

CITY OF PUYALLUP

CITY COUNCIL

RULES OF PROCEDURE

ADOPTED: February 4, 1980 (Resolution No. 265)

AMENDED: October 17, 1994 (Resolution No. 1186)

AMENDED: May 1, 1995 (Resolution No. 1245)

AMENDED: December 1, 1997 (Resolution Nos. 1435 and 1436)

MOTION TO CLARIFY RESOLUTION NO. 1436: December 15, 1997

AMENDED: April 20, 1998 (Resolution Nos. 1462 and 1463)

AMENDED: June 18, 2001 (Resolution No. 1685)

AMENDED: August 18, 2003 (Resolution No. 1816)

SECTION 1. AUTHORITY

1.1 The Puyallup City Council hereby establishes the following rules for the conduct of Council meetings, proceedings and business. These rules shall be in effect upon adoption by resolution of Council and until such time as new rules are adopted by resolution.

SECTION 2. COUNCIL MEETINGS

2.1 DAY, TIME AND LOCATION OF MEETINGS

- (1) The City Council shall meet regularly, at least once a month. The Council's regular meetings may be held the first and third Monday of each month in the Council Chambers, 202 W. Pioneer. Meetings may be relocated to accommodate special needs or circumstances.
- (2) 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.
- (3) If possible, only one or two major topics (defined as issues of a high interest, controversial, or those which would take an extraordinary amount of City Council meeting time) will be scheduled per meeting.
- (4) In the event that a scheduled council meeting falls on a legal holiday, the meeting shall be scheduled to occur on the following Monday, or another day as determined by a majority vote of the Council.

2.2 MEETING MINUTES

The City Clerk will keep an account of all proceedings of the Council in accordance with statutory requirements. Proceedings will be entered into a minute book constituting the official record of the Council. Regularly scheduled Council meetings will be taped and retained for six years after the meeting. City Council meeting minutes will not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

2.3 CONDUCT OF MEETINGS

The Mayor has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct and to enforce the Rules of the Council. The Mayor may command assistance of any peace officer of the City to enforce all lawful orders of the Mayor to restore order at any meeting.

2.4 VOTE OF THE COUNCIL:

- (1) Voice vote: A generalized verbal indication by the Council as a whole of a "yea" or "nay" vote on a matter, the outcome of which vote shall be recorded in the official minutes of the City Council.

In the absence of objections, the mayor may "shall order" a motion which will be recorded as a unanimous vote. If a member objects to a unanimous vote, a roll call

shall be ordered. A roll call vote will still be required for second readings of ordinances.

- (2) Roll call vote: The formal recording of each "yea" or "nay" vote of each individual Councilmember as called by the City Clerk, which vote shall be recorded on an individual basis in the official minutes of the City Council.
- (3) Abstentions: It is the responsibility of each Councilmember to vote when requested on a matter before the full Council. However, a member may abstain from discussion and voting on a question of direct personal or pecuniary interest not common to the other Councilmembers.

2.5 TYPES OF MEETINGS:

- (1) Regular - the Council meeting held on the first and/or third Monday of each month.
- (2) Special - any Council meeting other than the Regular Council meeting. Notice shall be given at least 24 hours in advance. A Special Council meeting may be scheduled by the Mayor, or at the request of a majority of the Councilmembers.
- (3) Study Session / Workshop - any meeting, either called as a special meeting, or set by resolution or ordinance as a regularly scheduled meeting, at which the Council may discuss, investigate, review or study matters of City business with City staff for informational purposes. Action on any matter is not anticipated during a workshop or a study session type of meeting.
- (3) Emergency - a Special Council meeting called without the 24-hour notice. An emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage.

Emergency meetings may be called by the Mayor at a site other than the regular meeting site. The minutes will indicate the reason for the emergency.

2.6 ITEMS FOR INCLUSION FOR REGULAR COUNCIL MEETING AGENDA:

- (1) Call Meeting to Order

The Mayor shall call the meeting to order. Councilmembers will inform the Mayor, a Councilmember, 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 indicate the absence of any Councilmember. The Mayor will announce the attendance of Councilmembers and indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence.

- (2) Pledge of Allegiance

The Pledge of Allegiance will be conducted at regular meetings.

(3) Approval of Agenda

The mayor shall call for additions or deletions of items of business to the agenda. A motion to approve the agenda as amended is required to pass with a majority affirmative vote of the Council.

New issues raised following approval of the agenda may be discussed but no action may be taken upon these items unless a motion finding that special circumstances exist that require an immediate vote by the Council. Absent a finding of special circumstances, the items raised may be placed on a future or specific meeting agenda at the council's direction for consideration.

(4) Citizen Comments

Members of the audience may comment on items not on the printed agenda as well as those items listed on the printed agenda as recognized by the Mayor

Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three minutes, in addition to filling out the Citizen Comments form available at the City Clerk's desk. All remarks will be addressed to the Council as a whole.

Citizens with complaints, concerns or questions, will be encouraged to refer the matter to the appropriate City Department or to the City Manager for clarification or action. The matter may be scheduled for consideration at a future City Council meeting at the discretion of Council.

(5) Consent Agenda

Consent Agenda items are considered to be routine, non-controversial and requiring no discussion, and may be approved by one motion. Items on the Consent Agenda include, but are not limited to, resolutions, final passage of ordinances (per Puyallup Municipal Code), bid awards and previously discussed agreements or matters. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action. Public hearings required by state statute will be set by Council action on the Consent Agenda.

(6) Public Hearings/Meetings

The Mayor will state the public hearing procedures before each public hearing. Quasi-judicial hearings require that a decision be made by the Council using a certain process, which may include a record of evidence considered and that specific findings be made. The City Attorney will so advise the Council in these cases.

Councilmembers shall comply with all applicable laws related to the conflict of interest requirements and the Appearance of Fairness Doctrine and the City's Ethics Resolution. Abstention from discussion and voting is required when a Councilmember may have a conflict of interest.

(7) Ordinances

Discussion and debate by the City Council will be held at this time. All ordinances shall have two readings at two separate meetings, unless Council deems it expedient to suspend this rule. Amendments to an ordinance may be made at first reading. No amendments may be made on second reading except by suspension of the rules. A roll call vote shall follow second reading.

Emergency Ordinances

Public emergency ordinances require a vote of a majority plus one of the whole Council membership, and may be made effective upon adoption, as per state law.

A "public emergency ordinance" is one designed to protect public health and safety, public property, or the public peace; it may not levy taxes, grant review, or extend a franchise or authorize the borrowing of money.

(8) Resolutions

A resolution is adoption of a City policy or decision and may be adopted by a majority voice vote of the Council.

(9) Considerations & Requests

Those items other than resolutions and ordinances requiring Council action.

(10) City Manager and Staff Reports

The City Manager may update the Councilmembers on current issues or items of Council interest, and may include other staff participation.

(11) Council and Committee Reports

Council and Committee Reports provides an opportunity for Councilmembers to report on significant activities since the last regular meeting, to inquire on matters of general City business, or to initiate investigation or action on a matter of concern.

(12) Mayor's Report

The Mayor may report on topics of interest to the Council as a whole, and may include a calendar of events, upcoming or on-going programs, or projects, and other reports of a general nature.

(13) Executive Session

The Council may recess to a closed session at which the public is excluded at either a regular or special Council meeting, in accordance with the provisions of the Washington State Open Meetings Act. Topics which may be discussed are: consideration of acquisition of property for public purposes or sale of City-owned property; potential or pending litigation in which the City has an interest per State

law; complaints or charges against a public officer or employee; labor negotiations; review of qualifications for public employment or for appointment to elective office. Final disposition of a matter shall take place in an open session of the Council.

Before convening the Executive Session, the Mayor shall announce the purpose of the session and the anticipated time when the session will be concluded and whether further action is anticipated. Should the session require more time, a public announcement shall be made that the session will be extended.

(14) Adjournment

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

2.7 SUSPENSION AND AMENDMENT OF RULES

- (1) All City Council meeting discussion shall be governed by ***ROBERTS RULES OF ORDER, NEWLY REVISED***, with the concurrence of the City Attorney and/or City Clerk who shall serve as joint parliamentarian; provided, however, that in the event of a conflict between the Council Rules of Procedure and Roberts' Rules of Order, the Council Rules of Procedure shall prevail.
- (2) Any provision of these rules not governed by state law or ordinance, may be temporarily suspended by a two-thirds vote of the Council.
- (3) These rules may be amended, or new rules adopted, by a majority vote of the Council.

2.8 RECONSIDERATION OF A PREVIOUS VOTE

A motion to reconsider a previous vote must be made no later than the next regular meeting by a member who voted with the prevailing side. Once the motion to reconsider has been made and approved by a majority vote, the matter to be reconsidered is again before the council in the same form as it was at the previous meeting.

SECTION 3. COUNCIL REPRESENTATION

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

SECTION 4. CONFIDENTIALITY

- 4.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from

disclosure under exemptions as set forth in the Public Disclosure Act of the Revised Code of Washington (RCW).

SECTION 5. PUBLIC RECORDS

5.1 Public records created or received by the Mayor or any Councilmember will be transferred to the City Clerk's office for retention by the City in accordance with the Public Disclosure Act. 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.

SECTION 6. MAYOR/DEPUTY MAYOR SELECTION PROCESS

- 6.1.1 At the first regularly scheduled meeting in January, following a Council election, the Councilmembers shall choose a presiding officer from among themselves, and such person shall be titled Mayor. The Councilmember chosen for this position shall be the Councilmember who has served the highest number of continuous years on the City Council (such person is hereinafter referenced in this rule as the "Successor").
- 6.1.2 With the concurrence of a majority of the Council, the Successor may exercise a one-time-only deferral of their selection as Mayor allowing an incumbent Mayor who otherwise continues to serve as a councilmember to remain as Mayor for a second consecutive term. If the Successor's proposed deferral is not accepted by a majority of councilmembers and the incumbent Mayor, the Successor shall become the Mayor unless they formally decline the position. The option to defer to an incumbent shall only be available to one councilmember initially designated as the Successor as provided in these rules.
- 6.1.3 Should the Successor decline the position of Mayor, the position shall go to the Councilmember with the next highest number of continuous years. In the event that the Councilmember with the second highest years of service also declines the position, it will continue to be extended to the Councilmember with the next highest number of continuous years of service on the Council until the position is accepted.
- 6.1.4 Any member who exercises a deferral as provided in Section 6.1.2 or otherwise declines to accept the position of Mayor shall maintain his/her seniority during the next Mayoral selection process.
- 6.1.5 At the end of any mayoral two year term, the position of Mayor will be rotated to the Councilmember with the next highest number of years of service on the Council, and the outgoing Mayor, for the purposes of the selection process, will be placed after the Councilmember with the least number of years on the City Council.
- 6.1.6 The Mayor shall continue to have all the rights, privileges and immunities of a member of the Council and shall serve for a two-year term.
- 6.2 At the same meeting of the new Council, the Councilmembers thereof, by majority vote, may designate one of themselves as Mayor Pro Tempore or Deputy Mayor for a two-year term to serve in the absence or temporary disability of the Mayor.
- 6.3 If a vacancy occurs in the office of Mayor, the members of the Council, at their next regular meeting, shall select a Mayor from among themselves for the unexpired term.

SECTION 7. COUNCIL POSITION VACANCY

- 7.1 A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12, including but not limited to, resignation, removal, forfeiture, or death of a Councilmember.
- 7.2 Upon a vacancy in office, and direction from the City Council, the City Clerk shall begin the appointment process and establish an interview and appointment schedule so that the position may be filled at the earliest opportunity.
- 7.2 Should the Council fail to make an appointment to the vacancy within the 90 days as provided by RCW 42.12.070(4), the vacancy shall be filled by the county legislative authority pursuant to state law.

SECTION 8 CITY ADVISORY COMMITTEES

- 8.1 Puyallup'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 Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government. These advisory bodies originate from different sources. Some are established by ordinance while others are established by resolution or motion of the City Council. It is at the discretion of the Council as to whether or not any advisory body should be established, other than those required by State law.

Puyallup 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.

The following policies govern the City's advisory groups; some of these advisory groups may have more specific guidelines set forth by ordinance or resolution, or at times by State law.

- 8.2 No committee board or commission shall have official or legal status until such committee or board or commission has first been approved by resolution or ordinance of the City Council.
- 8.3 Every advisory body will have a specific statement of purpose and function, which will be re-examined periodically by the City Council to determine its effectiveness. No board or committee shall have powers other than advisory to the City Council or City Manager except as specified by the Puyallup Municipal Code.
- 8.4 Any committee, board, or commission created by ordinance or resolution of the City Council, shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by majority vote of the Council.
- 8.5 An Appointments Committee composed of the newly elected Mayor and two members of Council shall be designated at the first regularly scheduled meeting in January following a City Council election. The term of service on the Appointments Committee shall be two years. Meetings of this Committee will be convened on an ad hoc, or as needed, basis.

The City Clerk shall inform the Appointments Committee of pending vacancies on boards and commissions and shall schedule meetings as necessary for the Committee to

consider applications for appointment. Committee recommendations on appointments shall be submitted to the full Council for approval by resolution.

- 8.6 Vacancies for citizen boards and commissions shall be advertised in the City's official newspaper so that any interested citizen may submit an application. Applicants are urged to be citizens of the City of Puyallup, but applications from residents living outside of the corporate boundaries also receive consideration under certain circumstances. Councilmembers are encouraged to solicit applications from qualified citizens. Applications shall be available from the Office of the City Clerk.
- 8.7 Applications of citizens not recommended for appointment to an advisory body will be filed in the Office of the City Clerk for reconsideration whenever a position becomes available consistent with the applicant's qualifications or interests.
- 8.8 Lengths of terms vary from one advisory body to another, but in all cases overlapping terms are intended, unless otherwise provided by State law. On special work task forces, where a specific project is the purpose, there need not be terms of office.
- 8.9 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.
- 8.10 All advisory bodies will be responsible for adopting their operating policies consistent with the establishing resolution or ordinance.
- 8.11 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.
- 8.12 Excessive absenteeism, excluding illness or required travel, is cause for the removal of an advisory body member. Three 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.
- 8.13 Members may resign at any time their personal circumstances change to prevent effective service.
- 8.14 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.
- 8.15 A quorum for conducting business is a simple majority of the membership of the advisory body.
- 8.16 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.

- 8.17 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 Puyallup, cannot represent that position before another body, i.e., the State Legislature or Pierce County Council. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that he or she is not speaking as a representative of the City of Puyallup, or as a member of his or her commission, committee or task force.

SECTION 9 **TRAVEL AND EXPENSES**

- 9.1 The City Council shall be bound by the policies and procedures as established by resolution and/or the City of Puyallup Policy and Procedure manual in requesting travel authorization and travel reimbursement of out-of-pocket expenses.
- 9.2 Each member of the City Council shall be limited to discretionary travel expenses in the budgeted amount set each year by the City Council during the annual budget adoption process.
- 9.3 City policy is to allow for the cost of reasonable refreshments for public events.

SECTION 10 **STAFF REQUESTS**

- 10.1 When individual Councilmembers voice ideas or concerns that will require significant research and report by staff, the City Manager will provide the City Council an estimate of staff time and/or cost needed to fulfill the request. After deliberation of request feasibility in staff time and/or cost, the City Council will decide by majority vote or consensus whether or not to continue and shall so instruct the City Manager.

RESOLUTION NO. 2131

A **RESOLUTION** of the Puyallup City Council amending Section 11.3 of the Rules of Procedure for City Council regarding protocol for Council-Sponsored Neighborhood Meetings.

WHEREAS, the City Council finds it to be in the public interest to allow Councilmembers the opportunity to communicate with citizens in their respective council districts on an annual basis; and

WHEREAS, it is reasonable to adopt and incorporate new Rules of Procedure relative to Council-Sponsored Neighborhood Meetings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON, AS FOLLOWS:

Section 1. Section 11.3 of the Puyallup City Council Rules of Procedure, attached hereto as Exhibit "A", and incorporated herein by reference, is hereby adopted as amended.


Section 2. Ratification. Any act consistent with the authority and prior to the effective date of this resolution is hereby ratified and confirmed.

PASSED by the City Council of the City of Puyallup this 21st day of April, 2009.


Donald E. Malloy, Mayor

ATTEST:

APPROVED AS TO FORM:


Barbara J. Price, City Clerk



Cheryl F. Carlson, City Attorney

EXHIBIT A

DRAFT: April 21, 2009

11.3 CITY AND STAFF SUPPORT:

- (1) City/Council funds may be used to notify citizens of the time and place of the neighborhood meetings and to provide light refreshments.
- (2) Staff members will be assigned by the City Manager to attend neighborhood meetings for the exclusive purposes of organizing, identifying attendees and their addresses, recording, and taking minutes.
- (3) Communication with citizens will be considered the exclusive domain of the Councilmembers. Staff members will not be considered as a resource to respond to questions.
- (4) Councilmembers may refer specific questions emanating from the neighborhood meetings to the City Manager for a written response.
- (5) The ~~Public Affairs Officer, as an agent for~~ City Manager or designee will be the point of contact for Councilmembers to coordinate neighborhood meetings.
- (6) ~~No more than three Councilmembers shall be in attendance at any neighborhood meeting, to include the two (2) Councilmembers representing the district in which the meeting is held plus the at-large Councilmember~~ It is the policy of the Council that neighborhood meetings be informal. While notice of such meetings may be made to assure compliance with requirements of Washington's Open Public Meetings Act, the scope of the meeting shall be limited to dialog and discussion between neighborhood citizens and their elected representatives and/or city staff.
- (7) No business or action (other than discussion) may be taken or considered by Councilmembers present at any neighborhood meeting. This prohibition on taking action includes, but is not limited to, action on any contract; a promise or the appearance of a promise to expend public funds regardless of type or source; action to recommend, pass, or adopt legislation; and action promising specific staff response, except as provided for in subsection (4) above.
- (8) The two (2) Councilmembers representing the district for which the meeting is held plus the at-large Councilmember shall determine the format for their neighborhood meeting.