

Exhibit B

**CITY OF FEDERAL WAY
CITY COUNCIL
RULES OF PROCEDURE**

**ADOPTED
JANUARY 21, 1992**

Amended

March 17, 1992
May 19, 1992
July 21, 1992
December 15, 1992
April 20, 1993
January 18, 1994
June 7, 1994
September 21, 1994
December 6, 1994
November 16, 1999
February 19, 2002
February 19, 2003
, 2004

OFFICE OF THE CITY CLERK

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SECTION 1. AUTHORITY

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

SECTION 2. COUNCIL MEETINGS

2.1 TYPES OF MEETINGS

(1) Regular Meetings

Council's regular meetings will be held the first and third Tuesdays of each month in Council Chambers, City Hall.

Regular Council meetings will begin at the hour of 7:00 p.m., and will adjourn no later than 10:00 p.m. To continue past this time of adjournment, a majority of the Council must concur.

If any Tuesday on which a meeting is scheduled falls on a legal holiday, the meeting shall be held at 7:00 p.m. on the first business day following the holiday, or on another day designated by a majority vote of the Council.

(2) Special Meetings

A Special meeting is any Council meeting other than a Regular Council meeting. Notice shall be given at least 24 hours in advance specifying the time and place of the meeting and the business to be transacted. A Special Council meeting may be scheduled by the Mayor, City Manager or at the request of a majority of the Council Members.

(3) Study Sessions

Council's Study Sessions will be held, when needed, as follows:

Study sessions may be called by the Mayor, City Manager or by two (2) or more Council Members.

Study Sessions will be informal meetings for the purpose of reviewing forthcoming programs, receiving progress reports on current programs or projects, or receiving other similar information. The Mayor and City Manager will determine on-going dedicated schedules for regular Study Sessions.

No final decisions can be made at a Study Session. Decisions on those issues will be scheduled for a Regular or Special Council meeting.

(4) Emergency Meetings

An Emergency meeting is a Special Council meeting called without the 24-hour notice. An Emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor with the consent of a majority of Council Members. The minutes will indicate the reason for the emergency.

(5) Executive Session Meetings

An Executive Session is a Council meeting that is closed except to the Council, City Manager and authorized staff members and/or consultants authorized by the City Manager. The public is restricted from attendance. Executive sessions may be held during Regular or Special Council meetings and will be announced by the Mayor or the Chair of the Special Council Committee, respectively. Executive session subjects are limited pursuant to Chapter 42 RCW, including considering real property acquisition and sale, public bid contract performance, complaints against public officers and employees, public employment applications and public employee evaluation, elective office appointments and attorney-client discussions.

Before convening an Executive session, the Mayor or Chair shall announce the purpose of the meeting and the anticipated time when the session will be concluded. Should the session require more time, a public announcement shall be made that the meeting is being extended.

(6) Retreats

The annual retreat will be scheduled for the last week or weekend of January. Council may request Staff to schedule a mid-year retreat at its discretion.

ORDER OF REGULAR COUNCIL MEETING AGENDA**(1) Call Meeting To Order**

The Mayor calls the meeting to order. The Mayor will announce the attendance of Council Members and indicate any Council Member who is not in attendance and whether or not the Council Member has an excused absence. The Mayor may, with the concurrence of the Council Members, take agenda items out of order. Agenda items may be added pursuant to Section 3.3 of these Rules.

(2) Pledge of Allegiance

Council Members and, at times, invited guests lead the flag salute.

(3) Proclamations and Presentations

A Proclamation is defined as an official announcement made by either the City Council or the Mayor.

City Council Proclamations are defined as those non-controversial events which have a major citywide impact. City Council Proclamations shall be publicly read at a City Council meeting and presented to a representative of the event during the Council meeting.

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

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

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

City Manager - Introduction of New City Employees and Emerging Issues

(4) Citizen Comment

Members of the audience may comment on items relating to any matter. Citizen comment sign-ups will be available at each regular council meeting for the use of those citizens wishing to address the Council.

Comments are limited to three (3) minutes, except that for a person whose property is the subject of a condemnation ordinance then pending before the City Council, or a person speaking on behalf of a group, comments are limited to five (5) minutes. No speaker may convey or donate his or her time for speaking to another speaker.

The Mayor may allow citizens to comment on individual agenda items at times during any regularly scheduled City Council meeting other than the regularly scheduled Citizen Comment period. These agenda items include, but are not limited to, ordinances, resolutions and Council Business issues. (See also Section 5, "Citizen Comment" of these Rules.)

(5) Consent Agenda

Consent Agenda items have either been fully considered by a City Council Committee or are considered to be routine and non-controversial and may be approved by one motion. Items on the Consent Agenda include but are not limited to, minutes, resolutions and ordinances discussed at a previous City Council or Committee meetings, bid awards and previously authorized agreements. Any Council Member may remove any item from the Consent Agenda for separate discussion and action.

(6) Public Hearings

See Section 12 of these Rules for discussion of public hearing procedure.

(7) Council Business

Council Business items are usually those items other than resolutions and ordinances requiring Council action.

(8) Introduction and First Reading of Ordinances

Discussion and debate by the City Council may be held at this time. Council Members may request amendments to the ordinance at this time or at any time prior to adoption, direct staff to further review the ordinance, or approve placing the ordinance on the Consent Agenda at an upcoming Regular Council meeting for enactment as an enforceable City law.

(9) **Council Reports**

The Council Members may report on significant activities since the last meeting.

(10) **City Manager Report**

The City Manager and staff update the Council Members on current issues or items of Council interest.

(11) **Adjournment**

With no further business to come before the Council, the Mayor adjourns the meeting.

2.3 **MEETING MINUTES**

The City Clerk will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council. City Council meeting minutes will not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

2.4 **COUNCIL MEMBER SEATING**

A City Council Member's seat at the dais will be determined as follows:

- (1) The Mayor shall sit in Chair #4, the center seat at the dais, and the Deputy Mayor shall sit to the Mayor's right, in Chair #3; and
- (2) The remaining Council Members will be seated north to south by position #1 through #7, as consecutively as possible.

SECTION 3. AGENDA PREPARATION

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

3.2 An item may be placed on a Council meeting agenda by any of the following methods:

- (1) A majority vote of the Council;
- (2) Council consensus;
- (3) By any two (2) Council Members;
- (4) By the City Manager;
- (5) By a Council Committee; or
- (6) By the Mayor.

A draft agenda will be provided to all City Council Members who shall have approximately 48 hours to review prior to publication.

- 3.3 An item may be placed on a regular Council meeting agenda after the agenda is closed and the notice published if the Council Member or City Manager explains the necessity and receives a majority vote of the Council at a public meeting.
- 3.4 The City Clerk will endeavor to schedule sufficient time between public hearings and other scheduled items, so the public is not kept unduly waiting, and so the Council will have sufficient time to hear testimony and to deliberate matters among themselves.
- 3.5 Legally required and advertised public hearings will have a higher priority over other time-scheduled agenda items which have been scheduled for convenience rather than for statutory or other legal reasons.
- 3.6 Agendas will be finalized by Wednesday, noon - approximately one (1) week prior to the Council meeting. Agenda materials will be available, at City Hall, for the Council, City staff, media and public on the Friday before the meeting.
- 3.7 All agenda items packet reports will be in the format provided by the City Clerk's Office.
- 3.8 The Council may use the agenda item cover sheet "Recommendation Statement" language for making a motion.

SECTION 4. COUNCIL DISCUSSION

- 4.1 All Council discussion shall be governed by ROBERTS RULES OF ORDER, NEWLY REVISED.

SECTION 5.

CITIZEN COMMENT

- 5.1 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name for the record, and limit their remarks to three (3) minutes. No speaker may convey or donate his or her time for speaking to another speaker. All remarks will be addressed to the Council as a whole, and not to individual City staff members. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting.
- 5.2 The Mayor has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct and to enforce these Rules. The Mayor may command assistance of any peace officer of the City to enforce all lawful orders of the Mayor to restore order at any meeting.
- 5.3 Citizens with complaints, concerns or questions, will be encouraged to refer the matter to the City Manager, or ask that the matter be placed on a future City Council meeting, or Council Committee agenda with the appropriate background information. Any citizen who voices a concern or complaint at a City Council meeting which involves a potential violation of the City's Code of Ethics shall be advised by the Council, or City Management staff, of the existence of the City's Board of Ethics, and of the procedures for requesting Ethics Board opinions and/or investigations from the Ethics Board.

SECTION 6.

MOTIONS

- 6.1 If a motion does not receive a second, it dies. Motions that do not need a second include: Nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- 6.2 A motion that receives a tie vote is deemed to have failed.
- 6.3 When making motions, be clear and concise and not include arguments for the motion within the motion.
- 6.4 After a motion and second, the Mayor will indicate the names of the Council Members making the motion and second.
- 6.5 After a motion has been made and seconded, the Council may discuss their opinions on the issue prior to the vote. No further citizen comments may be

heard when there is a motion and a second on the floor, unless allowed by the Mayor.

After a motion has been made and seconded, the Council may ask questions of staff and/or discuss their opinions on the issue prior to the vote. No further citizen comments may be heard when there is a motion and a second on the floor, unless allowed by the Mayor.

- 6.6 When the Council concurs or agrees to an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion.
- 6.7 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.
- 6.8 A motion to table is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future Regular or Special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
- 6.9 A motion to postpone to a certain time is debatable as to the reason for the postponement but not to the subject matter of the motion; 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 to a time certain at a future Regular or Special City Council meeting.
- 6.10 A motion to postpone indefinitely is debatable as to the reason for the postponement as well as to the subject matter of the motion; is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.
- 6.11 A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.
- 6.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.

Motions that cannot be amended include: Motion to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.

- 6.13 Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- 6.14 The motion maker, Mayor or City Clerk should repeat the motion prior to voting.
- 6.15 At the conclusion of any vote, the Mayor will announce the results of the vote.
- 6.16 When a question has been decided, any Council Member who voted in the majority may move for a reconsideration, but no motion for reconsideration of a vote shall be made after the meeting has adjourned.
- 6.17 The City Attorney shall decide all questions of interpretations of these Rules and other questions of a parliamentary nature which may arise at a Council meeting. (See also Section 4 of these Rules.) All cases not provided for in these Rules shall be governed by Robert's Rules of Order, Newly Revised. In the event of a conflict, these Rules shall prevail.
- 6.18 Roll call votes will be taken during all televised Council meetings on non-unanimous votes, or if requested by a Council Member, or as required by law. The purpose of roll call votes is to assist the City Clerk in recording the vote and to communicate to the viewing public during televised City Council meetings the outcome of the vote. The official meeting minutes will always reflect roll call votes on each action item.
- 6.19 The Presiding Officer's decision on a point of order may be appealed. If seconded, the appeal may be voted on by the Council. An appeal may not be amended, is not debatable when it relates to indecorum, transgressions of the rules of speaking, the priority of business, or if the appeal is made while the previous question remains pending. In the event of a tie vote, the decision of the Presiding Officer stands. An appeal is not in order when another appeal is pending.

SECTION 7. ORDINANCES

- 7.1 All ordinances shall be prepared or reviewed by the City Attorney. No ordinance shall be prepared for presentation to the Council, unless requested by a majority of the Council, or requested by the City Manager or City Attorney.
- 7.2 Ordinances will be introduced and enacted by a Council Bill Number. After enactment, the City Clerk shall assign a permanent ordinance number.

- 7.3 The City Clerk or designee shall read the title of the ordinance prior to voting unless the ordinance is on the Consent Agenda.
- 7.4 Upon enactment of the ordinance, the City Clerk shall obtain the signature of the City Attorney. After the City Attorney's signature, the City Clerk shall obtain the signature of the Mayor. After the Mayor's signature, the City Clerk shall sign the ordinance.
- 7.5 Ordinances, or ordinance summaries, shall be published in the official newspaper, as a legal publication, immediately following enactment.
- 7.6 Ordinances become effective thirty (30) days after the passage of the ordinance unless otherwise specified.

SECTION 8. MAYOR AND DEPUTY MAYOR

- 8.1 The Presiding Officer at all meetings of the Council shall be the Mayor, and in the absence of the Mayor, the Deputy Mayor will act in that capacity. If both the Mayor and Deputy Mayor are absent, the Council Members present shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor.
- 8.2 The Presiding Officer shall:
- (1) Preserve order and decorum in the Council chambers;
 - (2) Observe and enforce these Rules;
 - (3) Decide all questions on order, in accordance with these Rules, subject to appeal by any Council Member;
 - (4) Recognize Council Members in the order in which they request the floor. The Presiding Officer, as a Council Member, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Council Members; and
 - (5) From time to time, appoint Council Members to serve on City Council and ad hoc committees.

SECTION 9. COUNCIL RELATIONS WITH CITY STAFF

- 9.1 **There will be mutual respect from both City staff and Council Members of their respective roles and responsibilities when, and if, expressing criticism in a public meeting.**
- 9.2 **City staff will acknowledge the Council as policy makers, and the Council Members will acknowledge City staff as administering the Council's policies.**
- 9.3 **All written informational material requested by individual Council Members shall be submitted by City staff, after approval of the City Manager, to all Council Members with a notation indicating which Council Member requested the information.**
- 9.4 **Council Members shall not attempt to coerce or influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits.**
- 9.5 **The Council shall not attempt to change or interfere with the operating rules and practices of any City department.**
- 9.6 **Mail that is addressed to the Mayor and Council Members shall be copied and circulated to all City Council Members by the City Clerk, as soon as practicable after it arrives.**
- 9.7 **The City Clerk shall not open mail addressed to individual Council Members if it is marked personal and/or confidential.**
- 9.8 **No Council Member shall direct the City Manager to initiate any action or prepare any report that is significant in nature, or initiate any significant project or study without the consent of a majority of the Council. New initiatives having policy implementation shall be directed to a Council Committee for consideration.**
- 9.9 **Individual requests for information can be made directly to the Department Director unless otherwise determined by the City Manager. If the request would create a change in work assignments or City staffing levels, the request must be made through the City Manager.**

- 9.10 To provide staff the necessary preparation time, Council Members will provide staff advance notice of any questions or concerns they may have regarding an agenda item prior to a public meeting, if possible.

SECTION 10. COUNCIL MEETING STAFFING

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

SECTION 11. COUNCIL MEMBER ATTENDANCE AT MEETINGS

11.1 EXCUSED ABSENCES

Excused absences are defined as follows:

(1) **Death of immediate family member**

“Immediate family members” are defined as: spouse, child, parents, siblings, grandparents, father and mother-in-law, or daughter and son-in-law.

(2) **Illness**

Illness of a Council member or of an immediate family member, as defined above, requiring the member to personally attend and care for

the immediate family member provided that the illness does not necessitate an absence longer than six (6) months.

(3) Three nonconsecutive absences

Three (3) nonconsecutive absences per calendar year provided that prior notice is given to as referenced in Section 11.3.

(4) Absences for Council Business

A Council member who is absent because of other commitments representing Council or because of circumstances beyond the Council member's control, which include but are not limited to traffic, weather, accident.

11.2 VACANCY OF OFFICE

A Council position shall become vacant upon three (3) consecutive unexcused absences or more than three (3) nonconsecutive absences as defined in Section 11.1(3). (RCW 35A.12.060)

11.3 Council Members will inform the Mayor, the City Manager or City Clerk if they are unable to attend any Council meeting, or if they knowingly will be late to any meeting. The minutes will show the Council Member as having an excused absence.

SECTION 12. PUBLIC HEARINGS

12.1 TYPES

There are two types of public hearings: legislative and quasi-judicial. The Mayor will state the public hearing procedures before each public hearing. Citizens may comment on public hearing items.

12.2 LEGISLATIVE PUBLIC HEARINGS

The purpose of a legislative public hearing is to obtain public input on legislative decisions on matters of policy, including without limitation, review by the City Council of its comprehensive land use plan or the biennial budget.

QUASI-JUDICIAL PUBLIC HEARINGS

The purpose of a quasi-judicial public hearing is to decide issues including the right of specific parties and include, without limitation, certain land use matters such as site specific rezones, preliminary plats, and variances. The City Council's decision on a quasi-judicial matter must be based upon and supported by the "record" in the matter. The "record" consists of all testimony or comment presented at the hearing and all documents and exhibits that have been submitted. In quasi-judicial hearings, Council Members shall comply with all applicable laws including without limitation the appearance of fairness doctrine (Chapter 42.36 RCW).

APPEARANCE OF FAIRNESS. Council members should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve the Council member or a Council member's business associate, or immediate family. It could involve *ex parte* (outside the hearing) communications, ownership of property in the vicinity, business dealings with the proponents and/or opponents before or after the hearing, business dealings of the Council member's employer with the proponents and/or opponents, announced predispositions, and the like. Prior to any quasi-judicial hearing, each Council member should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If so, no matter how remote, the Council member should disclose the facts to the City Manager who will seek the opinion of the City Attorney, which will be communicated to the Council member and the Mayor.

SECTION 13. MEDIA REPRESENTATION AT COUNCIL MEETINGS

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

SECTION 14. COUNCIL REPRESENTATION

- 14.1 If a Council Member appears on behalf of the City before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the Council Member shall state the majority position of

the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Council Member clarifies that these statements do not represent the Council's position.

14.2 Council Members need to have other Council Members' concurrence before representing (1) another Council Member's view or position, or (2) the majority of Council's view or position with the media, another governmental agency or community organization.

14.3 ~~As a matter of courtesy, letters to the editor, interviews or other communication by a Council member of a controversial nature, which do not express the majority opinion of the Council, should be presented to the full Council prior to publication so that the Council members may be made aware of the impending publication.~~

SECTION 15. CONFIDENTIALITY

15.1 Council Members shall keep confidential all written materials and verbal information, including but not limited to the topic(s) and/or the substance, provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Council Members outside of Executive Sessions when the information is considered to be exempt from disclosure under exemptions set forth in the Revised Code of Washington (RCW 42.23.070(3)).

15.2 If the Council, in Executive session, has provided direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party should be done by the designated City staff representative handling the issue. Council Members should obtain the permission of the City Manager prior to discussing the information with anyone other than other Council Members, the City Attorney or City staff designated by the City Manager. Any Council Member having any contact or discussion needs to make full disclosure to the City Manager and/or the City Council in a timely manner.

15.3 Council member believes that a topic or discussion in Executive Session is improper, the Council member may refuse to participate and leave the Executive Session and say nothing outside of the Executive Session.

SECTION 16. COUNCIL TRAVEL AND EXPENSES

16.1 PURPOSE AND ADMINISTRATION

The objectives of this policy are to provide elected officials who incur authorized travel, subsistence, registration and related expenses while on city business, reasonable and timely mechanisms for the reimbursement and/or the advancement of such necessary expenditures.

It is also recognized that City payment for business related food and beverage for non-travel purposes will be incurred by the City Council wherein reimbursement will be provided. This policy statement also serves to provide guidelines by which to determine whether or not expenditures by the City Council may be reimbursable to the Council Member, 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.

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

16.2 DOCUMENTATION

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

16.3 CLAIMS

Claims for reimbursement shall contain the following:

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

16.4 **MEALS**

Meal costs must be incurred directly by the claimant; direct billing to the City by a restaurant is prohibited except by way of an authorized City credit card.

Payment for table service at a restaurant, commonly referred to as a tip, not to exceed fifteen percent (15%) of the restaurant price of the meal, is reimbursable as a reasonable and necessary cost for such service.

16.5 **PER DIEM SCHEDULE OF REIMBURSABLE MEAL COSTS**

The reasonable cost of necessary meals while conducting City business is authorized for reimbursement.

All City officials claiming reimbursement for meals consumed while on City business shall be entitled to reimbursement not to exceed the Renzheimer Meal/Lodging Index.

Notwithstanding the foregoing index, actual meal costs may be claimed when they are part of a regularly scheduled business event such as training seminar, professional meeting, or other business meeting.

If the costs of meals for persons other than the claimant are included, those persons must be entitled to meal reimbursement in their own right and they shall be listed by name and title in claim documentation.

16.6 **EXPENDITURES NOT INCLUDABLE AS ACTUAL MEAL COSTS**

Unauthorized expenditures include, but are not limited to:

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

16.7 **TRAVEL**

Reimbursement for reasonable costs of business travel is authorized. General guidelines are as follows.

16.8 **CITY VEHICLE**

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

16.9

PERSONAL VEHICLE

Expenses shall be reimbursed for travel within a 300 mile radius of the City at such rate per mile as shall be established from time to time by the City Manager in his/her discretion, but not to exceed the then current maximum rate allowed by the United States Internal Revenue Service for reimbursement of such expenses for purposes of business travel expense deductions. Trips beyond this limit will be reimbursed at the lower of a) the established rate per mile, or b) the lowest available (other than non-refundable) airfare obtainable by the City's Purchasing Manager plus mileage reimbursement at the then current City rate, based upon the estimated distance between the airport and the destination. Incidental travel costs such as parking, ferry or bridge tolls are reimbursable as they would be if a City vehicle was provided.

16.10

RENTAL VEHICLE

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

16.11

AIR TRAVEL

Arrangement for air travel on City related business shall be arranged by the Purchasing staff of the Finance Department or as otherwise designated by the City Manager as outlined below:

- (1) Whenever feasible, the need for air travel arrangements should be provided by way of the normal requisition process at least 5 weeks in advance of the departure date.
- (2) The authorized procurer will arrange for air travel based on the lowest available (other than non-refundable) airfare for a regularly scheduled flight which reasonably accommodates the time of travel requested, and the destination as specified by the requisitioning department.
- (3) The authorized procurer will purchase the tickets at the time the rate is quoted and the Council Member will be advised of the arrangements for acquiring the tickets.

- (4) If personal travel is combined with business related travel, the traveling Council Member shall be responsible for paying the increase in airfare necessary to accommodate the personal part of the flight. The City shall only pay the lowest available (other than non-refundable) airfare for the round trip between the Seattle/Tacoma airport and the business related destination. Such payment for a personal travel shall accompany the City's payment to the vendor for the tickets.
- (5) If changes in travel plans occur that are the result of City business requirements, (i.e. delays in departure, cancellations, extended stays, or revised itinerary) any associated costs shall be paid by the City. However, all increase in cost of travel due to changes for personal convenience will be borne by the Council Member.
- (6) Officials who obtain airline tickets on their own will be reimbursed based on the lower of: a) Actual out-of-pocket cost paid for the airline tickets or alternate means of transportation (substantiated by a receipt); or b) the lowest (other than non-refundable) airfare available for their time of travel, unless an exception is granted in writing by the City Council. In this case, the official must pay the cost of the travel and seek reimbursement along with all other travel expenses. Direct billing of airfare to the City is allowed only if ordered by the Purchasing Staff, as may be authorized by the City Manager.

16.12 FIRST CLASS AIR TRAVEL

First class air travel is not authorized.

16.13 OTHER TRAVEL EXPENSES

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

16.14 VENDOR'S RECEIPT

A vendor's receipt will be required only when the single item cost of this type expense exceeds \$10.00.

Local parking, ferry and bridge tolls may be reimbursed through the Petty Cash system, subject to the Petty Cash Guidelines.

16.15 OUT-OF-STATE OR OVERNIGHT TRAVEL

To be eligible for any City reimbursement for out of state and/or overnight travel expense, the one way travel distance must be greater than 50 miles from City or home.

16.16 ACCOMMODATIONS

Reasonable hotel/motel accommodations for officials are acceptable and will be reimbursed at a maximum of the single room rate. A vendor's receipt for this category is required for all claims. Direct billing of hotel/motel charges is not allowed unless by way of an authorized City credit card.

16.17 INCIDENTAL EXPENSES

Includes all reasonable and necessary incidental expenses and includes, but is not limited to, the following.

16.18 ALLOWABLE INCIDENTAL EXPENSES

Laundry expenses if away from home four (4) or more calendar days.

Baggage checking.

Business telephone and postage expenses. Personal telephone calls home, if away from home for more than a 24 hour duration, are considered a business telephone expense.

16.19 NON-ALLOWABLE INCIDENTAL EXPENSES

Personal entertainment.

Theft, loss or damage to personal property.

Expenses of a spouse, family or other persons not authorized to receive reimbursement under this policy

Barber or beauty parlor services.

Airline and other trip insurance.

Personal postage, reading material, telephone calls.

Personal toiletry articles.

16.20

NON-TRAVEL FOOD AND BEVERAGE REIMBURSEMENT POLICY

Reimbursable expenses are subject to the following:

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

16.21

CEREMONIES AND CELEBRATIONS

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

16.22

MEAL REIMBURSEMENT FOR NON-CITY OFFICIALS

Council Member claims for the reimbursement of meal costs for non-city employees and non-city officials shall be documented by a memo authorized by the Mayor or, in the Mayor's absence, the Deputy Mayor. The memo must identify:

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

CLAIMS AND APPROVAL PROCEDURE

16.23 All claims shall be submitted for reimbursement using the form provided by the City Finance Department. Travel and subsistence expenses except for incidental and minor costs will not be paid from any Petty Cash Fund, unless as in compliance with petty cash policy adopted by the City.

16.24 Special approvals required by this policy shall be obtained by Council Members, from the Mayor, or in his/her absence, by the Deputy Mayor. Such approvals shall be by separate memo which identifies the policy exception being authorized and explains the reasons therefor.

16.25 Claims may include the reimbursable costs of other City officials who would be entitled in their own right to claim business expenses.

16.26 Claims of Council Members must be approved by the Mayor or in his/her absence the Deputy Mayor.

16.27 Exceptions to the expense rules for unusual circumstances may be approved at a regular City Council meeting by a majority vote of the Council Members present at the meeting.

16.28 In preparation of the City's annual operating budget, Council Member travel and training expenses shall be anticipated and included in budget appropriations. Attendance at annual conferences of municipal officials, such as the National League of Cities or Association of Washington Cities, shall be addressed at the time of budget adoption to reflect the number of Council Members who will attend to represent the City.

Meetings, conventions or training programs that require expenditure of funds to be reimbursed or paid on behalf of Council Members, and that are not anticipated at the time of budget adoption, must be submitted to the Council for

approval. The request must be presented to the Council in a timely manner prior to the event to permit an opportunity for the Council to review and approve or deny the request based on its merit, to allow all Council Members opportunity to discuss the appropriate Council attendance. The request shall include: (a) Name of organization sponsoring meeting, (b) Why attendance is requested; benefits to the City, (c) Council Member(s) to attend, (d) Location, (e) Attendance dates, and (f) Estimated cost to the City.

16.29 A report, oral and/or written as appropriate, shall be made to the Council at a meeting no later than two (2) weeks following said conference, seminar or training, in order that the full Council may benefit from the training experience received by the Council Member who attended. A record of such reports shall be maintained by the City Clerk.

The Mayor shall make an annual State of the City report during a regularly scheduled City Council meeting; a written report shall be made available to the public at the time of the meeting.

The City Manager shall provide an Executive Summary following each City Council retreat; a written report shall be made available to the public the first working day following the retreat.

SECTION 17. PUBLIC RECORDS

17.1 Public records created or received by the Mayor or any Council Member should be transferred to the City Clerk's office for retention by the City in accordance with the Public Records Act, Chapter 42.17 RCW. Public records that are duplicates of those received by, or in the possession of the City, are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Attorney.

17.2 Electronic mail communications that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes, do not constitute a public record. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record.

E-mail communications that are intended to be shared among four or more Council members, whether concurrently or serially, must be considered in light of the Open Public Meetings Act. If the intended purpose of the e-mail is to have a discussion that should be held at an open meeting, the electronic

discussion should not occur. Further, the use of e-mail communication to form a collective decision of the Council violates the Open Public Meetings Act.

SECTION 18. CITY MANAGER EVALUATION PROCESS

- 18.1 The Mayor, Council Members and City Manager will determine the evaluation criteria and format for the process.
- 18.2 After the criteria have been developed, the Council Members need to concur on when the completed evaluation forms are due and who will collect these documents.
- 18.3 Council Members need to discuss and decide if the Mayor and one (1) or more Council Members should meet prior to the actual evaluation; this meeting would allow time to summarize the comments; also, this sub-committee (of less than a quorum) could determine recommendations for the City Manager's employment contract amendments, including, but not limited to, salary, performance payment, cost-of-living increase; the sub-committee can make a recommendation to the entire Council at the time of the evaluation.
- 18.4 Copies of the City Manager's current employment contract shall be made available to the entire Council.
- 18.5 At the evaluation session, the summary comments may be given, as well as individual comments by Council Members; the City Manager may wish to respond which is usually at the conclusion of the Council comments; the City Manager's contract should be discussed and any recommendations may be concurred to by the Council.
- 18.6 The evaluation is held in Executive session. Attendance is limited to the Mayor, Council Members, City Manager and City Attorney.
- 18.7 The final step of the City Manager evaluation process is to have the City Attorney prepare amendments, if any, to the City Manager's employment contract. This contract needs to be approved as a Consent Agenda item at a Council meeting.
- 18.8 The Mayor shall prepare a press release no later than the next working day following the Executive Session regarding the results of the evaluation.

SECTION 19. MAYOR/DEPUTY MAYOR SELECTION PROCESS

- 19.1 The Mayor and the Deputy Mayor shall be nominated and elected from the ranks of the sitting Council Members.
- 19.2 The Mayor and Deputy Mayor shall be elected for two (2) year terms at the first Regular City Council meeting in January of the applicable year, by a majority vote of the City Council in accordance with RCW 35A.13.030 and .035.
- 19.3 The City Clerk or designee shall conduct the election for Mayor. The Mayor shall then conduct the election for the Deputy Mayor. (See Appendix "A" to these Rules.)

SECTION 20. CITY ADVISORY COMMITTEES

- 20.1 Federal Way's commissions, committees and task forces provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Council Members in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- 20.2 These advisory bodies originate from different sources. Some are established by ordinance while others are established by motion of the City Council. It is at the discretion of the Council as to whether or not any advisory body should be established by ordinance.
- 20.3 Federal Way advisory bodies bring together citizen viewpoints which might not otherwise be heard. Persons of wide-ranging interests who want to participate in public service but not compete for public office can be involved in governmental commissions, committees and task forces. These bodies also serve as a training ground or stepping stone for qualified persons who are interested in seeking public office.
- 20.4 As Federal Way advisory bodies have been formed since incorporation, the adoption of uniform rules of procedure is necessary to assure maximum productivity. The following policies govern the City's advisory groups; some of these advisory groups may have more specific guidelines set forth by ordinance, resolution, the Federal Way City Code, or at times by state law.

- 20.5 Every advisory body, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the City Council to determine its effectiveness. This statement of purpose is made available to all citizen members when they are appointed.
- 20.6 The size of each advisory group is determined by the City Council and the size is related to its duties and responsibilities. Another determination to be made prior to formation, is the cost impact for City staffing a proposed advisory body.
- 20.7 The Council may dissolve any advisory body that, in their opinion, has completed its working function or for any other reason.
- 20.8 Members and alternate members of all advisory bodies are appointed by majority vote of the Council Members during a regularly scheduled meeting.
- 20.9 The Council Committee of the Whole shall be convened to review, interview and recommend Citizen Advisory Committee appointments to the City Council. Any Council Member who shall attend the public interview session shall be eligible to vote on the recommendation to be made to the full Council. A quorum of three (3) Council Members shall be required to forward any recommendation to the full Council. The full City Council shall vote on the appointments to the Citizen Advisory Committee at a regularly scheduled Council meeting.
- 20.10 The City Council may approve reappointment of citizens wishing second terms subject to any limits established by ordinance or other laws.
- 20.11 Council Members will raise any concerns about any recommendation prior to the City Council meeting that is scheduled for the approval of the appointment.
- 20.12 Vacancies are advertised so that any interested citizen may submit an application. Applicants must be citizens of the City of Federal Way if required by the Federal Way City Code or if required by the City Council. Council Members are encouraged to solicit applications from qualified citizens. Applications shall be available from the Office of the City Clerk.
- 20.13 Lengths of terms vary from one advisory body to another, but in all cases overlapping terms are intended. On special work task forces, where a specific project is the purpose, there need not be terms of office.
- 20.14 Newly appointed members will receive a briefing by the commission, committee or task force chairperson and/or City staff, regarding duties and responsibilities of the members of the advisory body. This will include a review of the City of Federal Way Ethics Code. Each newly-appointed member will receive an

information packet which will include a Certificate of Appointment signed by the City Council, a commission, committee or task force membership list, responsible City staff member, statement of purpose for the advisory body which may include an ordinance, resolution, bylaws, or annual work program and a copy of the City of Federal Way Ethics Code.

- 20.15 All advisory bodies will be responsible for adopting their operating policies consistent with the establishing resolution or ordinance.
- 20.16 All meetings of advisory bodies are open to the public in accordance with the public meeting laws of the State of Washington which requires a minimum 24-hour advance notice; no advisory committee will schedule a meeting earlier than 7:00 a.m.
- 20.17 The number of meetings related to business needs of the advisory group may be set by the individual body, unless set forth in a resolution or ordinance. Notice of all meetings, including date, time, place and principal subjects to be discussed will be published in accordance with the public meetings laws of the State of Washington and the policies of the City of Federal Way.
- 20.18 The advisory body chairperson will be responsible for coordinating the meeting agendas with the appropriate City support staff.
- 20.19 Minutes will be kept of all meetings in accordance with the public meeting laws of the State of Washington. The appropriate City support staff will be responsible for preparation of the minutes of each advisory committee meeting.
- 20.20 Excessive absenteeism, excluding illness or required travel, is cause for the removal of an advisory body member. Three (3) consecutive absences will be considered resignation from the body unless prior to the third absence, the member has requested, and been granted, an excused absence. The advisory body granting the excused absence will determine the validity of the request.
- 20.21 Members may resign at any time their personal circumstances change to prevent effective service.
- Members may be removed, from any advisory committee, prior to the expiration of their term of office, by a majority vote of the City Council.
- 20.22 A quorum for conducting business is a simple majority of the membership of the advisory body.

- 20.23 All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage.
- 20.24 Lobbying efforts by any advisory bodies on legislative, or political, matters should first be checked for consistency with existing City policy by contacting the City Manager's office. In the event a position is taken that differs from that of the City's policy, an advisory body acting as an official body of the City of Federal Way, cannot represent that position before another body, i.e., the State Legislature or the King County Council. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that he or she is not speaking as a representative of the City of Federal Way, or as a member of his or her commission, committee or task force.
- 20.25 Members of advisory bodies are encouraged to attend City Council meetings to keep abreast of Council actions.
- 20.26 The City Council transmits referrals for information or action through the City Manager to the advisory groups. These advisory groups transmit findings, reports, etc., to the City Council through the City Manager.
- 20.27 While the City staff's role is one of assisting the commission, committee or task force, the City staff members are not employees of that body. The City staff members are directly responsible to his or her Department Director and the City Manager.
- 20.28 Annually, each advisory committee shall develop a work program for the City Council's consideration and approval. The City Council may amend the committee's work program.

SECTION 21. COUNCIL COMMITTEES

- 21.1 Council committees are policy review and discussion arms of the Council. Committees may study issues and develop recommendations for consideration by the Council. Committees may not take binding action on behalf of the City unless a quorum of the City Council is present, the Council Committee has been advertised as a Special Meeting of the Whole City Council and, by majority vote, the City Council has directed that such action occur at the Council Committee.
- Council Committee structure shall be as determined by the City Council in January of each year. The 1999 committees are as follows:

**FINANCE/ECONOMIC DEVELOPMENT/REGIONAL AFFAIRS
COMMITTEE**

**LAND USE/TRANSPORTATION COMMITTEE
PARKS/RECREATION/HUMAN SERVICES & PUBLIC SAFETY
COMMITTEE**

- 21.2 Committees shall establish regular meeting schedules as determined by the Chair of the Committee in consultation with the Committee members.
- 21.3 Each committee will have staff support assigned by the City Manager. Staff will work with the committee chairs to set agendas, provide support materials and prepare reports.
- 21.4 Summaries of each meeting will be prepared by staff and distributed to the Mayor and Council Members. These summaries will be in lieu of verbal reports at Council meetings.
- 21.5 The City Manager or Mayor may send issues directly to committees for their review in lieu of being referred to committee by the entire Council.
- 21.6 Committee appointments (chairs and members) shall be made by the Mayor. The Mayor will take into account the interests and requests of individual Council Members in making committee assignments.
- 21.7 Membership of each committee will consist of three (3) Council Members. Council Members are expected to attend a majority of each respective committee meetings for each calendar year.
- 21.8 The Mayor shall be an "ex officio" member of each committee. The Deputy Mayor may serve as "ex officio" or be appointed to a committee.
- 21.9 The Mayor will make committee assignments each January, with members serving one (1) year terms. The Mayor has the discretion to appoint or remove Committee members at any time.

SECTION 22. FILLING CITY COUNCIL VACANCIES

22.1 PURPOSE

The purpose of this section is to provide guidance to the City Council when a Federal Way Council Member 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.

22.2

REFERENCES

RCW 42.30.110(h) - Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective Office.

RCW 42.30.060 - Prohibition on Secret Ballots.

RCW 42.12 - Vacant Position.

RCW 35A.13.020 - Vacancies - Filling of Vacancies in Council/Manager Form of Government.

22.3

APPOINTMENT PROCESS

- (1) A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of a Council Member. The Council Member who is vacating his or her position cannot participate in the appointment process.
- (2) The City Council shall direct staff to begin the Council Member 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 Federal Way, and (b) have a one (1) year residency in the City of Federal Way. 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, Council Member 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 Federal Way offices, King County libraries located in Federal Way, the Federal Way Chamber of Commerce office, the Federal Way School District administration office and such other locations that the City Council deems appropriate. Copies of the display advertisement will be provided to current members of City of Federal Way commissions, committees, task forces and other City-sponsored citizen 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 Council Member.

22.4

INTERVIEW MEETING

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

- (1) The applicant shall present his or her credentials to the City Council. (10 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 Council Members 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 exceed six (6) candidates, or alternatively, the Council may elect not to interview all of the applicants if the number exceeds six (6)

candidates. The decision as to which applicants to interview will be based on the information contained in the application forms.

22.5

VOTING

Upon completion of the interviews, Council Members 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 Council Members 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) Council Members may deliberate such matters as criteria for selection and the nominated group of candidates.
- (4) The Mayor shall poll Council Members to ascertain that Council Members 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 Council members.
- (7) At anytime 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 Council Member 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 give a majority vote within 90 days of the declared vacancy, the Revised Code of Washington delegates appointment powers to King County.

SECTION 23. MISCELLANEOUS

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

SECTION 24. SUSPENSION AND AMENDMENT OF RULES

24.1 Any provision of these rules not governed by state law or ordinance, may be temporarily suspended by a two-thirds (2/3) majority vote of the Council.

24.2 These rules may be amended, or new rules adopted, by a majority vote of the Council.

APPENDIX "A"
MAYOR/DEPUTY MAYOR ELECTION PROCESS

- (1) Any Council Member may nominate a candidate; no second is needed.
- (2) Nominations are closed by a motion, second and 2/3 vote of Council.
- (3) If only one (1) nomination is made, it is appropriate to make a motion and obtain a second to instruct the City Clerk to cast a unanimous ballot for that nomination. Approval is by majority vote of Council Members present.
- (4) If more than one (1) nomination is made, an open election is conducted by roll call vote.
- (5) To be elected, the nominee needs a majority vote of the Council.
- (6) Elections will continue until a Mayor and Deputy Mayor are elected by a majority vote of the Council.
- (7) The City Clerk shall declare the nominee receiving the majority vote as the new Mayor. The new Mayor shall declare the nominee receiving the majority vote as the new Deputy Mayor. The Clerk shall swear the individuals into office.