

RESOLUTION NO. 1731

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIFE,
PIERCE COUNTY, WASHINGTON, REGARDING COUNCIL
PROCEDURES AND REPEALING RESOLUTION 1686.

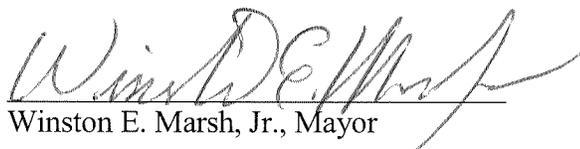
WHEREAS, THE City Council has adopted Council Procedures in order to provide for the efficient operation of City Council meetings; and

WHEREAS, after reviewing the rules and procedures set forth in Resolution No. 1686, the Council has decided to amend the rules to reflect the Council's current practices; and

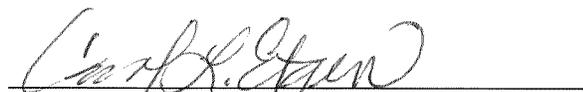
WHEREAS, for ease of reference the previous council procedure resolution is being repealed and the entire council procedures are being adopted as set forth in Exhibit A - Agenda Format, and Exhibit B - Meeting Procedures; now therefore

BE IT RESOLVED that Resolution 1686 is hereby repealed and the Council hereby establishes the procedures set forth in Exhibits A and B as the procedures to be followed at all Council Meetings.

ADOPTED by the City Council at an open public meeting held on the 13th day of September, 2016.


Winston E. Marsh, Jr., Mayor

Attest:


Carol Etgen, City Clerk

Fife City Council
Agenda Format for Regular Business Meetings

1. Executive Session
2. Call to Order & Roll Call
3. Pledge of Allegiance
4. Changes, Additions & Deletions
5. Citizens Comments (Items not on the Agenda)
6. Consent Agenda
7. Presentations & Proclamations
8. Committee Reports/Council Delegate
9. Public Hearings
10. Ordinances
11. Break (if needed)
12. Resolutions
13. Old/Unfinished Business
14. New Business
15. City Manager Report
16. Citizens Comments
17. Councilmember Comments (only those wishing to make comments)
18. Adjournment

The agenda format and order of business may be changed by the City Council.

Consent Agenda

This section of the Agenda shall include all items of a non-controversial nature for which it is anticipated that there will be no Council debate and no requests for public input.

The following items shall routinely be on the Consent Agenda:

1. Approval of Minutes
2. Approval of Payroll Vouchers as reviewed by the Voucher Committee
3. Approval of Claims Vouchers as reviewed by the Voucher Committee
4. Setting Public Hearings not otherwise set by the City Manager
5. Second Readings of Ordinances unanimously approved on first reading, without changes being made for second reading.
6. Any other items of a routine and non-controversial nature.

Before voting on the consent agenda, any member of the City Council may, by request, have an item removed from the consent agenda. That item will be considered for further discussion and action immediately after the vote on the consent agenda. No individual voucher may be so removed as discussions with regard to individual vouchers are to occur only at the Voucher Review Committee.

The remaining items on the consent agenda shall be approved by a single motion.

Public Hearings

A. The following procedures shall apply to legislative public hearings:

1. The Mayor or Presiding Officer will announce the purpose for the public hearing and staff will introduce the topic.
2. Council may ask questions and seek clarification from staff.
3. The Mayor or Presiding Officer will open the public hearing and take testimony from the public
4. Each member of the public will have three (3) minutes to address the Council. No one may speak more than once, nor can they yield their time to someone else. After the speaker has used the allotted time, Council may ask questions of the speaker or recall an earlier speaker to respond to questions and the speaker may respond to the question, but may not engage in further debate.
5. Council may ask staff further questions.
6. The hearing will then be closed.
7. Council will not take action on any item subject to a legislative public hearing until the next regular council meeting after the public hearing is held, unless a majority of the Council votes to act on the item on the night of the hearing.

B. The following procedures shall apply to open record quasi-judicial public hearings:

1. The Mayor or Presiding Officer will announce the purpose for the public hearing the ground rules for the hearing.
2. The City Attorney will conduct an appearance of fairness doctrine inquiry.
3. The Mayor or Presiding Officer will open the public hearing.
4. City staff shall present staff report. Council may ask questions.
5. The proponent spokesperson shall be allowed ten (10) minutes to present testimony and evidence. Council may ask questions.
6. If the opponents to a proposal have chosen a spokesperson, then said spokesperson shall be allowed ten (10) minutes for presentation of testimony and evidence. Council may ask questions.
7. Each side shall then be allowed five (5) minutes for rebuttal.
8. After the proponents and opponents have used their speaking time, Council may ask further questions of the speakers, who may respond.
9. The Presiding Officer or a majority of the Councilmembers present may allow more time if requested.

10. At public hearings where a general audience is in attendance to present arguments for or against a public issue, a person may speak for five (5) minutes. No one may speak more than once. After the speaker has used the allotted time, Council may ask questions of the speaker or recall an earlier speaker to respond to questions and the speaker may respond to the question, but may not engage in further debate.
 11. The hearing will then be closed to public participation.
 12. Council will not take action on any item subject to a quasi-judicial public hearing until the next regular council meeting after the public hearing is held, unless a majority of the Council votes to act on the item on the night of the hearing.
- C. Closed Record Quasi-Judicial Hearings. For closed record quasi-judicial hearings, the council's decision is to be based solely on materials received into evidence at the previous open record hearing of the Hearing Examiner or other applicable commission or hearings officer, and the recommendation or decision from the open record hearing. The City Attorney shall provide the Council with proposed procedures and hearing format prior to each specific closed record quasi-judicial hearing.

Ordinances & Resolutions

1. The Mayor will announce the subject of the ordinance or resolution.
2. The Mayor will ask the City Clerk to read the title of the ordinance or resolution into the record.
3. Staff will present the item and Council may ask questions of staff.
4. The Mayor will ask if anyone in the audience wishes to address the item. Audience members may have up to three (3) minutes to address Council on the item.
5. The Mayor will ask for a motion and second to adopt the resolution or pass the ordinance.
6. If a motion is made and seconded, Council will then deliberate and take action.

Adjournment

Council meetings shall adjourn no later than 10:00 P.M. If Council desires to extend the meeting, a motion shall be required of a majority vote of Councilmembers present. Items not acted upon by the 10:00 P.M. deadline shall be deferred to the next respective Council meeting as old business, unless Council, by a majority vote of the members present, determines otherwise.

Fife City Council Meeting Procedures

1. Election and Duties of the Mayor

Biennially at the first meeting of the new council the members thereof shall elect a chairperson from among their number, that chairperson to have the title "Mayor." The Mayor shall be recognized as the head of the City for ceremonial purposes but shall have no regular administrative duties. The Mayor's term shall be for two years until the next Mayor is elected. If he/she resigns from the position before that term expires or a vacancy occurs in the office of the Mayor, the City Council, at their next regular meeting, shall elect from their number a new Mayor to complete the existing term.

2. Election and Duties of the Deputy Mayor

Annually, at the first meeting of each year, the members of the City Council shall elect from their number a Deputy Mayor. In the absence of the Mayor, the Deputy Mayor shall perform the duties of the Mayor.

3. Presiding Officer

The function of the Presiding Officer is to facilitate the orderly flow of Council business in accordance with the Council procedures set forth in this resolution. The Presiding Officer shall preserve strict order and decorum at all meetings of the Council. The Presiding Officer shall state all questions coming before the Council, provide opportunity for public participation and topic discussion by Council, and announce the decision of the Council on all subjects. Procedural decisions made by the Presiding Officer on items not set forth in this Resolution may be overruled by a majority vote of the Council.

All regular and special meetings of the City Council shall be presided over by the Mayor, or in his/her absence or by previous agreement, by the Deputy Mayor. If neither the Mayor nor the Deputy Mayor are present at a meeting, the Presiding Officer for that meeting shall be elected by a majority of the vote of those Council members present, provided there is a quorum.

The election/appointment of a Council member as Mayor or Deputy Mayor shall not in any way abridge his/her right to vote on matters coming before the Council at such meeting.

4. City Clerk

In the absence of the City Clerk, the City Manager shall designate the Clerk Pro Tempore.

5. Agenda

The City Manager shall determine which items are to be placed on the Council's agenda for each Regular meeting. The City Manager should make the agenda and supporting documentation available to each Councilmember as early as possible, generally by the Thursday prior to each Regular Business meeting and Study Session. Additions or amendments to the agenda can be authorized by motion of the City Council.

6. Meetings

Meetings declared open and public. All meetings of the City Council shall be open to the public and all persons shall be permitted to attend any meeting of this body, except as except as allowed by State law in Executive Session.

Regular meetings: The City Council shall meet regularly on the second and fourth Tuesday of each month at seven (7) p.m. except if at any time any regular meeting falls on a holiday, the Council shall meet on the next business day at the same hour. In addition to the business meetings, the City Council shall meet regularly on the third Tuesday of each month at six (6) p.m. for a Study Session to discuss topics of interest and to review future agendas. Typically, no public comment will be taken during a study session; however, if a member of the public wishes to speak, they may do so upon a majority vote of the Council. In addition to other methods of providing notice required by law, the agenda for such Regular meetings will be posted at Fife City Hall no later than the Friday before each meeting. The City Council shall meet at the Fife City Hall, unless otherwise publicly announced.

Special Meetings: Special meetings may be called by any four (4) members of the Council by written notice delivered to each member of the Council and noticed in accordance with State law.

Continuation of Meetings: The Council may, continue any regular or special meeting to a specific time and place. If all members are absent from any regular meeting the City Clerk may declare the meeting continued to a stated time and place. A copy of the order or notice of continuation shall be conspicuously posted immediately after continuation is ordered on or near the door of the place where the meeting was held.

Any hearing being held or ordered to be held by the City Council may be continued in the same manner as set forth for continuation of meetings.

7. Executive Sessions

The City Council may hold an executive session during a regular or special meeting. Before convening in executive session the Presiding Officer shall

publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer.

The following matters may be discussed in executive session per RCW 42.30.110:

To consider matters affecting **national security**;

To consider the **selection of a site or the acquisition of real estate** by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;

To consider the minimum price at which **real estate** will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;

To **review negotiations on the performance of publicly bid contracts** when public knowledge regarding such consideration would cause a likelihood of increased costs;

To **receive and evaluate complaints or charges brought against a public officer or employee**. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;

To **evaluate the qualifications of an applicant** for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

To **evaluate the qualifications of a candidate for appointment to elective office**. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public;

To discuss with **legal counsel** representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. This subsection does not permit a governing body to hold an executive session solely because an attorney representing the

agency is present. For purposes of this subsection "potential litigation" means matters concerning:

1. Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;
2. Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or
3. Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency;

8. Quorum

At all meetings of the City Council, four (4) members shall constitute a quorum for the transaction of business.

9. Councilmember Speaking Procedures

A Councilmember desiring to speak shall address the Chair and upon recognition by the Presiding Officer shall confine him/herself to the question under discussion.

Any member, while speaking, shall not be interrupted unless it is to call him/her to order.

No Councilmember shall speak a second time upon the same motion or item before opportunity has been given each Councilmember to speak on that motion or item. The Presiding officer may refuse to recognize a Councilmember that has already spoken twice on an item, unless the majority plus one of the Councilmembers present authorize additional time to speak by the member.

10. Audience Speaking Procedures

Audience members addressing the Council for items under Council discussion shall proceed as follows:

Any person, with the permission of the Presiding Officer, may address the Council, but the Presiding Officer shall be required to give recognition in the following order:

1. To a person designated by the Presiding Officer or by the City Manager or Department Director to introduce the subject under discussion.
2. To those in the audience who ask for recognition. The Presiding Officer shall make every effort to ensure that those wishing to make public comment on an issue being discussed by Council have an appropriate opportunity to do so before the Council takes a final vote on that item.

3. In addressing the Council, each person shall stand at the podium and, after recognition, give name and indicate whether they are a resident or business owner within the City of Fife, and unless further time is given by the Presiding Officer, shall limit his/her address to five (5) minutes. All remarks shall be made only to the Presiding Officer.
4. No person shall be permitted to enter into any item discussion from the public without first being recognized by the Presiding Officer.
5. Any person whose conduct is abusive or disruptive to the Council meeting may be prohibited from further speaking by the Presiding Officer and may be removed from the Council chambers unless permission to continue is granted by majority vote of the Council.

11. Questions of Parliamentary Procedure

Questions of parliamentary procedure not covered by this resolution shall be governed by Robert's Rules of Order, Newly Revised (latest edition). The City Clerk shall serve as the parliamentarian, whose decision shall be final on all matters of procedure, unless a majority of the Councilmembers present overrule the decision. Any Councilmember may call for a point of order at any time if the Councilmember believes that the Council procedural rules are not being followed. When a point of order is called for all discussion shall be stopped until the point of order is resolved.

12. Voting

A roll call vote may be requested by any member of the Council.

Each member present must vote on all questions before the Council. In the event a Councilmember wishes to abstain from a vote, he/she may abstain only after expressing his/her reasons for abstention into the record. Silence of a Councilmember during a voice vote shall be recorded as an affirmative vote except where such a Councilmember abstains.

Motions for reconsideration may be made at the same or next succeeding Council meeting in the same manner as any other motion by any Councilmember who voted with the prevailing side.

13. Voucher Review Committee

There is hereby created a Voucher Review Committee that shall consist of two (2) councilpersons, the City Manager, and the City Finance Director. The City Manager shall serve as the Committee Chairperson.

The Committee shall meet at 4:00 P.M. on the Monday before the 2nd and 4th Tuesday of each month at City Hall to discuss the vouchers to be considered at the next council meeting. In those situations where the Monday immediately preceding the regular Council meeting is a holiday or other non-business day, the Voucher Committee shall reschedule the meeting to a date and time prior to the

council meeting at which the vouchers are to be approved.

Members of the public shall be allowed to address the committee on any vouchers before the committee votes on its recommendation to the Council.

Any Councilmembers, whether or not on the committee, with questions regarding any vouchers, shall raise their questions at the Voucher Review Committee meeting, or prior to that meeting with staff members.

14. Public Records

Writings created by City Council members relating to the conduct of government or the performance of any governmental or proprietary function are public records. In an effort to promote transparency in government, City Council members will not use personal electronic devices or methods, including, but not limited to, cell phones, smart phones, personal computers, email accounts, texting, or tablets, to conduct City business in a fashion that creates a public record. If a document or message regarding City business is received by a Council member to a private device or account, the Council member will not respond from that device/account. Instead, the Council member will promptly forward that information to the City Public Records Officer and to his or her public device/account, and respond to the inquiry from the public device/account.