriented or directed to issues and matters objectively beneficial to the City, it may be granted permission to utilize City Hall or other City facilities, subject to reasonable space and access considerations.
5. In considering whether the signature drive or petition is community oriented and/or directed to issues and matters objectively beneficial to the City, the Community Development Director shall consider whether it meets or promotes a legitimate municipal/governmental purpose and whether it does so in a way that is fair and responsible.

20. OBSTRUCTION OF ACCESS TO CITY FACILITIES

City Policy Reference 500-2

PURPOSE

To establish a policy that bans use of entry-plaza areas around City Hall, as well as use of other City facilities for purposes different than those for which they were intended, or which interferes with or which could interfere with the intended uses.

POLICY

People are prohibited and prevented from any use of City facilities that interferes with the purposes for which the City facilities were intended, or which interferes with or obstructs safe, clean access to City facilities. This includes, but is not limited to use of bicycles, scooters, skates, skateboards and similar vehicles in the entry-plaza areas around City Hall.

21. TRAVEL AUTHORIZATION

City Policy Reference 100-11

RCW 42.24

Auburn Municipal Code 2.54

PURPOSE

To provide Councilmembers who incur authorized travel, subsistence, registration and related expenses while on City business, reasonable and timely mechanisms for reimbursement and/or the advancement of such necessary expenditures.

It is also recognized that City payment of business-related food and beverage for non-travel purposes will be incurred by Councilmembers wherein reimbursement will be provided. This policy also served to provide guidelines by which to determine whether or not expenditure by a Councilmember may be reimbursable to that Councilmember, and by which to determine refreshments and related costs served or made available at meetings involving volunteers and other quasi-employees are legitimate City expenditures.

POLICY

The City will pay reasonable and necessary expenses incurred by Councilmembers while conducting authorized City business. When incurring such expenses, Councilmembers must be sensitive to public expectations as to the use of public moneys and the need to use good judgment. The City will not pay ineligible expenses such as alcoholic drinks, expenses incurred by a spouse or another person, and first-class travel, nor will the City pay expenses judged excessive, extravagant, unnecessary or unreasonable.

It shall be the policy of the City to allow attendance and participation of City elected and appointed officials, employees, members of boards, and commissions at meetings and conventions when such participation is determined to be in the public interest. It shall be understood that all subsistence rates, allowances and payments provided to City employees/officials through the implementation of this policy shall only be paid when such employee or official is engaged in duly authorized City business and not for any other purposes.

22. USE OF CITY CREDIT CARDS

City Policy Reference 100-12
RCW 43.09.2855
Auburn Municipal Code 3.10.020

PURPOSE

1.1 To establish a policy and procedure related to the distribution, authorization, control and use of City credit cards.

1.2 To establish credit limits and payment of bills related to City credit cards.

POLICY

The City of Auburn finds that the use of credits cards is a customary and economical business practice to improve cash management, reduce costs and increase efficiency.

Use of Credit Cards shall be limited to the following:

- Extraordinary and/or emergency type circumstances;
- Advance payment for budgeted and authorized training classes/ seminars;
- Advance payment for budgeted and authorized purchases made via the internet;
- Budgeted, approved. travel including costs associated with such travel (advance payment of airline fares, lodging, registration fees, and tuition);
- Non -travel status meals (see receipt requirement in section 5. 4);
- Travel status meals limited to the. Per Diem rate (see requirements in section 5. 4).
- See also the Travel. Authorization & Reimbursement for Business - Related Travel. Expenses policy, No. 100- 11.

All credit card receipts must be itemized or have an itemized receipt accompanying them. Meal receipts shall include a detail of food and beverages served. Meals purchased in travel status will be limited to per diem amounts. If the per diem rate is exceeded, the card user must reimburse the City.

Personal charges to City credit cards are not allowed under any circumstance

Disallowed charges, or charges not properly identified, will be paid by the card user before the charge card billing is due. Failure to do so will render the card user personally liable for the unpaid amount, plus interest and/ or any fees at the rate charged by the bank that issued the card.

Cash advances on all City credit cards are prohibited.

23. PURCHASING CARDS

City Policy Reference 100-15

PURPOSE

To establish policies and procedures for employees regarding the use of purchasing cards to procure goods or services for official City business purposes.

POLICY

It is the policy of the City of Auburn to authorize cardholders to make purchases using a City of Auburn purchasing card. Use of purchasing cards will reduce costs associated with processing invoices and purchase orders by departments and accounts payable and maintain good business relations with suppliers through prompt payments.

Authorized cardholders are responsible for becoming knowledgeable with proper use of the card, authorized expenditures, and the documentation requirements. Authorized cardholders are to use the cards only for official City business.

All purchasing cards will be issued to the City of Auburn in the name of the authorized cardholder. The purchasing card must be maintained on person or otherwise secured in a manner to maintain control of the card. For safety purposes the authorized cardholder's identification or social security number is not associated with the card.

Purchasing Card Program Cardholder Responsibilities:

1. Be accountable and responsible for the purchasing card in his/ her name at all times.
2. Use the purchasing card for official City business only and not personal use or cash advances. The Purchasing Card Agreement between the cardholder and the City must be completed and signed by the cardholder and Pcard Program Administrator (Finance A/ P) before the purchasing card will be issued. The Purchasing Card Agreement and its terms are incorporated as part of this policy.
3. Obtain and retain original receipts, packing slips, and shipping documents for each purchase made with the purchasing card. A monthly report will be provided by the cardholder.
4. Reconcile, or arrange for the reconciliation of, the purchasing card monthly report/ statement. Confirm that original receipts documenting all transactions on the report are supportable as appropriate City expenditures are attached to the report. Have the monthly report reviewed and approved according to internal department policies and submitted to the Finance Department by the appropriate due dates. Include appropriate additional documentation when consistent with other City policies (i. e., travel authorization forms).

5. All purchasing card purchases must comply with the City of Auburn Purchasing and Travel policies and procedures. The purchasing card is not to be used as a substitute for contracts.
6. The use of the purchasing card does not relieve the cardholder from complying with other State, City, and department policies and procedures. The purchasing card is not intended to replace effective procurement planning, which can result in quantity discounts, a reduced number of trips, and more efficient use of City resources.
7. The authorized cardholder is the only person entitled to use the purchasing card that has their name on the face of the card. Purchasing cards should be treated with extreme care in the same manner as a personal credit card. The cardholder is responsible for reporting a lost or stolen card immediately to their supervisor and Purchasing Card Program Administrator (Finance A/P).

DEFINITIONS:

AUTHORIZED CARDHOLDERS. The Mayor, City Council members, and authorized full or part-time regular City employees are eligible to use purchasing cards. Temporary employees are not authorized to use purchasing cards.

PURCHASING CARDS. Will be a credit card with a Visa logo issued from the bank or procurement card program of the City's choice.

Chapter 10 Leaving Office

10.01 Return of Materials and Equipment

During their service on the City Council, members may have acquired or been provided with equipment such as computers or other items entailing a significant expense, as well as copies of the Bothell Municipal Code, *Imagine Bothell...*, Comprehensive Plan, mailbox key, etc. These items are to be returned to the City at the conclusion of a member's term.

10.02 Filling Council Vacancies

A. Purpose

The purpose of this section is to provide guidance to the City Council when a Bothell 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.

B. 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.

C. 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 their position cannot participate in the appointment process.

(2) The City 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, with courtesy copies to all other local media outlets, which announces the vacancy consistent with the requirements necessary to hold public office: that the applicant (a) be a registered voter of the City of Bothell, and (b) have a one (1) year residency in the City of Bothell. This display advertisement shall be published once 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 information, salary information, Councilmember powers and duties, the deadline date and time for submitting applications, interview and appointment schedules, and such other information that the City Council deems appropriate.

(4) The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. Applications will be available at City of Bothell offices and on the City's official website. Copies of the display advertisement will be provided to current members of the City of Bothell commissions, committees, task forces and other City-sponsored community groups.

(5) Applications received by the deadline date and time will be copied and circulated, by the City Clerk's Office, to the Mayor and City 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 City Council meeting, or a special City Council meeting.

(7) The City Clerk's Office shall notify applicants of the location, date and time of City Council interviews.

(8) Prior to the date and time of the interview meeting, the Mayor shall accept one interview question from each Councilmember.

D. Interview Meeting

Each interview of an applicant/candidate shall be no more than 30 minutes in length as follows:

(1) The applicant shall present their credentials to the City Council. (5 minutes)

(2) The City 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 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 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.

E. Voting

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

- (1) The Mayor shall ask for nominations from the Councilmembers for the purpose of creating a group of candidates to consider. No second is needed.
- (2) Nominations are closed by a motion, second and majority vote of the Council.
- (3) Councilmembers may deliberate on such matters as criteria for selection and the nominated group of candidates.
- (4) The Mayor shall poll Councilmembers to ascertain that Councilmembers are prepared to vote.
- (5) The City Clerk shall proceed with a roll-call vote.
- (6) Elections will continue until a nominee receives a majority vote of the remaining Councilmembers.
- (7) At any time during the election process, the City Council may postpone elections until a date certain or regular meeting if a majority vote has not been received.
- (8) Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the applicant/candidate qualifications.
- (9) The Mayor shall declare the nominee receiving the majority vote as the new Councilmember and shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled City Council meeting.
- (10) If the City Council does not appoint a qualified person to fill the vacancy within 90 days of the declared vacancy, pursuant to RCW 42.12.070(4), the county in which all or the largest geographic portion of the city is located shall appoint a qualified person to fill the vacancy.

2.08 Council Attendance

At the beginning of each Council Meeting, the Mayor will excuse any Councilmember who has contacted the Mayor or City Manager's office prior to the meeting to notify them of their absence.

"Excused" is when the Mayor, Presiding Officer, City Manager's office, or staff liaison (for advisory boards), receives notification of an absence prior to a meeting.

"Unexcused or absent" is when the Mayor, Presiding Officer, City Manager's office, or staff liaison (for advisory boards), does not receive notification of an absence prior to a meeting.

A council position becomes vacant if a Councilmember is unexcused or absent for three consecutive Regular meetings of the Council.

([RCW 35A.12.060](#) as now or hereafter amended).

2.09 Council Vacancy

A Council position is officially declared vacant upon the resignation, recall, forfeiture of position, or death of a Councilmember. The remaining members of the governing body shall appoint a qualified person to fill the vacant position ([RCW 35A.13.020](#)).

Resignation Process

Council must receive a written notice with an effective date of resignation. The resignation is effective as of the date provided in the written notice. Council accepts the resignation by a motion and vote.

Appointment Process

The City Manager's office coordinates the recruitment process.

1. The City Manager's office issues an advertisement to the local paper and other media outlets for a 2-3-week period. The announcement includes the requirements necessary to hold office, time to be served in the vacant position, election information, salary information, Council duties, and the deadline date and time for submitting applications ([RCW 35A.13.020](#)).
2. The City Manager prepares an application form that requests appropriate information for Council consideration of the applicants. Applications will be available at City Hall, and posted on the website.
3. Applications received by the deadline are copied and distributed to the Council. Packets may contain additional information, such as resumes and references.
4. Prior to interviews, the Mayor requests and accepts suggested interview questions from each Councilmember.

5. The Clerk's office publishes the required public notice for the meeting scheduled for interviewing applicants for consideration for the vacant position.
6. The Clerk's office notifies applicants of the location, date and time of the Council interviews.

Interview Requirements

- Interviews with candidates must be held in an open public meeting.
- The applicants' order of appearance will be determined by the date and time when the application was received.
- The decision as to which applicants to interview will be determined by the Council based on the information contained in the application form.
- The Council will ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and answer the same set of questions. Follow-up questions, based upon responses, are permitted.
- An informal question and answer period in which Councilmembers ask and receive answers to miscellaneous questions may be set aside for 10 minutes upon approval of a majority of Councilmembers.

Voting

1. Upon completion of the interviews, the Council may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, deliberations, nominations, and votes taken by Council must be in open public session. The Council may not determine who to select or reach a consensus on a preferred candidate in Executive Session.
2. The Mayor asks for nominations from Councilmembers for the purpose of creating a group of candidates to be considered. No second is needed.
3. Nominations are closed by a motion, second, and majority vote of Council.
4. Councilmembers may deliberate on matters such as criteria for selection and the nominated group of candidates.
5. The Mayor polls the Councilmembers to ascertain if they are prepared to vote. Voting must take place in a manner in which the public is notified as to the vote of each existing Councilmember for which candidate. If there is more than one candidate, a vote must be taken for each candidate to record each Councilmember's vote.
6. The City Clerk records the votes in the meeting minutes.
7. The selection of a candidate to fill the vacancy is made by a majority vote of the remaining six members of the Council.

8. If a majority vote is not received for a candidate, the Council may postpone elections until another date.
9. The Mayor declares the nominee receiving the majority vote as the new Councilmember to be sworn in immediately after the effective date of the resignation.
10. The term of the candidate selected to fill the vacancy will be in effect until a person is elected at the next regular election for municipal officers. The interim term would then end, and the new term begin upon certification of election results.
11. If the Council does not appoint a qualified person to fill the vacancy within 90 days of the occurrence of the vacancy, the County Commissioners will appoint a person to fill the vacancy ([RCW 42.12.070](#)).

2.10 New Councilmember Orientation

Newly-elected Councilmembers are an integral part of the City team. The City Manager's office coordinates an orientation process, schedules interviews with the City Manager and Department Directors, and provides opportunities for tours of City facilities and infrastructure. The City Manager's office also coordinates Open Government Trainings, as required by state law ([RCW 42.56.150](#)). Councilmembers are encouraged to attend the Association of Washington Cities (AWC) annual new member orientation. The Mayor and existing Councilmembers welcome and mentor new members, share perspectives and insights, and discuss priorities, procedures, and protocols.

2.11 Appointment and Role of City Manager

The City Manager is the chief administrative officer of the City, appointed by and accountable to the Council.

The City Manager is responsible for the effective administration and management of the City and the efficient delivery of all City services. The City Manager appoints and supervises all Department Directors. The City Manager is responsible for all hiring and employment decisions, the approval of all operating rules and procedures, ensuring quality performance, proper financial management of City funds, and carrying out the policy directives of the Council.

The City Manager prepares the annual budget for Council approval, assists in the identification of community priorities, and facilitates public involvement and participation in key areas of policy development and service delivery. The City Manager proposes policy recommendations to the Council, advises on matters of community interest, and supplies facts and information as appropriate to provide the Council with a comprehensive basis for making decisions and establishing annual goals and priorities for the City. The City Manager also attends and represents the City on various intergovernmental committees ([RCW 35.A.13.080](#)).

The Council evaluates the City Manager's performance on an annual basis, generally in the first quarter of the calendar year, to ensure that both the Council and the City Manager are in agreement about performance and goals based upon mutual trust and common objectives.



POLICY AND PROCEDURE

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	Administrative/Council/City Manager			
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Filling City Council Vacancies	Supersedes 9/24/18	Prepared by: [City Manager]		Approved by: [Mayor]

1.0 Purpose

The purpose of this policy is to provide guidance to City Council when a Vancouver 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 to serve the remainder of the unexpired term until the next regular election.

2.0 Organizations Affected

City Council/City Manager

3.0 References

Vancouver City Charter – Sections 2.01 Terms; 2.02 Qualifications; 2.06 Vacancies Defined; 2.08 Vacancies in Council

RCW 29A.60.270 Beginning of terms; RCW 29A.60.280 Term of office; 42.30.110(h) – Executive Session Allowed to Consider Qualifications of a Candidate for Appointment of Elective Office; RCW 42.30.060 – Prohibitions on Secret Ballots; RCW 42.12 – Vacant Position

- City Council Resolution M-3274, January 3, 2000
- City Council Resolution, M-3730, January 3, 2011
- City Council Resolution M-3980, September 24, 2018
- City Council Resolution M-4157, December 13, 2021

4.0 Notification Process

A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in City of Vancouver Charter, Section 2.06, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The

Councilmember who is vacating their position cannot participate in the appointment process.

Vacancies in the City Council shall be filled by a majority vote of the remaining members of the City Council. Such appointee shall hold office only until the next regular general election, at which time the appointee may run to serve the remainder of the unexpired term.

City 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. In the case of a councilmember submitting an intent to resign, the application process may commence prior to the effective date of the resignation. The overall length of the process timeline should allow for the expedient conclusion of the appointment process, but also sufficient time for Council evaluation of candidates. The City Manager's Office will propose an appointment schedule to the Council prior to advertisement of the vacancy.

The City Manager's Office shall prepare and submit a display advertisement to *The Columbian, Oregonian and Daily Insider*, posted on the City's website and social media site, distributed via the City's internal and external newsletter services (*Currents, Emma, Office of Neighborhoods, etc.*), and distributed to all current members of Vancouver advisory boards, commissions, committees, and task forces (per Council policy 100-06) via email to the staff of those bodies with copies to other local media outlets, which announces the vacancy consistent with the requirements necessary to hold public office: that the applicant be a qualified elector¹ and hold no other public office; and have no employment under the city government.

This display advertisement shall be published once each week for two consecutive weeks. This display advertisement shall contain other information, including, but not limited to:; time to be served in the vacant position; election information, including qualifications of an elected official; salary information; Councilmember powers and duties; complete list of materials required to apply for appointment; the deadline date and time for submitting applications; interview and appointment schedules; and such other information that the City Council deems appropriate.

5.0 Application Process

5.1 The Application

The City Manager's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. The application form will request the following information from the applicant:

- Pertinent contact information
- Confirmation the applicant is a qualified elector¹

¹ To be a "qualified elector" a person must be at least 18; a citizen of the United States; have lived in the city for at least 30 days prior to the election at which they offer to vote; have not been convicted of a felony unless their civil rights have been restored. Washington State Constitution Article VI, Section 1.

- Answers to the following:
 1. Is there anything in your background that would attract heightened public scrutiny if undisclosed and later discovered?
 2. Please give a brief summary of your background and experience, including education, work history and civic engagement activities.
 3. Why are you seeking appointment to the City Council? What do you feel your qualifications are for the position?

Applications will be available at City of Vancouver offices, on the City's website and such other locations that the City Council deems appropriate.

5.2 Supplemental Materials

In addition to the application form, the applicants will also be required to provide a completed Washington State PDC form F-1 and a current resume. The F-1 form must be provided directly to the City Manager's Office. It should not be submitted on the Washington PDC website.

In addition to the required supplemental materials, candidates may also submit additional supportive information, such as a list of endorsements, up to three (3) letters of reference, and other pertinent materials. Endorsements and letters of reference should include contact information for the person(s) supporting the candidate.

5.3 Conclusion of Application Period

The application period shall be open for at least two weeks and no more than 30 days following the announcement of the vacancy and details of the appointment process. The length of the application period will be included in the proposed appointment schedule, as set forth in section 4.0.

Applications received by the deadline date and time will be copied and circulated by the City Manager's Office to the Mayor and City Council within one (1) business day following the deadline. Candidates who submit completed application packets by the deadline will be required to also submit information necessary for the City to conduct a criminal background check, the results of which will be provided to the City Council.

All completed candidate application packets will be posted on the City's website following the application deadline and delivery of the packets to the City Council. Applicant materials will be redacted for non-disclosable information prior to being made public.

6.0 Council Evaluation of Candidates

City Councilmembers, individually, will conduct an initial review of all completed applications.

Council will meet in executive session at the next Council meeting to discuss applicant qualifications. It is permissible to meet in executive session to “evaluate the qualifications of a candidate for appointment to elective office.”² The City Manager’s Office will provide Council with the results of the candidate criminal background checks during this executive session.

In the event the City receives more than 10 completed applications, each City Councilmember will submit to the Council Assistant an unranked list of names of the candidates the Councilmember wishes to move forward in the process. Each Councilmember’s list should contain no more than 15 names. The Council Assistant shall aggregate all Councilmember lists into one unranked master list of the 10-15 candidates most commonly selected among the individual lists provided. The list shall be arranged in alphabetical order and shall only include the names of the candidates. This aggregated list shall be provided to the Council during the executive session held prior to the interview meeting.

Immediately following executive session, Council shall meet in public session to select which candidates to invite to participate in an interview at the next City Council meeting. The decision as to which applicants to interview will be based on the information contained in the application forms and Council’s evaluation of the qualifications of the candidates. The decision as to which candidates will be interviewed will be at the sole discretion of the City Council.

The City Manager’s Office shall notify applicants selected for interview of the location, date and time and format (per Section 7.0) of City Council interviews. In the event Council does not select all applicants to move forward to the interview, staff in the City Manager’s Office will notify those candidates not selected of their status. Information about the interview meeting and those applicants selected for an interview will be announced to the public via a news release and posted on the City’s website after all applicants have been contacted.

Prior to the date and time of the interview meeting, each Councilmember shall submit one interview question and one back-up question to the Mayor and Council Assistant. If two or more Councilmembers submit the same primary question, the Mayor shall choose whose to accept, and the back-up question(s) from the other Councilmember(s) will be used. The final list of questions will be provided to all of Council prior to the interview meeting. Each Councilmember will ask their question during the interviews.

7.0 Interview Meeting

² RCW 42.30.110(1)(h).

An interview meeting shall be scheduled for a regularly scheduled Council meeting. The meeting will be open to the public and broadcast and live streamed by CVTV.

At the opening of the interview meeting, the Mayor shall provide an overview of the format and ground rules for the meeting. The applicant's order of appearance also shall be determined at this time by a random lot drawing performed by the Council Assistant.

In order to ensure each candidate has a fair and equal opportunity to speak with Council, all candidates shall be sequestered at City Hall for the duration of all candidate interviews. Access to electronic devices shall be prohibited during sequestration. Candidates will be ushered to and from the City Council Chambers by a member of City staff in order to participate in their interview at the pre-determined time. Candidates will be released from sequestration upon conclusion of the final interview and may observe the remainder of the public portion of the Council meeting.

Each candidate interview shall be no more than 30 minutes in length. The Council may reduce the 30-minute interview time if the number of applicants exceeds six candidates. Each interview shall follow the following format:

- The applicant shall present their credentials to the City Council (up to 10 minutes).
- The City Council shall ask the predetermined set of questions, one question per Councilmember, 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 (up to 14 minutes)
- An informal question-and-answer period during which Councilmembers may ask and receive answers to miscellaneous or follow-up questions (remainder of time).

8.0 Voting

Upon completion of the interviews, Councilmembers may convene into Executive Session to further evaluate the qualifications of the candidates; however, all interviews, nominations and votes taken by the Council shall be in open public session.

Balloting will continue until a nominee receives a majority of votes.

At any time during the balloting process, the City Council may postpone balloting until a date certain or regular meeting if a majority vote has not been received.

Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the candidate qualifications.

The Mayor shall declare the nominee receiving the majority vote as the new Councilmember and he or she shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled City Council Meeting.

