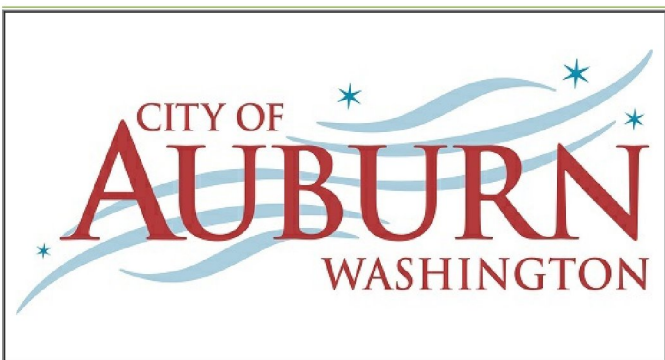


	City Council Meeting May 7, 2018 - 7:00 PM City Hall Council Chambers AGENDA Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

- A. Pledge of Allegiance
- B. Roll Call

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Affordable Housing Week Proclamation
Mayor Backus to proclaim May 14-18, 2018 as "Affordable Housing Week" in the city of Auburn.
- B. Police Week Proclamation
Mayor Backus to proclaim May 13-19, 2018 as "Police Week" and May 15th, 2018 as "Peace Officers Memorial Day" in the city of Auburn.
- C. National Public Works Week
Mayor Backus to proclaim May 20-26, 2108 as "National Public Works Week" in the city of Auburn.

III. APPOINTMENTS

- A. Civil Service Commission
City Council to confirm the following appointment to the Civil Service Committee:

David Menke

City Council to confirm the appointment of a new three year term to expire December 31, 2020 for David Menke to serve on the Civil Service Commission.

(Recommended Action: City Council confirm the appointment to the Civil Service Commission.)

- B. BIA Committee
City Council to confirm the following reappointment's to the BIA Committee:

Ruth Neil-Stover

Reappointment as an alternate position for a three year term to expire on December 31, 2020

Bob Klontz

Reappointment as a board member for a three year term to expire December 31,

2020.

(Recommended Action: City Council to confirm the reappointment's to the BIA Committee).

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

A. **Public Hearings - (No public hearing is scheduled for this evening.)**

B. **Audience Participation**

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

C. **Correspondence - (There is no correspondence for Council review.)**

VI. COUNCIL AD HOC COMMITTEE REPORTS

Council Ad Hoc Committee Chairs may report on the status of their ad hoc Council Committees' progress on assigned tasks and may give their recommendation to the City Council, if any.

VII. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes of the November 6, 2017 Special City Council Meeting

B. Minutes of the April 16, 2018 Regular Council Meeting

C. Claims Vouchers (Coleman)

Voucher Numbers 448444 Through 448714 in the amount of \$1,877,963.65 and six wire transfers in the amount of \$702,650.21 and dated May 7, 2018.

D. Payroll Vouchers (Coleman)

Payroll check numbers 537879 through 537894 in the amount of \$511,608.24, electronic deposit transmissions in the amount of \$1,897,500.77 for a grand total of \$2,409,109.01 for the period covering April 2, 2018 to May 2, 2018.

E. Public Works Project No. CP1521

City Council to award Contract No. 18-03, to CPM Development Corporation DBA ICON Materials on their low bid of \$2,124,738.75 for Project No. CP1521 – 15th Street NE/NW Preservation

(RECOMMENDED ACTION: City Council approve the Consent Agenda.)

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. ORDINANCES

A. Ordinance No. 6681 (Roscoe)

An Ordinance of the City of Auburn, Washington, amending Chapter 2.08 of the Auburn City Code, relating to the Independent Salary Commission

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6681.)

XI. RESOLUTIONS

A. Resolution No. 5366 (Coleman)

A Resolution of the City Council of the City of Auburn, Washington, ratifying the cancelation of the request for bids authorized by Resolution 5210 and expressing the City's intent to extend the term of all solid waste collection contracts and seek a new contract through a competitive proposal process

(RECOMMENDED ACTION: City Council adopt Resolution No. 5366.)

B. Resolution No. 5367 (Heid)

A Resolution of the City Council of the City of Auburn, Washington, amending the City Council Rules of Procedure as adopted by Ordinance No. 5802 and amended by Resolution Numbers 4282, 4429, 4467, 4615, 4686, 4740, 4813, 4909, 5105, 5112, 5115, 5217, 5240 and 5283

(RECOMMENDED ACTION: City Council adopt Resolution No. 5367.)

XII. MAYOR AND COUNCILMEMBER REPORTS

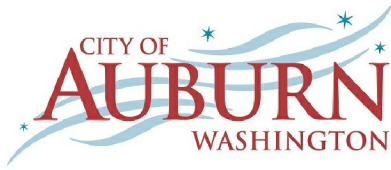
At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

A. **From the Council**

B. **From the Mayor**

XIII. ADJOURNMENT

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the November 6, 2017 Special City Council Meeting

Date:

April 12, 2018

Department:

Administration

Attachments:

[Minutes for Nov 6, 2017 Special Meeting](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:**Background Summary:****Reviewed by Council Committees:****Councilmember:**

Meeting Date: May 7, 2018

Staff:

Item Number: CA.A



**CITY COUNCIL
SPECIAL MEETING**

**November 6, 2017 3:00 PM
Auburn City Hall – Council Chambers**

MINUTES

Mayor Nancy Backus called the special meeting of the City Council to order at 3:00 p.m. on Monday, November 6, 2017 in the Auburn City Hall Council Chambers located at 25 West Main Street in Auburn.

Councilmembers present: Deputy Mayor Largo Wales, Bob Baggett, John Holman, Bill Peloza, Yolanda Trout-Manuel, and Rich Wagner. Councilmember Claude DaCorsi was excused.

Mayor Nancy Backus and the following department directors and staff members were present: Finance Director Shelley Coleman, Chief of Police Bob Lee, Parks, Arts and Recreation Director Daryl Faber, City Attorney Daniel B. Heid, Community Development and Public Works Director Kevin Snyder, Human Resources and Risk Management Director Rob Roscoe, and City Clerk Danielle Daskam.

II. DISCUSSION ITEMS

A. Sound Cities Association 2018 Legislative Agenda

Mayor Backus stated that Auburn representatives to the Sound Cities Association (SCA) Public Issues Committee will be asked to vote on the SCA 2018 legislative agenda this Wednesday night. The special City Council meeting is to discuss the SCA legislative agenda with a vote at the regular City Council meeting later today.

Finance Director Coleman focused on the SCA legislative agenda item relating to the property tax cap adjustment. She distributed additional materials during the meeting related to property tax levy rates, property tax components, active voter-approved property tax measures, and school district levy history and components.

Director Coleman stated there are approximately 12 different taxing districts depending on where one lives in the city of Auburn. Each

\$1.00 of property tax is allocated as follows: \$0.45 to Auburn School District; \$0.13 to the state; \$0.14 to the City; \$0.09 to King County; \$0.02 to Sound Transit; and the remaining \$0.17 to various other taxing districts.

Director Coleman reviewed the seven year history of the Auburn School District levy as well as the levy components by special levy, bond fund levy and building fund levy.

Director Coleman stated the City is limited to a one percent annual increase in property tax per RCW 84.55.005. In the City of Auburn, property tax accounts for 31% of the General Fund revenue budget. The City has been fortunate to fund program expansion and cost of living increases by utilizing its banked property tax levy. In 2017, the City used the remaining banked property tax and will be limited to a one percent increase in property tax in 2018.

Director Coleman noted that the region is experiencing high growth and low unemployment. This has driven up the wages, and the City labor contracts reflect the market wage increases. Benefits have also increased at a greater percentage, as much as 8% to 12% in recent years. Auburn will not be able to afford these growing costs in the future with a 1% cap on one third of the General Fund revenue unless the other two thirds of the General Fund revenue grow at a substantially higher rate.

In a chart contained in the agenda packet, Director Coleman illustrated the effect of the SCA's proposed property tax cap adjustment that equates to inflation (CPI) plus population growth and would increase the levy rate by \$0.073 per \$1,000 of assessed valuation or about \$22.00 per year on a \$300,000 assessed value home.

Councilmember Wagner inquired regarding the impact of the new state legislation in response to the McCleary decision. Finance Director Coleman stated she will need to research the effect. She believes the new legislation will replace the local maintenance and operation levies, but not the bond levies.

Deputy Mayor Wales inquired regarding the Sound Transit levy. Director Coleman stated the levy is for 25 years and is at the rate of \$0.25 per \$1,000. Director Coleman stated the Sound Transit ST3 funding consists of sales tax, property tax, and motor vehicle license tax.

Councilmember Trout-Manuel expressed concern regarding any potential for property tax increases.

Mayor Backus reminded that the purpose of the meeting this afternoon is to discuss the Sound Cities Association legislative priorities for 2018, which includes advocacy for a property tax cap adjustment. If and when the state legislature passes the property tax cap adjustment, each individual city would need to pass the property tax levy. Mayor Backus suggested some cities may utilize the property tax cap adjustment while other cities may have no need to.

Councilmember Baggett noted some cities are in a growth phase and may not need to use the additional property tax, but it does provide flexibility for those cities that might need to take advantage of the additional revenue.

Councilmember Wagner expressed support for the Sound Cities Association legislative priorities, including the property tax cap adjustment.

Councilmember Holman noted the Sound Cities Association legislative priorities for 2018 includes other priorities in addition to the property tax cap adjustment. SCA legislative priorities include: the property tax cap adjustment; investment in public health services, and addressing the housing and homeless crisis.

In response to a question from Councilmember Wagner, Mayor Backus stated funding for the Public Works Trust Fund is included in the Association of Washington Cities legislative priorities.

Deputy Mayor Wales stated she believes it is not the time to support a property tax cap increase.

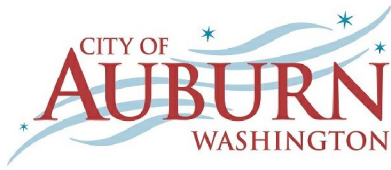
III. ADJOURNMENT

There being no further discussion, the meeting adjourned to closed session 3:42 p.m. to discuss collective bargaining pursuant to RCW 42.30.140(4)(a).

APPROVED this _____ day of _____, 2018.

NANCY BACKUS, MAYOR

Danielle Daskam, City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:
Minutes of the April 16, 2018 Regular Council Meeting

Department:
Administration

Attachments:
[04-16-2018 Meeting Minutes](#)

Date:
April 26, 2018
Budget Impact:
Current Budget: \$0
Proposed Revision: \$0
Revised Budget: \$0

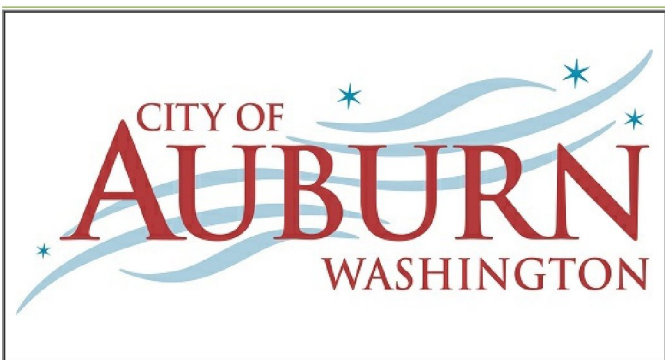
Administrative Recommendation:

Background Summary:

Reviewed by Council Committees:

Councilmember:
Meeting Date: May 7, 2018

Staff:
Item Number: CA.B

	City Council Meeting April 16, 2018 - 7:00 PM City Hall Council Chambers MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

A. Pledge of Allegiance

Mayor Nancy Backus called the meeting to order at 7:00 p.m. in the Council Chambers at Auburn City Hall, 25 West Main Street in Auburn and led those in attendance in the Pledge of Allegiance.

B. Roll Call

Councilmembers present: Deputy Mayor Bob Baggett, Larry Brown, Claude DaCorsi, John Holman, Bill Peloza and Yolanda Trout-Manuel. Councilmember Largo Wales was excused.

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Daniel B. Heid, Information and Technology Director Paul Haugan, Finance Director Shelley Coleman, Parks, Arts and Recreation Director Daryl Faber, Human Resources and Risk Management Director Rob Roscoe, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Assistant Director of Community Development Services Jeff Tate, Police Commander Dan O'Neil, Administrative Services Director Dana Hinman and Deputy City Clerk Shawn Campbell.

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Autism Awareness Month Proclamation

Mayor Backus to proclaim April 2018 as "Autism Awareness Month" in the city of Auburn.

Mayor Backus read the proclamation declaring April 2018 as Autism Awareness Month in the City of Auburn.

B. Law Day Proclamation

Mayor Backus read proclamation declaring May 1, 2018 as Law Day and presented City Attorney Dan Heid with the proclamation.

City Attorney Heid stated he has been an attorney for over 40 years and has enjoyed all of them. He thanked the Mayor and Council for their

support.

C. **Building Safety Month Proclamation**

Mayor Backus to proclaim May 2018 as "Building Safety Month" in the city of Auburn.

Mayor Backus read a proclamation declaring May 2018 as Building Safety Month and presented the proclamation to Building Inspector Fernando Fernandez, Plans Examiner Michael Grohs, Building Inspector Kelly Kosko and Lead Permit Center Technician April Shrader.

Building Inspector Fernandez thanked the Mayor and Council for their support.

III. **APPOINTMENTS**

There were no appointment for Council consideration.

IV. **AGENDA MODIFICATIONS**

A proclamation declaring May 1, 2018 as Law Day and Resolution No. 5364 were added to the agenda.

V. **CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE**

A. **Public Hearings - (No public hearing is scheduled for this evening.)**

B. **Audience Participation**

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

Virginia Haugen, 2503 R Street SE, Auburn

Ms. Haugen spoke about the Auburn Magazine having good data, and she has enjoyed the daffodils. She stated that when she was on the Council she did not know she could have had someone educate the Council on Roberts Rules of Order.

Victoria Parcho, 12 B Street NE, Auburn

Ms. Parcho expressed concern on the Council's use of Robert's Rules of Order and proper training.

C. **Correspondence**

There was no correspondence for Council review.

VI. **COUNCIL AD HOC COMMITTEE REPORTS**

Council Ad Hoc Committee Chairs may report on the status of their ad hoc Council Committees' progress on assigned tasks and may give their recommendation to the City Council, if any.

Councilmember Brown, chair of the Finance ad hoc committee, reported he and Councilmember Holman reviewed claim vouchers totaling approximately \$4.7 million and payroll for the period of March 29 through

April 11, 2018 in the approximate amount of \$2.2 million.

Councilmember Brown reported all items were in order Councilmember DaCorsi, chair of the Roads Projects ad hoc committee, reported the committee will meet on April 17, 2018.

VII. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes of the April 2, 2018 Regular City Council Meeting

B. Minutes of the April 9, 2018, February 12, 2018, August 8, 2016 and August 22, 2016 City Council Study Sessions

C. Claims Vouchers (Coleman)

Claims vouchers 448239 through 448443 in the amount of \$4,259,487.22 and four wire transfers in the amount of \$484,091.20 and dated April 16, 2018.

D. Payroll Vouchers (Coleman)

Payroll check numbers 537857 through 537878 in the amount of \$223,273.31 and electronic deposit transmissions in the amount of \$1,951,999.68 for a grand total of \$2,175,272.99 for the period covering March 29, 2018 to April 11, 2018.

E. Public Works Project No. CP1312 (Gaub)

City Council award Contract No. 18-01, to Rodarte Construction, Inc. on their low bid of \$1,247,388.00 plus Washington State sales tax of \$115,930.50 for a total contract price of \$1,363,318.50 for Project No. CP1312, 2017 Citywide Storm Repair and Replacement Project

Councilmember Trout-Manual moved and Councilmember DaCorsi seconded to approve the consent agenda.

Councilmember Pelosa requested an updated list of study session minutes. He then congratulated Engineering Department for being able to move project CP1312 forward.

MOTION CARRIED UNANIMOUSLY. 6-0.

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

There was no new business.

X. RESOLUTIONS

A. Resolution No. 5362 (Faber)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to apply for and receive grant funds from the State of Washington Recreation and Conservation Office for the Green River 104th Avenue Park Project

Councilmember DaCorsi moved and Councilmember Peloza seconded to approve Resolution No. 5362.

MOTION CARRIED UNANIMOUSLY. 6-0

B. Resolution No. 5363 (Roscoe)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute an agreement with City Department Director employees for employment services

Councilmember Holman moved and Councilmember Baggett seconded to approve Resolution No. 5363.

Councilmember Trout-Manuel asked how the pool is drawn for recruitment. She would like to see a wider recruitment effort for people of color. Human Resources Director Roscoe stated the City has a very wide recruitment effort at this time.

Councilmember Peloza stated the City is an Equal Opportunity Employer and it is up to the interested parties to search the employment opportunities.

MOTION CARRIED UNANIMOUSLY. 6-0

C. Resolution No. 5364

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute an easement granting to Puget Sound Energy easement rights for undergrounding electrical utilities that will service a new bathroom at Les Gove Park

Councilmember Brown moved and Councilmember Holman seconded to approve Resolution No. 5364.

MOTION CARRIED UNANIMOUSLY. 6-0

XI. **MAYOR AND COUNCILMEMBER REPORTS**

At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

A. **From the Council**

Deputy Mayor Baggett reported he attended the Emergency Management Advisory Committee meeting.

Councilmember Peloza reported he attended a memorial service at Tahoma National Cemetery to honor Robert E Lee, a long time resident of

Auburn.

Councilmember Trout-Manuel reported she attended the National League of Cities HELO group meeting where the City of Auburn received an award for their work in the minority community.

B. From the Mayor

Mayor Backus reported she met with the CEO from Habitat for Humanity. Habitat for Humanity will have a reclaimed and used merchandise store in the City. She attended the grand opening for the City of Algona Community Center and City Hall, interviews for CEO candidates for the new Regional Trade and Economic Alliance and swore in two new police officers.

Mayor Backus reminded everyone Saturday April 21st is Clean Sweep. There will also be a memorial service for Dr. Jim Fugate on Saturday.

XII. ADJOURNMENT

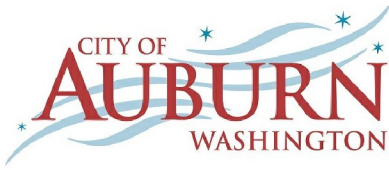
There being no further business to come before the Council, the meeting adjourned at 7:49 p.m.

APPROVED this 7th day of May, 2018.

NANCY BACKUS, MAYOR

Shawn Campbell, Deputy City Clerk

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers (Coleman)

Date:

May 2, 2018

Department:**Attachments:**

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

approve claims vouchers

Background Summary:

Voucher Numbers 448444 Through 448714 in the amount of \$1,877,963.65 and six wire transfers in the amount of \$702,650.21 and dated May 7, 2018.

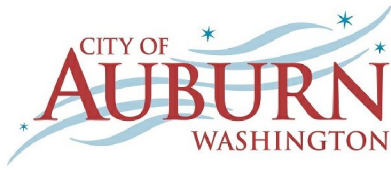
Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: May 7, 2018

Item Number:

CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers (Coleman)

Date:

May 2, 2018

Department:**Attachments:**

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

approve payroll vouchers

Background Summary:

Payroll check numbers 537879 through 537894 in the amount of \$511,608.24, electronic deposit transmissions in the amount of \$1,897,500.77 for a grand total of \$2,409,109.01 for the period covering April 2, 2018 to May 2, 2018.

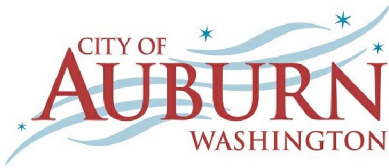
Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: May 7, 2018

Item Number:

CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. CP1521

Date:

April 30, 2018

Department:

CD & PW

Attachments:

[Budget Status Sheet](#)

[Bid Tab Summary](#)

[Vicinity Map](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council award Contract No. 18-03, to CPM Development Corporation DBA ICON Materials on their low bid of \$2,124,738.75 for Project No. CP1521 15th Street NE/NW Preservation.

Background Summary:

The City received 4 responsive bids and has performed verifications to determine that CPM Development Corporation DBA ICON Materials, meets the responsible bidding criteria and recommends award.

Despite the low bid being 20% over the engineer's estimate, all bids received were within close range of each other. Evaluation of the bids indicates that the electrical and traffic control work were bid higher than anticipated. This is likely a result of the Underutilized Disadvantaged Business Enterprise (UDBE) goal of 19% assigned to the project by the Federal Grant administrator and is a requirement of using the federal grant funds. Re-advertising this project will not likely result in lower bids and would delay the project.

The purpose of the project is to rehabilitate and preserve the existing pavement in the 15th Street NW/NE and Harvey Road SE corridor between State Route 167 and 8th Street NE. The project proposes to grind and overlay 15th Street NW/NE from State Route 167 to Auburn Way N; and grind and overlay Harvey Road NE from Auburn Way N to 8th Street NE. The project will restore 7.57 lane miles of pavement, upgrade pedestrian signal system and approximately 30 curb ramps to meet ADA standard, and relocate traffic signal poles that are prone to damages at their existing locations.

Construction of this project is anticipated to start in May 2018 and be complete in October 2018.

A project budget contingency of \$21,435.00 remains in the 461 (Sewer) Fund.

The estimated total project costs for storm improvements within the 462 (Storm) Fund is equal to the amount budgeted for the Project.

The estimated total project costs for street and signal improvements within the 105 (Arterial Preservation), 328 (Capital Signal Improvement), 001 (Engineering Repairs and Maintenance) Funds are equal to the amounts budgeted for the Project.

Reviewed by Council Committees:

Councilmember:

Staff:

Gaub

Meeting Date: May 7, 2018

Item Number:

CA.E

BUDGET STATUS SHEET

Project No: CP1521	Project Title: 15th Street NE/NW Preservation
Project Manager: Kim Truong	

Initiation Date: 5/6/16
 Advertisement Date: 3/29/18
 Award Date: _____

☐ Advertisement
☐ Permission to Advertise
☒ Contract Award
☐ Change Order Approval
☐ Contract Final Acceptance

Date:
April 19, 2018

Funds Budgeted (Funds Available)

Funding	2016 (actual)	2017 (actual)	2018	Total
105 Fund - Arterial Street Preservation	46,656	63,165	1,415,166	1,524,987
105 Fund - Federal Grant	43,793	22,207	749,000	815,000
328 Fund - Capital Signal Improvement			50,000	50,000
001 Fund - Engineering Repairs and Maintenance			50,000	50,000
461 Fund - Sewer			50,000	50,000
462 Fund - Storm			65,000	65,000
Total	90,449	85,372	2,379,166	2,554,987

Estimated Cost (Funds Needed)

Activity	2016 (actual)	2017 (actual)	2018	Total
Design Engineering - City Costs	63,759	72,548	39,344	175,651
Design Engineering - Consultant Costs	26,306	12,824	24,462	63,593
Construction Contract			2,124,739	2,124,739
Construction Contract Contingency (5%)			106,237	106,237
Other - Permitting, Misc.	384		4,900	5,284
Construction Engineering - City Costs			53,049	53,049
Construction Engineering - Consultant Costs			5,000	5,000
Total	90,449	85,372.31	2,357,731	2,533,552

105, 328, & 001 Budget Status

	2016 (actual)	2017 (actual)	2018	Total
*105, 328, 001 Funds Budgeted ()	(90,449)	(85,372)	(2,264,166)	(2,439,987)
105, 328, 001 Funds Needed	90,449	85,372	2,264,166	2,439,987
*105, 328, 001 Fund Project Contingency ()	0	0	0	0
105, 328, 001 Funds Required	0	0	0	0

462 Storm Budget Status

	2016 (actual)	2017 (actual)	2018	Total
*462 Funds Budgeted ()	0	0	(65,000)	(65,000)
462 Funds Needed	0	0	65,000	65,000
*462 Fund Project Contingency ()	0	0	(0)	(0)
462 Funds Required	0	0	0	0

461 Sewer Budget Status

	2016 (actual)	2017 (actual)	2018	Total
*461 Funds Budgeted ()	0	0	(50,000)	(50,000)
461 Funds Needed	0	0	28,565	28,565
*461 Fund Project Contingency ()	0	0	(21,435)	(21,435)
461 Funds Required	0	0	0	0

*(#) in the Budget Status Sections indicates Money the City has available.

**BID TABULATION
BID TOTALS SUMMARY**

Project Name: CP1521, 15th St NE/NW Preservation

Prepared by: City of Auburn

Bid Date: 4/19/18

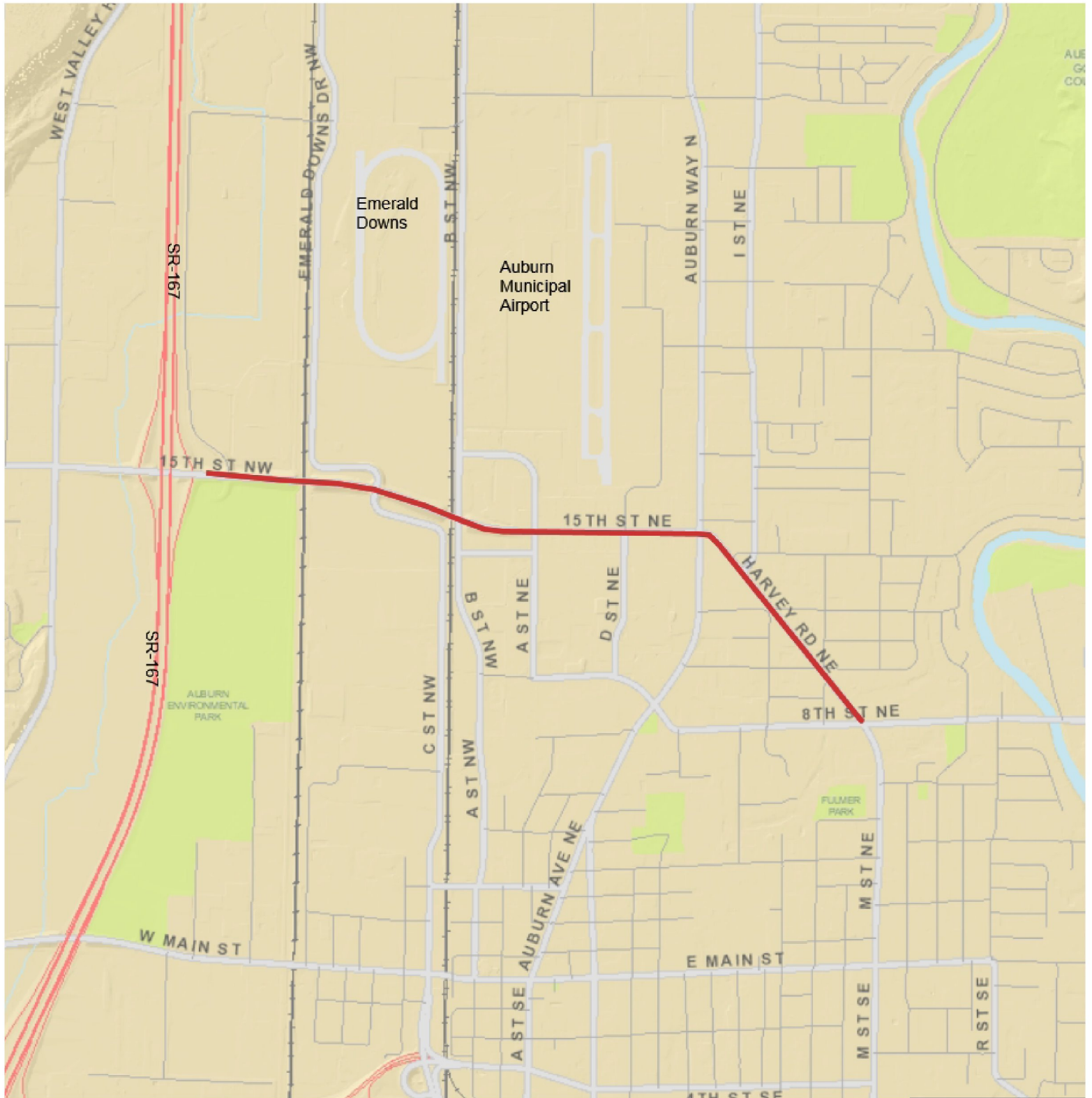
ENGINEER'S ESTIMATE:	\$ 1,776,314.75			
AVERAGE BASIC BID AMOUNT:	\$ 2,155,468.69			
BASIC BID SPREAD AMOUNT:	\$ 77,363.25	Basic BID Amount	Spread \$	Spread %

LOW BIDDER:	ICON Materials	\$ 2,124,738.75	\$348,424.00	19.61%
Second Bidder:	Miles Resources, LLC	\$ 2,129,356.55	\$353,041.80	19.87%

	Basic BID (Tax not Included)	Total BID (This Contract has no sales tax.)
ICON Materials	\$ 2,124,738.75	\$ 2,124,738.75
Miles Resources, LLC	\$ 2,129,356.55	\$ 2,129,356.55
Lakeside Industries, Inc.	\$ 2,165,677.45	\$ 2,165,677.45
Tucci & Sons, Inc.	\$ 2,202,102.00	\$ 2,202,102.00

NOTE: An evaluation of whether a bidder is responsible or non-responsible was only made for the low bidder. This does not indicate, one way or the other, how other bidders would be considered if they were the low bidder.

CP1521 15th Street NE/NW Preservation

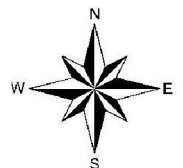


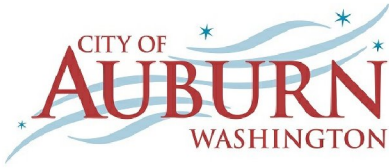
15th Street NE/NW Preservatic

Printed Date: 5/6/2014

Map Created by City of Auburn eGIS

Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.





AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6681 (Roscoe)

Department:

Human Resources

Attachments:

[Ordinance No. 6681](#)

Date:

May 1, 2018

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion.

Background Summary:**Reviewed by Council Committees:****Councilmember:**

Meeting Date: May 7, 2018

Staff:

Roscoe

Item Number:

ORD.A

ORDINANCE NO. 6 6 8 1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, AMENDING CHAPTER 2.08 OF THE
AUBURN CITY CODE RELATING TO THE INDEPENDENT
SALARY COMMISSION

WHEREAS, the provisions of state law, and particularly the provisions of Section 35.21.015 of the Revised Code of Washington (RCW) allow for cities to establish independent salary commissions to set the salaries for elected City Council members and other elected officials of the City; and

WHEREAS, at the time that the City Council adopted its Ordinance No. 6504, creating Chapter 2.08 of the Auburn City Code, establishing an Independent Salary Commission for the City of Auburn, it included, within the purpose and scope of the Commission's salary setting responsibilities, the salaries for members of the City Council, not the Mayor; and

WHEREAS, since the adoption of Ordinance No. 6504, it has been determined that it would be advantageous for the Commission's salary setting responsibilities to include the Mayor's salary as well as those of members of the City Council; and

WHEREAS, the provisions of Section 35.21.015 RCW would accommodate inclusion of the Mayor's salary in the responsibilities of the Commission.

SECTION 1. AMENDMENT TO AUBURN CITY CODE.

Chapter 2.08 of the

Auburn City Code be, and the same hereby is, amended to read as follows:

Chapter 2.08

INDEPENDENT SALARY COMMISSION

Sections:

- 2.08.010 Commission established.
- 2.08.020 Purpose.
- 2.08.030 Membership.
- 2.08.040 Qualifications.
- 2.08.050 Operation.
- 2.08.060 Responsibilities.
- 2.08.070 Effective date – Salaries.

2.08.080 Salary schedule subject to referendum petition.

2.08.010 Commission established.

A salary commission is hereby established pursuant to RCW 35.21.015, hereinafter referred to as the city of Auburn independent salary commission. (Ord. 6504 § 1, 2014.)

2.08.020 Purpose.

The purpose of the independent salary commission shall be to review and establish the salaries of the members of the city council and the mayor. For the purposes hereof, the salary authority of the independent salary commission shall include all compensation that may be paid to or received by councilmembers and the mayor, whether or not it is identified as salary. Also for the purposes hereof, the salaries identified by the independent salary commission shall be uniform among the same category or class of elected officials. This provision, however, does not prevent or preclude the independent salary commission from providing for a different salary for the councilmember selected as the deputy mayor of the city. Rather, the independent salary commission would be entitled to consider the additional duties of the deputy mayor in setting salaries for that position. (Ord. 6504 § 1, 2014.)

2.08.030 Membership.

A. The independent salary commission shall consist of five members who shall be registered voters and residents of the city of Auburn, appointed by the mayor and confirmed by the city council; provided, that no person shall be appointed to a position on the independent salary commission unless that person has completed and submitted to the city an application for appointment to citizen boards, commissions and committees, on the form provided by the city.

B. The members of the independent salary commission shall serve without compensation.

C. Each member of the independent salary commission shall serve a term of four years, except that the first five commission members shall be appointed for different terms, as follows: one member to serve for a period of one year, one member to serve for a period of two years, one member to serve for a period of three years, and two members to serve for a period of four years. The mayor, with the approval/confirmation of the city council, may appoint alternate independent salary commission members as the need arises. The Prior to the expiration of the terms of office of any members of the independent salary commission, the mayor shall annually-reappoint or appoint, subject to approval/confirmation by the city council, returning or new members by March of any given year to fill the expiring terms on the independent salary commission.

D. No member may be appointed to more than two terms on the independent salary commission, whether or not those terms are held consecutively.

E. If, for any reason, a vacancy occurs during the term of an independent salary commission member, the mayor shall appoint, with the approval/confirmation of the city council, a new member to fill the unexpired term of that member.

F. The mayor and city council may remove an independent salary commission member at any time for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, or for a disqualifying change of residence, or for three consecutive unexcused absences of regularly scheduled meetings of the independent salary commission.

G. All members of the independent salary commission shall serve until their successors are duly appointed by the mayor and confirmed by the city council. (Ord. 6649 § 1, 2017; Ord. 6504 § 1, 2014.)

2.08.040 Qualifications.

A. No person shall be appointed to serve as a member or alternate member of the independent salary commission unless that person is a citizen of the United States, a resident of the city for at least one year immediately preceding such appointment, and an elector of the county in which the member resides.

B. No city officer, official or employee of the city or an immediate family member of a city officer, official or employee may serve on the commission. "Immediate family member," as used in this section, means the parents, spouse, siblings, children, or dependent relatives of the officer, official, or employee, whether or not living in the household of the officer, official or employee. (Ord. 6504 § 1, 2014.)

2.08.050 Operation.

A. The independent salary commission shall elect a chair and vice chair from among its voting members. Other than for those members initially appointed for a one-year term, such officers shall hold office for two years. The independent salary commission may from time to time establish and publish rules of procedure for the efficient and fair conduct of its business, consistent with state law and city ordinance.

B. The mayor shall appoint appropriate staff to assist the independent salary commission in preparation of its reports and records, and conducting its meetings, as may be necessary for the proper operation of the commission.

C. The meetings of the independent salary commission shall be subject to the Open Public Meetings Act pursuant to Chapter 42.30 RCW.

D. The independent salary commission, with the assistance of appointed staff, shall keep a written record of its proceedings, which shall be a public record all in accordance with state law.

E. The independent salary commission shall have the authority to raise and lower salaries of the city council and the mayor. A city council or mayoral salary increase or decrease shall occur only if three members of the commission vote in favor of the increase or decrease. Three members of the commission shall constitute a quorum, and the votes of such quorum shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the independent salary commission.

F. The independent salary commission shall meet at least once ~~in 2014 and at least once in~~ each year ~~thereafter~~ to consider whether or not to review and/or adjust existing salaries for the city council ~~salaries and the mayor~~. The initial meeting of the

independent salary commission shall take place within 30 days after the initial members of the independent salary commission have been appointed and confirmed. Thereafter, the initial annual meeting of the independent salary commission shall occur no later than April 30th, in any given year.

G. Prior to a vote of the independent salary commission to raise or lower salaries, residents of the city shall have an opportunity to comment or submit comments in writing. An opportunity for comments shall be conducted in a manner that is consistent with the procedure used at regularly scheduled meetings of the city council for public comment.

H. Prior to a vote of the independent salary commission to raise or lower salaries, the commission may request, from the mayor or designee, additional financial information and other relevant data, other than that information provided in subsection I of this section, including but not limited to information related to the various duties, assignments, responsibilities, obligations and meetings of city councilmembers.

I. The mayor or designee shall provide the independent salary commission with, and the commission shall consider, information regarding salaries paid to members of city councils and mayors from comparable cities. Such comparable cities shall be comprised of cities having a population of at least 25,000 and located in King, Pierce or Snohomish County, and for the purposes of the mayor, comparable cities shall be cities organized and operating under the mayor-council plan of government, pursuant to Chapter 35A.12 RCW or Title 35, RCW.

J. In its meeting(s), the independent salary commission shall review and, if it so determines, amend and file its schedule of salaries for the city council and the mayor ~~with the city clerk within 30 days after its meeting(s) in 2014, and thereafter shall file its amended schedule of salaries for the city council (if any) with the city clerk~~ no later than May 31st of each year. If necessary, the independent salary commission will also meet upon any other call by the chair, the mayor or by the majority vote of the city council. (Ord. 6504 § 1, 2014.)

2.08.060 Responsibilities.

The independent salary commission shall have the following responsibilities:

A. To study the relationship of salaries to the duties of the city councilmembers and the mayor and those of comparable cities, as defined hereinabove, and to establish a salary for the mayor and a uniform salary for all councilmembers, as described hereinabove, by either increasing or decreasing the existing salaries for the city council and the mayor by an affirmative vote of not less than three members;

B. To review salary schedules and file its amending salary schedules, if any, ~~within 30 days after the initial meetings of the independent salary commission; and thereafter, to review salary schedules and file its amending salary schedules, if any,~~ not later than May 31st of every year ~~thereafter, provided that this does not preclude the independent salary commission from reviewing and amending salary schedules more often than once per year if circumstances warrant;~~

C. To submit each amended salary schedule to the city clerk, who will publish the complete schedule two times, at least one week apart in the official newspaper of the

city. The second publication date will be the official filing date. The schedule will become effective 30 days after this date. (Ord. 6504 § 1, 2014.)

2.08.070 Effective date – Salaries.

The independent salary commission's established or amended salary schedule will become effective in the amounts, at the times, and under the conditions established in the schedule. Once filed, the schedule shall be incorporated into the city budget without further action of the city council or the independent salary commission. Salary increases established by the independent salary commission shall be effective as to all city councilmembers and the mayor regardless of their terms of office. Salary decreases established by the commission shall become effective as to incumbents at the commencement of their next subsequent terms of office. Existing salaries for councilmembers and the mayor established by prior action of the independent salary commission, by prior city ordinance and/or through prior city budget shall remain in effect unless and until changed in accordance with the provisions of this chapter. The terms and conditions of the commission's adopted salary schedule will remain in effect until amended under the terms and conditions of a new salary schedule filed in accordance with this chapter. (Ord. 6504 § 1, 2014.)

2.08.080 Salary schedule subject to referendum petition.

A. The independent salary commission's adopted salary schedule shall be subject to referendum petition by the people of the city upon filing of a valid referendum petition with the city clerk within 30 days after the official filing date of the salary schedule. The number of registered voters needed to sign such a petition for referendum shall be 15 percent of the total number of names of persons listed as registered voters within the city on the day of the last preceding city general election. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by vote of the people.

B. Referendum measures under this section shall be submitted to the voters of the city at the next following general or municipal election occurring 30 days or more after the petition is filed and shall be otherwise governed by the provisions of the State Constitution, RCW 35A.11.100 and other laws generally applicable to referendum measures. (Ord. 6504 § 1, 2014.)

SECTION 2. IMPLEMENTATION. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

SECTION 3. SEVERABILITY. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof

to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

CITY OF AUBURN

ATTEST:

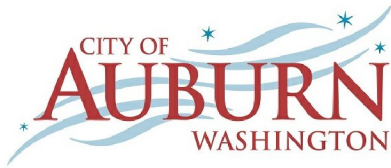
NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:
Resolution No. 5366 (Coleman)

Date:
May 2, 2018

Department:
Finance

Attachments:
[Resolution No. 5366](#)

Budget Impact:

Administrative Recommendation:
City Council adopt Resolution No. 5366

Background Summary:

The City of Auburn's current "Comprehensive Garbage, Recyclables and Compostables Collection Agreement" with Waste Management expires September 30, 2019. The City's "Comprehensive Agreement for Solid Waste Collection in Annexed Areas" with Republic Services also expires September 30, 2019.

Resolution No. 5366 cancels the 2016 request for bid process, authorizes the City to extend the existing solid waste contracts for a term of two years to September 30, 2021, and solidifies the City's intent to procure the next solid waste contract through a competitive proposal process. The competitive process will ensure the best services for City of Auburn residents and businesses. The new contract will start October 1, 2021, and encompass the entire City.

Reviewed by Council Committees:

Councilmember:

Staff:

Coleman

Meeting Date: May 7, 2018

Item Number:

RES.A

RESOLUTION NO. 5 3 6 6

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RATIFYING THE CANCELATION OF THE REQUEST FOR BIDS AUTHORIZED BY RESOLUTION 5210 AND EXPRESSING THE CITY'S INTENT TO EXTEND THE TERM OF ALL SOLID WASTE COLLECTION CONTRACTS AND SEEK A NEW CONTRACT THROUGH A COMPETITIVE PROPOSAL PROCESS

WHEREAS, the City of Auburn's existing solid waste collection contracts expire on September 30, 2019; and

WHEREAS, Resolution No. 5210 authorized the Mayor to procure solid waste hauler services, through the use of a cost-based competitive bidding process, using prudent measures to insure that bidders are competent and provide high levels of service; and

WHEREAS, though the process called for in Resolution No. 5210 was commenced, it did not result in the city being able to make a selection for a term to start in 2018; and

WHEREAS, at the bidder's request, bid bonds were returned, effectively canceling the competitive bidding process; and

WHEREAS, the statutorily created franchises for annexed territory have expired, permitting the City to award a new collections contract for all portions of the city; and

WHEREAS, each of the City's existing collections contracts contain provisions allowing for a two-year extension of the term of each contract; and

WHEREAS, Auburn residents value transparent, fair, and cost-effective public contracting processes; and

WHEREAS, it is advantageous for the City to take steps to address current solid waste contracts and to procure future solid waste contracts through a competitive process.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, HEREBY RESOLVES as follows:

Section 1. The cancellation of the competitive bid process for solid waste services authorized by Auburn Resolution No. 5210, enacted on March 21, 2016, is ratified.

Section 2. That the Mayor is hereby authorized and directed to extend, according to the terms and conditions of both existing solid waste collection contracts, the term of each contract for a two-year period.

Section 3. That the Mayor is further hereby authorized and directed to procure future solid waste hauler services through the use of a competitive proposal process, beginning no later than June 1, 2019, using prudent measures to ensure that candidates are competent and able to deliver high levels of service consistent with the expectations of city residents and businesses.

Section 4. That the Mayor is further authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 5. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2018.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5367 (Heid)

Date:

May 1, 2018

Department:

City Attorney

Attachments:

[Resolution No. 5367](#)

[Resolution No. 5367, Exhibit A](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion.

Background Summary:

The City Council, like many public (and private) boards benefit from having its own Rules of Procedure, defining how meetings are to be conducted, and affairs to be run. This is consistent with Robert's Rules of Order, which accommodates customization of rules to best suit the organization. Periodically, the City Council has seen fit to modify its Rules of Procedure, whether to address specific issues or clarify questions that surface in the use of its rules. In this case, several questions recently surfaced with respect to how best to make sure that Councilmembers are using tools available to them to make sure that the information they need, is provided, and available through resources that do not leave the Councilmembers facing any exposure or jeopardy. Additionally, particularly after recent parliamentary training, the City Council received an offer from the parliamentarian who presented the training to make some minimal suggestions that could help the City Council in connection with its City business. Resolution No. 5367 includes some such modifications.

Reviewed by Council Committees:**Councilmember:****Staff:**

Meeting Date: May 7, 2018

Item Number: RES.B

RESOLUTION NO. 5 3 6 7

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, AMENDING THE CITY COUNCIL
RULES OF PROCEDURE AS ADOPTED BY ORDINANCE NO.
5802 AND AMENDED BY RESOLUTION NUMBERS. 4282,
4429, 4467, 4615, 4686, 4740, 4813, 4909, 5105, 5112, 5115
5217, 5240 AND 5283

WHEREAS, on February 2, 2004, the Auburn City Council adopted Ordinance No. 5802 approving the Rules of Procedure of the City Council; and

WHEREAS, Ordinance No. 5802 also provided that future amendments or modifications to the City Council Rules of Procedure could be accomplished by Resolution properly introduced and passed by the City Council; and

WHEREAS, since Ordinance No. 5802, the City Council passed Resolution Numbers 4282, 4429, 4467, 4615, 4686, 4740, 4813, 4909, 5105, 5112, 5115, 5217 , 5240 and 5283, which Resolutions adopted certain modifications to the City Council Rules of Procedure; and

WHEREAS, since the time of the above Resolutions, certain issues surfaced that indicate an advantage in making further changes to the City Council Rules of Procedure, including parliamentarian suggestions - related to: voting for ordinances and resolutions, preservation of order and decorum relating to those in the audience who disrupt meetings; and motions for reconsideration, as well as use of social media and electronic equipment during Council meetings, refraining from actions detracting from deportment of the City Council, and Councilmember use of city equipment and facilities.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, IN A REGULAR MEETING DULY ASSEMBLED, HEREWITH RESOLVES AS FOLLOWS:

Section 1. The Rules of Procedure of the City Council, as adopted by Ordinance No. 5802 on February 2, 2004, amended by Resolution No. 4282 on December 12, 2007, Resolution No. 4429 on December 15, 2008, Resolution No. 4467 on April 6, 2009,

Resolution No. 4615 on July 6, 2010, Resolution No. 4686 on February 22, 2011, Resolution No. 4740 on August 15, 2011, Resolution No. 4813 on May 21, 2012, Resolution No. 4909 on February 19, 2013, Resolution No. 5105 on November 3, 2014, Resolution No. 5112 on December 1, 2014, Resolution No. 5115 on December 15, 2014, Resolution No. 5217 on May 2, 2016, Resolution No. 5240 on July 5th, 2016, and Resolution No. 5283 on February 21, 2017, on February 21, 2017, are hereby amended as set forth in Exhibit "A", attached hereto and incorporated herein.

Section 2. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. This Resolution shall take effect and be in full force and effect upon passage and signature hereon.

DATED and SIGNED this ____ day of _____, 2018.

CITY OF AUBURN

ATTEST:

NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney

Exhibit “A” to Resolution No. 5 3 6 7

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

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

SECTION 1 - AUTHORITY

The Auburn 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 they are amended or new rules are adopted in the manner provided by these rules.

SECTION 2 - COUNCIL MEETINGS

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 provided in RCW Chapter 42.30. The City Clerk shall be responsible for preparing agendas for all City Council meetings pursuant to the authority of Section 2.03.100 of the City Code¹.

¹ 2.03.100 Meeting coordination duties.

The City Clerk shall cause to be prepared action minutes of all of the Council meetings, which minutes shall contain an account of all official actions of the Council. Council meetings shall be electronically recorded and retained for the period of time as provided by State law.

- 2.1 **Regular Meetings** - In accordance with Sections 2.06.010(A) and 2.06.020 of the City Code, the regular meetings of the City Council shall held on the first and third Mondays of every month in the City Hall Council Chambers located at 25 West Main Street, Auburn, Washington. The regular meeting location may be changed by a majority vote of the City Council.

Regular Council meetings will begin at the hour of 7:00 p.m.

A quorum shall constitute four or more Councilmembers for the transaction of business.

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

The Presiding Officer shall be as set forth in Section 5.1 herein.

The Mayor, as presiding officer shall be seated at the center of the dais, and the Deputy Mayor shall be seated to the presiding officer's immediate left. When the Deputy Mayor is acting as the presiding officer, in the absence of the Mayor, the Deputy Mayor shall be seated in the center of the dais. The seating arrangement for the other members of the Council shall be as directed by the City Council pursuant to a motion duly made and seconded and approved by a majority of the City Council, following the recommendation of an ad hoc committee of three Councilmembers called for that purpose.

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

- 2.2 **Study Sessions** - In accordance with Sections 2.06.010(B) and 2.06.020 of the City Code, Study Sessions of the City Council shall held on the second, fourth and fifth Mondays of every month in the City Hall Council Chambers located at 25 West

The mayor or the mayor's designee shall be responsible for the preparation of agendas for the meetings of the council and of the various boards, commissions and committees of the city, and for including in those agendas the items and issues forwarded by the city council and/or or by the ad hoc committees designated to act on behalf of the city council, and for including in those agendas the items and issues proposed by the mayor and city administration, for consideration by the council. The mayor or the mayor's designee shall also be responsible for publishing notices for meetings and for public hearings for the meetings of the council and the various boards, commissions and committees of the city, and for setting the dates and times for said public hearings, except in those instances when setting dates and times for public hearings is required by statute to be done through council resolution. (Ord. 6405 § 1, 2012; Ord. 5761 § 1, 2003.)

Main Street, Auburn, Washington. The regular meeting location of Study Sessions may be changed by a majority vote of the City Council. Study Sessions shall be subject to the following:

- A. The Deputy Mayor shall preside over Study Sessions, other than those portions thereof for which Special Focus Areas are scheduled (as described herein below).
- B. Study Sessions will begin at the hour of 5:30 p.m.
- C. A quorum shall constitute four or more Councilmembers for the transaction of business.
- D. In the event that a scheduled Study Session falls on a legal holiday, the meeting shall be held at 5:30 p.m. on the first business day following the holiday.
- E. No particular seating arrangement shall be required for the Deputy Mayor or other members of the Council, or for the Mayor or any other persons invited to sit at the table of Study Sessions.

2.3 **Regular Meeting Times:**²

The regularly scheduled meetings of the City Council shall be held at the following times, unless re-scheduled and/or reset to different times:

- A. First Monday of the month - Regular Council Meeting - - 7:00 PM
- B. Second Monday of the month - Council Study Session - - 5:30 PM
- C. Third Monday of the month - Regular Council Meeting - - 7:00 PM.
- D. Fourth Monday of the month - Council Study Session - - 5:30 PM
- E. Fifth Monday of the month - Council Study Session - - 5:30 PM.

2.4 **Special Meetings** - In accordance with Section 2.06.040 of the City Code and Section 35A.12.110 RCW, a special meeting of the City Council may be called by the Mayor or any three members of the Council by written notice delivered to each member of the Council at least 24 hours before the time specified for the proposed meeting; provided, however, that no ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed, at any special meeting unless public notice of such meeting has been given by such notice to the local press, radio and television as will be reasonably calculated to inform the city's inhabitants of the meeting.

² Any of these regularly scheduled meetings may be cancelled if not needed.

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

2.5 **Emergency Meetings** - Emergency meetings may be called by the Mayor, in accordance with Section 42.30.070 RCW, when by reason of fire, flood, earthquake, or other emergency, there is a need for expedited action by the City Council to meet the emergency, in which case, the meeting site notice requirements otherwise applicable shall not apply.

2.6 **Executive Sessions** - A Council meeting that is closed except to the Council, the Mayor, City Attorney and authorized staff members and/or consultants authorized by the Mayor. The public is restricted from attendance.

Executive sessions may be held during Regular and Special meetings of the City Council, and will be announced by the presiding officer. Executive session subjects are limited to considering such matters as permitted by State law.

[See former ACC 2.06.070 (1957 code § 1.04.080).]

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

SECTION 3 - ORDER OF BUSINESS OF REGULAR COUNCIL MEETING AGENDA

All items to be included on the Council's agenda for consideration should be submitted to the City Clerk, in full by 12:00 Noon on the Tuesday preceding each regular Council meeting. The City Clerk shall then prepare a proposed agenda according to the order of business, for approval by the Mayor, or his/her designee. A final agenda will then be prepared by the City Clerk and distributed to Councilmembers as the official agenda for the meeting.

3.1 The agenda format of the Regular City Council meeting shall be as follows:

A. Call to order.

The Mayor shall call the meeting to order.

B. Pledge of Allegiance.

The Mayor, Councilmembers and, at times, invited guests will lead the Pledge of Allegiance.

C. Roll call.

The City Clerk will call the roll. Councilmembers may request to be excused from a meeting by requesting the same of the Mayor in advance of the

meeting. The reason for the request shall be given at the time of the request.

D. Announcements, Proclamations and Presentations

A proclamation is defined as an official announcement made by the Mayor or the City Council regarding a non-controversial event, activity or special interest group which has a major city-wide impact.

E. Appointments

Appointing individuals to various committees, boards and commissions. Confirmation of appointments, where confirmation is called for, may be preceded by discussion in executive session, where appropriate.

F. Agenda modifications

Changes to the Council's published agenda are announced at this time.

G. Public Hearings and Appeals

Individuals may comment on public hearing and appeal items, provided that when an appeal is a closed record appeal, the matter shall be considered based on information, evidence and documents in the record. Argument on the appeal shall refer only to matters, information, documents and evidence presented at the underlying hearing from which the appeal is taken, and no new information, evidence or documents may be added, and argument on the appeal may only deal with information, evidence and documents in the record. The presiding officer will state the public hearing and/or appeal procedures before each hearing.

H. Audience Participation

Members of the audience may comment on items relating to any matter related to City business under the Audience Participation period. Comments are limited to three (3) minutes per person, and a total of fifteen (15) minutes per topic. Groups who have a designated speaker may have a total of ten (10) minutes to speak. Public comments sign-up forms will be available at the City Clerk's desk at each meeting for use of those citizens wishing to address the Council. The City Clerk shall serve as timekeeper. The presiding officer may make exceptions to the audience participation time restrictions when warranted, in the discretion of the presiding officer.

Citizens may also speak on individual agenda items on the printed agenda at the time they are considered by the Council as requested by the presiding officer.

I. Correspondence

J Council Ad Hoc Committee Reports

Council ad hoc Committee Chairs may report on the status of their ad hoc Council Committees' progress on assigned tasks and may give their recommendations to the City Council, if any.

K. Consent Agenda

Approval of the Consent Agenda, including items considered to be routine and non-controversial, may be approved by one motion. Items on the Consent Agenda include but are not limited to the following. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action.

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

L. Unfinished Business

Unfinished business of a general nature and that it was removed from the Consent Agenda for separate discussion and action.

M. New Business

Business, other than ordinances and resolutions, that has not been previously before the City Council.

N. Ordinances

1. All ordinances shall be in writing, and the titles thereof shall be read aloud by the City Attorney prior to a vote being called on their adoption, provided that any councilmember may upon request, have a full reading of the text of a proposed ordinance prior to the vote on its adoption. It shall not require a second to the request for a full reading of an ordinance. It is further provided, however, that the requirement for a reading of the title of the proposed ordinance, or a full reading of the text of the proposed ordinance may be waived

upon a motion duly made, seconded and approved by a majority of the councilmembers in attendance at the council meeting.

2. Prior to any ordinance being considered for adoption by the City Council, the ordinance shall be included on a Study Session agenda, for review and discussion as provided in Section 16.1 (C)(5); Provided, however, that if the Mayor believes that special, emergency or exigent circumstances exist regarding the need to consider adoption of an ordinance without the ordinance having been placed on a Study Session agenda, the Mayor may place the ordinance on a Regular or Special City Council Meeting agenda with a request that the City Council consider adoption of the ordinance at such Regular or Special Meeting of the City Council. If there is not agreement among members of the City Council as to whether the ordinance should be considered for adoption at the Regular or Special Meeting of the City Council, the matter shall be presented for a separate vote at the Regular or Special City Council Meeting, and decided by majority vote of the members of the City Council at said meeting.
 - a. If a majority of the City Council members vote in favor of considering adoption of the ordinance, the consideration of the adoption of the ordinance shall be the next matter before the City Council.
 - b. If a majority of the City Council votes in favor of reviewing and discussing the ordinance at a Study Session prior to voting on its adoption, the ordinance shall be placed on an upcoming Study Session agenda for review and discussion.

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

Discussion and debate by the City Council on ordinances will be held prior to the vote on an ordinance. Councilmembers shall decide whether or not to amend the ordinance, or direct staff to further review the proposed ordinance.

An ordinance shall be adopted by a majority vote of ~~a quorum of~~ the City Council, ~~provided that adoption of any ordinance that grants or revokes a franchise or license~~ shall require the affirmative vote of at least a majority of the whole membership of the Council, and provided that public emergency ordinances require a vote of a majority plus one of the whole

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

O. Resolutions

All resolutions shall be in writing, and the titles thereof shall be read aloud by the City Attorney prior to a vote being called on their passage, provided that any councilmember may upon request, have a full reading of the text of a proposed resolution prior to the vote on its passage. It shall not require a second to the request for a full reading of a resolution. It is further provided, however, that the requirement for a reading of the title of the proposed resolution, or a full reading of the text of the proposed resolution may be waived upon a motion duly made, seconded and approved by a majority of the councilmembers in attendance at the council meeting.

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

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

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

P. Mayor and Councilmember Reports

The Mayor and Councilmembers may report on their significant City-related activities since the last regular meeting. The Mayor and Councilmembers shall limit their reports to not more than three (3) minutes, with sensitivity to avoiding duplicate reporting.

Q. Adjournment

3.3. Recess - The foregoing agenda may be interrupted for a stated time as called by the presiding officer to recess for any reason, including executive sessions.

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

- A. Motion to Suspend the Rules. Any member of the City Council may move to suspend the rules so as to provide that an item on the agenda may be taken out of order - considered at a different order or placement in the agenda. Such motion shall require a second, and upon approval by a majority of Councilmembers in attendance at the meeting, the item shall be considered at the point in the agenda as indicated in the approved motion.
- B. Adjustment of Agenda by Mayor. If the Mayor, as the presiding official, determines that an item on the agenda of a Regular Council Meeting should be taken out of order - considered at a different order or placement in the agenda as set forth in the agenda - to accommodate members of the City Council or others at the Council Meeting, the Mayor may call for the amendment of the agenda to accomplish such adjustment. Such action by the Mayor does not require a motion or vote by the City Council; provided that if the City Council does not wish to have the item moved - agenda adjusted - as directed by the Mayor, the City Council may, by motion duly made, seconded and approved by a majority of Councilmembers in attendance at the meeting keep the agenda unchanged.

[See former ACC 2.06.110 (Ord. 5687 § 1, 2002; Ord. 4166 § 2, 1986); ACC 2.06.120 (1957 code § 1.04.120.); ACC 2.06.140 (1957 code § 1.04.140.); ACC 2.06.170 (1957 code § 1.04.190.); ACC 2.06.180 (Ord. 5635 § 2, 2002; 1957 code § 1.04.200).]

SECTION 4 - COUNCILMEMBER ATTENDANCE AT MEETINGS

- 4.1 Councilmembers shall attend Regular Council meetings and Study Sessions. Councilmembers shall inform the Mayor or the City Clerk if they are unable to attend any Regular Council meeting or Study Session, or if they knowingly will be late to any such meetings. If a Councilmember has informed the Mayor or City Clerk that he or she is unable to attend such meeting, the minutes for that meeting will show the Councilmember as having an excused absence for that meeting. Provided that excessive, continued or prolonged absences may be addressed by the City Council on a case by case basis.

[See ACC 2.06.050 and RCW 35A.12.060]

- 4.2 Councilmembers are expected to attend the meetings of the Ad Hoc_Council Committees to which they are assigned. Councilmembers should inform the Chair of such Ad Hoc Council Committees or the City Clerk if they are unable to attend any meetings of such Ad Hoc Council Committees, and should inform the Chair or City Clerk if they expect to be late to any such Ad Hoc Council Committee meeting. If a Councilmember has informed the Chair or City Clerk that he or she is unable to attend such Ad Hoc Committee meeting, the minutes for that meeting, if minutes are required and/or taken, shall show the Councilmember as having an excused absence for that meeting. Provided that excessive, continued or prolonged absences may be addressed by the City Council on a case by case basis.

- 4.3 Councilmembers shall attend the Special Meetings of the City Council. Councilmembers, shall inform the Mayor or the City Clerk if they are unable to attend any such meetings, or shall so inform the Mayor or City Clerk if they expect to be late to any such Special meeting. If a Councilmember has informed the Mayor or City Clerk that he or she is unable to attend such Special meeting, the minutes for that meeting shall show the Councilmember as having an excused absence for that meeting. Provided that excessive, continued or prolonged absences may be addressed by the City Council on a case by case basis.
- 4.4 Attendance at Ad Hoc Council Committee meetings and Special meetings will not be considered “regular meetings” for the purposes of RCW 35A.12.060, applicable to Regular City Council meetings. However, in addition to the application of RCW 35A.12.060 to Regular City Council meetings, unexcused absences from any Regular or Special meetings, or Ad Hoc Committee meetings, shall constitute a violation of these Rules of Procedure.
- 4.5 At all meetings of the City Council, including but not limited to Regular Meetings, Study Sessions and Ad Hoc Committee Meetings, Councilmembers shall refrain from use of cell phones or other personal communication devices, and shall not send or receive and read e-mails, text messages, or any other social media postings. Councilmembers shall also refrain from side conversations with other individual Councilmembers. Councilmembers shall also refrain from inappropriate or derogatory body language or any other actions that detract from the deportment of the City Council.

SECTION 5 - PRESIDING OFFICER - DUTIES

5.1 Conduct of Meetings

The presiding officer at all Regular 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 and a quorum is present, the Council shall elect one of its members to serve as the presiding officer until the return of the Mayor or Deputy Mayor. Additionally, the Deputy Mayor shall serve as the presiding officer for Council Study Sessions, other than those portions thereof for which Special Focus Areas are scheduled (as described herein below). It is further provided that, though not the presiding officer of Study Sessions, the Mayor is encouraged to attend Study Sessions.³

[See former ACC 2.06.090 (1957 code § 1.04.100).]

³ For the purposes hereof, whenever the term “Mayor” or “Deputy Mayor” is used, it shall also include the person who, in the absence thereof shall assume actions or responsibilities in place of the Mayor or Deputy Mayor. When the term “presiding officer” is used, it shall refer to the person responsible for presiding over the meeting in question.

5.2 The Presiding Officer:

- A. Shall preserve order and decorum at all meetings of the Council and cause the removal of any person in the audience from any meeting who disrupts the meeting after having been warned to cease the disruptive behavior-for disorderly conduct;
- B. Shall observe and enforce all rules adopted by the Council;
- C. Shall decide all questions on order, in accordance with these rules, subject to appeal by any Councilmember;
- D. Shall recognize Councilmembers in the order in which they request the floor, giving every councilmember who wishes an opportunity to speak, provided that the mover of a motion shall be permitted to debate it first, and provided that the presiding officer may also allow discussion of an issue prior to the stating of a motion when such discussion would facilitate wording of a motion;
- E. May affix approximate time limit for each agenda item;
- F. When matters on the agenda are placed, or are able to be placed under more than one classification or category, as defined by the Order of Business, and the matters involve or are closely related to other subject matter, then the presiding officer may, in the presiding officer's discretion, present such matters before the Council, for discussion, consider and vote, at a different place in the agenda without the necessity of any vote thereon, notwithstanding their initial different placement on the written agenda.

[See former ACC 2.06.100 (1957 code § 1.04.170.); ACC 2.06.190 (1957 code § 1.04.210).]

SECTION 6 - COUNCILMEMBERS

- 6.1 Remarks. - Councilmembers desiring to speak shall address the presiding officer, and when recognized, shall confine himself/herself to the question under debate.
- 6.2 Questioning. - Any member of the Council, including the Mayor, shall have the right to question any individual, including members of the staff, on matters germane to the issue properly before the Council for discussion. Under no circumstances shall such questioning be conducted in a manner to the extent that such would constitute a cross-examination of or an attempt to ridicule or degrade the individual being interrogated.

- 6.3 Obligation to the Public Agency. - Notwithstanding the right of Councilmembers to express their independent opinions and exercise their freedom of speech, Councilmembers should act in a way that reflects positively on the reputation of the City and of the community. Councilmembers shall also interact with other members of the City Council and City staff in ways that promote effective local government.
- 6.4 Council Training. - Councilmembers are expected to participate in training offered by individuals, agencies, entities and organizations including but not limited to the Association of Washington Cities and the State of Washington, so as to afford the Councilmembers the opportunity to better understand their roles as City Councilmembers.
- 6.5 Participation in Committees, Agencies and Organizations. - To better represent the interests of the City of Auburn, Councilmembers are encouraged to participate in assignments to local, regional, state and national committees, agencies and organizations.

[See former ACC 2.06.130 (1957 code § 1.04.130).]

SECTION 7 - DEBATES

- 7.1 Speaking to the Motion. - No member of the Council, including the presiding officer, shall speak more than twice on the same motion except by consent of the presiding officer or a majority of the Councilmembers present at the time the motion is before the Council.
- 7.2 Interruption. - No member of the Council, including the presiding officer, shall interrupt or argue with any other member while such member has the floor, other than the presiding officer's duty to preserve order during meetings as provided in Section 5.2.A of these rules.
- 7.3 Courtesy. - All speakers, including members of the Council, which includes the presiding officer, in the discussion, comments, or debate of any matter or issue shall address their remarks to the presiding officer, be courteous in their language and deportment, and shall not engage in or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant to the question or matter under discussion.
- 7.4 Transgression. - If a member of the Council shall transgress these rules on debates, the presiding officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. If the presiding officer shall transgress these rules on debate or fail to call such member to order, any other member of the Council may, under a point of order, call the presiding officer

or such other member to order, in which case the presiding officer or such member, as the case may be, shall be silent except to explain or continue in order.

- 7.5 Challenge to Ruling. - Any member of the Council shall have the right to challenge any action or ruling of the presiding officer, in which case the decision of the majority of the members of the Council present shall govern.

[See former ACC 2.06.130 (1957 code § 1.04.130).]

SECTION 8 - PARLIAMENTARY PROCEDURES AND MOTIONS

- 8.1 Unless specifically provided differently herein, all City Council meeting discussions shall be governed by *ROBERTS RULES OF ORDER, NEWLY REVISED* (latest edition).
- 8.2 If a motion does not receive a second, it dies. Matters that do not constitute a motion include nominations, withdrawal of motion by the person making the motion, request for a roll call vote, and point of order or privilege; therefore a second is not needed.
- 8.3 A motion that receives a tie vote is deemed to have failed, provided that except where prohibited by law, the Mayor, as presiding official, shall be allowed to vote to break a tie vote.
- 8.4 When making motions, Councilmembers shall be clear and concise and not include arguments for the motion within the motion.
- 8.5 After a motion has been made and seconded, the Councilmembers may discuss their opinions on the issue prior to the vote.
- 8.6 If any Councilmember wishes to abstain, from a vote on the motion pursuant to the provisions of Section 9 hereof, that Councilmember shall so advise the City Council, and shall remove and absent himself/herself from the deliberations and considerations of the motion, and shall have no further participation in the matter. Such advice shall be given prior to any discussion or participation on the subject matter or as soon thereafter as the Councilmember perceives a need to abstain, provided that, prior to the time that a Councilmember gives advice of an intent to abstain from an issue, the Councilmember shall confer with the City Attorney to determine if the basis for the Councilmember's intended abstention conforms to the requirements of Section 9. If the intended abstention can be anticipated in advance, the conference with the City Attorney should occur prior to the meeting at which the subject matter would be coming before the City Council. If that cannot be done, the Councilmember should advise the City Council that he/she has an "abstention question" that he/she would want to review with the City Attorney, in which case, a brief recess would be afforded the Councilmember for that purpose.

8.7 ~~A motion may be withdrawn by the maker of the motion at any time without the consent of the Council.~~

8.8 A motion to table is non-debatable and shall preclude all amendments or debates of the issue under consideration. A motion to table is to be used in instances where circumstances or situations arise which necessitate the interruption of the Councilmembers' consideration of the matter then before them. A motion to table, if passed, shall cause the subject matter to be tabled until the interrupting circumstances or situations have been resolved, or until a time certain, if specified in the motion to table. To remove an item from the table in advance of the time certain requires a two-thirds' majority vote.

8.98 A motion to postpone to a certain time is debatable, is amendable and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future Regular or Special City Council meeting.

8.109 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.

8.110 A motion to call for the question shall close debate on the main motion and is not debatable. This motion must receive a second and fails without a two-thirds' vote; debate is reopened if the motion fails.

8.121 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.

8.1312 Motions that cannot be amended include: Motion to adjourn, lay on the table (table), roll call vote, point of order, reconsideration and take from the table.

8.1413 Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).

8.1514 Debate of the motion only occurs after the motion has been moved and seconded.

8.1615 The presiding officer, City Attorney or City Clerk should repeat the motion prior to voting.

8.1716 The City Clerk will take a roll call vote, if requested by the presiding officer, a Councilmember, or as required by law.

8.1817 When a question has been decided, any Councilmember who voted ~~in the majority~~with the prevailing side may move for reconsideration. In order to afford Councilmembers who voted ~~in the majority~~with the prevailing side the potential basis for a motion for reconsideration, Councilmembers who voted ~~in the majority~~with the prevailing side may inquire of Councilmembers who voted with the

minority as to the reasons for their minority vote, if not stated during debate prior to the vote. A motion for reconsideration is debatable if the motion being reconsidered was debatable. If the motion being reconsidered was not debatable, the motion for reconsideration is not debatable.

8.1918 The City Attorney shall act as the Council's parliamentarian and shall decide all questions of interpretations of these rules which may arise at a Council meeting.

8.2019 These rules may be amended, or new rules adopted, by a majority vote of the full Council.

[See former ACC 2.06.160 (1957 code § 1.04.180.); ACC 2.06.170 (1957 code § 1.04.190.); ACC 2.06.200 (1957 code § 1.04.220.); ACC 2.06.210 (1957 code § 1.04.230).]

SECTION 9 - VOTING⁴

9.1 Voice vote - A generalized verbal indication by the Council as a whole of "yea or nay" vote on a matter, the outcome of which vote shall be recorded in the official minutes of the Council. Silence of a Councilmember during a voice vote shall be recorded as a vote with the prevailing side, except where such a Councilmember abstains because of a stated conflict of interest or appearance of fairness.

9.2 Roll call vote - A roll call vote may be requested by the presiding officer or by any Councilmember.

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

9.4 Votes by Mayor - Except where prohibited by law, the Mayor, as presiding official, shall be allowed to vote to break a tie vote.

[See former ACC 2.06.150 (1957 code § 1.04.150).]

SECTION 10 - COMMENTS, CONCERNS AND TESTIMONY TO COUNCIL

10.1 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes, in addition to filling out the speaker sign-in sheet available at the City Clerk's desk. All remarks will be

⁴ The City Council cannot vote on items during a Study Session. At a Study Session, the Deputy Mayor or the Chair of a Special Focus Area will look for "consensus." For the purposes hereof and where consistent with these Rules of Procedure, consensus shall mean a collective position of the City Council where a majority of the members can support or "live with" (accept) the item or proposed discussion. Consensus of the body will be gauged by the presiding officer.

addressed to the Council as a whole. The City Clerk shall serve as timekeeper. The presiding officer may make exceptions to the time restrictions of persons addressing the Council when warranted, in the discretion of the presiding officer.

- 10.2 Any person making personal, impertinent or slanderous remarks while addressing the Council shall be barred from further audience participation by the presiding officer, unless permission to continue is granted by a majority vote of the Council.

[See former ACC 2.06.130 (1957 code § 1.04.130).]

SECTION 11 - PUBLIC HEARINGS AND APPEALS

- 11.1 Quasi-judicial hearings require a decision be made by the Council using a certain process, which may include a record of evidence considered and specific findings made. The following procedure shall apply:

- A. The Department Director of the department (most) affected by the subject matter of the hearing, or said Director's designee, will present the City's position and findings. Staff will be available to respond to Council questions.
- B. The proponent spokesperson shall speak first and be allowed (10) minutes. Council may ask questions.
- C. The opponent spokesperson shall be allowed ten (10) minutes for presentation and Council may ask questions.
- D. Each side shall then be allowed five (5) minutes for rebuttal, with the proponent spokesperson speaking first, followed by the opponent spokesperson.
- E. The City Clerk shall serve as timekeeper during these hearings.
- F. After each proponent and opponent spokesperson have used their speaking time, Council may ask further questions of the speakers, who shall be entitled to respond but limit their response to the question asked.

- 11.2 Public hearings where a general audience is in attendance to present arguments for or against a public issue:

- A. The Department Director or designee shall present the issue to the Council and respond to questions.
- B. A person may speak for three (3) minutes. No one may speak for a second time until everyone who wishes to speak has had an opportunity to speak. The presiding officer may make exceptions to the time restrictions of persons speaking at a public hearing when warranted, in the discretion of the presiding officer.

- C. The City Clerk shall serve as timekeeper during these hearings.
- D. After the speaker has used their allotted time, Council may ask questions of the speaker and the speaker may respond, but may not engage in further debate.
- E. The hearing will then be closed to public participation and open for discussion among Councilmembers.
- F. The presiding officer may exercise changes in the procedures at a particular meeting or hearing, but the decision to do so may be overruled by a majority vote of the Council.

SECTION 12 - DEPUTY MAYOR

- 12.1 Annually or more often as deemed appropriate, the members of the City Council, by majority vote, shall designate one of their members as Deputy Mayor for a one year time period, except as provided in Section 12.1, Paragraphs G and H herein.
- A. Any member of the City Council may be nominated for the position of Deputy Mayor by having that Councilmember's name placed in nomination by a Councilmember, provided that the name of the most senior member of the City Council who has not previously served as Deputy Mayor shall automatically be placed in nomination for the position of Deputy Mayor. [The nomination of a councilmember for the position of Deputy Mayor does not require a second, and a councilmember may nominate him or herself.]
 - 1. For the purposes hereof, the most senior member of the City Council, seniority shall be determined by:
 - (a) The number of consecutive years, months and days served;
 - (b) If the number of consecutive years, months and days served by two or more members of the City Council are equal, the member of the City Council who received the greater/greatest number of votes in the most recent general election in which such members were elected to the City Council shall be deemed most senior.
 - 2. If the most senior councilmember declined the automatic nomination, the name of the next most senior member of the City Council shall be automatically be placed in nomination for the position of Deputy Mayor.
 - 3. If all members of the City Council have previously served as Deputy Mayor, there shall be no automatic seniority nomination.

4. Other than for the automatic nomination of the most senior councilmember who has not previously served as deputy Mayor, all other nominations for the position of Deputy Mayor shall be made by members of the City Council on the dates of election for the Deputy Mayor position.
 5. In connection with the selection of Deputy Mayor, it is strongly suggested that councilmembers approach the election in an open, transparent and respectful manner, avoiding anything that jeopardizes harmony among councilmembers.
- B. The Councilmember receiving a majority of the votes cast by the members of the City Council shall be elected Deputy Mayor. A Councilmember may vote for him or herself.
 - C. The names of all nominees for the position of Deputy Mayor shall be included in the vote.
 - D. If no single Councilmember received a majority of the votes cast, a second vote/ballot, between the two nominees who received the largest number of votes, would be needed. In the second vote/ballot, whichever of these two nominees received the larger number of votes would be elected to the position of Deputy Mayor.⁵
 - E. The Deputy Mayor shall serve at the pleasure of the Council.
 - F. In the event of the absence or unavailability of the Deputy Mayor, the longest serving member of the City Council, other than the Deputy Mayor, shall serve as interim Deputy Mayor until the return of the regular Deputy Mayor.
 - G. If the designated Deputy Mayor is unable to serve the full term of the position of Deputy Mayor, the Council shall designate the next senior member of the City Council as Deputy Mayor for the remainder of the term. If the appointment is declined the process shall continue until a Deputy Mayor is designated.
 - H. In the event that the councilmember selected as Deputy Mayor is unable to perform the duties of the position of Deputy Mayor, or fails to act in accordance with the City Council Rules of Procedure, the City Council may, by a majority vote of the full City Council, remove the Deputy Mayor from

⁵ It may be that if there were a larger number of nominees in the initial election, there would not be (only) two councilmembers who received the largest number of votes. For instance, if one nominee received three votes a second nominee received two votes and a third nominee also received two votes, it might be appropriate to have an initial run off between the second and the third nominees to determine who would be included in the final run-off against the first nominee.

this position, in which case, the next senior councilmember shall assume the position of Deputy Mayor for the balance of the year. If the next senior councilmember is unwilling or unable to assume the position of Deputy Mayor, the position of Deputy Mayor shall be filled by a majority vote of the full City Council.

[See RCW 35A.12.065.]

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

A. Intra-Council Relations:

1. Serve as the Chair of the Council Study Sessions;
2. Serve as an ex-officio member of all other ad hoc committees of the City Council, provided that attendance by a quorum of the City Council at ad hoc committee meetings shall comply with the Open Public Meetings Act (RCW 42.30), unless expressly exempted.;
3. Assist in new councilmember training;
4. Support cooperative and interactive relationships among council members;
5. Work with Administration to prepare agendas for Council Study Sessions;
6. Preside over the Study Sessions of the City Council, and work with the chairs of the Special Focus Areas on the portions of Study Sessions over which the Special Focus Areas chairs preside

B. Mayor-Council Relations:

1. Help maintain a positive and cooperative relationship between the Mayor and the City Council;
2. Act as conduit between the Mayor and the City Council on issues or concerns relating to their duties;
3. Preside over Regular Meetings of the City Council in the absence or unavailability of the Mayor;
4. In the event of the a prolonged absence or incapacitation (a state of disability that prohibits the function of duties) of the Mayor, the Deputy Mayor shall perform the duties of the Mayor.

- (a) A prolonged absence is defined as requiring a leave of absence that prohibits the performance of the duties of the office. Vacation leave for periods up to two weeks, illnesses requiring an absence of less than two weeks, out of state or out of country travel lasting not more than two weeks, or other similar short-term absences shall not be considered prolonged absences.
- (b) In the event of a disaster, emergency, or other similar circumstance, where the Mayor is out-of-town and unable to carry out the duties of the office of Mayor, the Deputy Mayor, in consultation with the Mayor, shall act as Mayor until the return and availability of the Mayor;

- 5. The Deputy Mayor shall also stand in on behalf of the Mayor in other situations as requested by the Mayor;
- 6. In the performance of the duties of the Mayor, the Deputy Mayor shall not have authority to appoint, remove, replace, discipline or take other similar action on any director or employee of the City;
- 7. The Deputy Mayor shall not have veto authority for actions that may be taken by the City Council;
- 8. The Deputy Mayor shall be aware of City, regional and intergovernmental policies and activities in order to properly execute the role of Mayor.

C. Intergovernmental and Community Relations:

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

D. Other Duties of the Deputy Mayor:

- 1. In cooperation with the Mayor and Special Focus Area group's chairpersons and with assistance from Administration, create and establish agendas for all study sessions;
- 2. Preserve the decorum and order at all Council Study Sessions;

3. Serve as liaison to the Junior City Council, participating as a non-voting member of the Junior City Council, encouraging, guiding and counseling the members of the Junior City Council in connection with its duties and assignments;
4. Assist in training new councilmembers;
5. Serve as the liaison between the City Council and the Mayor and be a conduit between the City Council and the Mayor on issues or concerns of the Council;
6. Facilitate any issue related to the conduct and/or actions of councilmembers that may be inappropriate or that may be in violation of the Council Rules of Procedure (Section 20.1);
7. Conduct regular and periodic meetings with individual councilmembers to address councilmember issues, concerns, legislative processes, councilmember proposals, councilmember training, and other similar related items.
8. Conduct group meetings with councilmembers, provided that such meetings shall not have more than two councilmembers at such meetings. All such meetings at which a quorum of the City Council is in attendance shall be in compliance with the Open Public Meetings Act (RCW 42.30), unless expressly exempted.

[See former ACC 2.06.090 (1957 code § 1.04.100).]

SECTION 13 - COUNCIL POSITION VACANCY OR ABSENCE

- 13.1 In the event that an unexpired Council position becomes vacant, the City Council has ninety (90) days from the occurrence of the vacancy to appoint, by majority vote of a quorum of the Council, a qualified person to fill the vacancy pursuant to State law. The Council may make such appointment at its next regular meeting, or at a special meeting called for that purpose. If the Council does not appoint a person within the ninety (90) day period, the Mayor may make the appointment from among the persons nominated by members of the Council.
- 13.2 In the event of extended excused absences or disability of a Councilmember, the remaining members by majority vote may appoint a Councilmember Pro Tempore to serve during the absence or disability.

SECTION 14 - COUNCIL MEETING STAFFING

- 14.1 Department Directors or designees shall attend all meetings of the Council unless excused.

- 14.2 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. An Assistant City Attorney shall attend meetings when the City Attorney has been excused.

[See former ACC 2.06.060 (1957 code § 1.04.160).]

SECTION 15 - COUNCIL RELATIONS WITH STAFF

- 15.1 There will be mutual courtesy and respect from both City staff and Councilmembers toward each other and of their respective roles and responsibilities.
- 15.2 City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies.
- 15.3 It is the intent of Council that all pertinent information asked for by individual Council members shall be made available to the full Council.
- 15.4 Individual Councilmembers shall not attempt to coerce or influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits. Councilmembers may, at the request of the Mayor, participate in discussions and decisions related to these matters.
- 15.5 Other than through legislative action taken by the Council as a whole, individual Councilmembers shall not interfere with the operating rules and practices of any City department.
- 15.6 No individual Councilmember shall direct the Mayor to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the consent of a majority of the Council. This provision, however, does not prohibit individual Councilmembers from discussing issues with the Mayor or making individual requests or suggestions to the Mayor. The Mayor shall endeavor to advise and update the Councilmember(s) on the status or follow-up of such issues.
- 15.7 All councilmember requests for information, other than requests for legal advice from the City Attorney's Office, shall be directed through the Mayor in order to assign the task to the proper staff. The Deputy Mayor may work with the Mayor's designated staff to prepare Study Session agendas and facilitate Study Session work.
- 15.8 Any written communication with staff shall also include the Mayor as a recipient.

SECTION 16 - COUNCIL STUDY SESSIONS, COMMITTEES AND CITIZEN ADVISORY BOARDS

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

A. General Business Focus and Special Focus Areas

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

1. Public Works & Community Development;
 - Utilities
 - Zoning Codes & Permits
 - Innovation & Technology
 - Transportation
 - Streets
 - Engineering
 - Capital Projects
 - Sustainability
 - Environmental Protection
 - Cultural Arts and Public Arts
 - Planning
2. Municipal Services
 - Police
 - SCORE Jail
 - District Court
 - Parks & Recreation
 - Animal Control

- Solid Waste
 - Emergency Planning
 - Airport
 - Airport Businesses
 - Sister Cities
 - Multi Media
3. Health & Human Services
 - Human Services Funding
 - Public Wellness
 - Domestic Violence Services
 - Homelessness Services
 - Affordable Housing
 - Community Services
 - Human Resources
 - Medical Community Relations
 4. Finance & Economic Development
 - City Budget & Amendments
 - Risk Management
 - Equipment Rental
 - Facilities
 - City Real Property
 - Legal
 - Development Incentives
 - Business Development
 - Economic Development Strategies

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

B. Scheduling of Special Focus Area.

1. The Special Focus Areas shall conduct their portion of the Study Sessions on 2nd and 4th Mondays of the month on a rotating basis such as follows: Public Works & Community Development, then Municipal Services, then Health & Human Services, then Finance & Economic Development, then Public Works & Community Development, then Municipal Services, and so on.
2. On 5th Mondays of the Month, Study Sessions will not typically include any of the above Special Focus Areas, but may include special topics and issues of general concern to the City Council, including Council operating arrangements and Council Rules of Procedure. It is provided, however, that in order for the City Council to address the matters coming before the City Council, the Mayor

and Deputy Mayor may, as they deem appropriate, insert into any Study Session any matters calling for City Council consideration and discussion, regardless of Special Focus Areas.

3. Topics for Special Focus Area consideration (for inclusion in the Special Focus Area portion of the Study Session agenda) shall be determined by the Chair of each Special Focus Area along with the Mayor and the Deputy Mayor, taking into account matters within the topics of the Special Focus Area calling for action or consideration, and suggestions by other Councilmembers of such topics.

C. Meeting Times:

:

Study Sessions shall be scheduled as set forth in Section 2.3, above.

D. Study Sessions should conform to the following:

1. Meeting facilitation - the Deputy Mayor shall preside over/conduct General Business Focus portions of Study Sessions. The Councilmember selected to chair the Special Focus Area for the study sessions for which his or her Special Focus Area is scheduled shall preside over/conduct the Special Focus Area of the Study Session.
2. Four or more Councilmembers shall constitute a quorum for Study Sessions.
3. Three to four hours maximum timeframe (goal).
4. Agenda items should relate to future policy-making, strategic planning or key state or federal issues affecting current or future city operations.
5. Agenda items should be substantive only (e.g., traffic impact fee increase proposals, comprehensive plan updates, rather than day-to-day operational issues. [Non-substantive items (e.g., accepting a grant, authorizing contract bidding, etc.) should go directly to the Regular City Council meeting.

E. Study Session Meeting Format⁶

1. Call to Order

The Deputy Mayor shall call the meeting to order.

⁶ It is the intention of the City Council that Study Sessions shall be televised on the City's public access channel if reasonably possible.

2. Roll call

The City Clerk will call the roll. Councilmembers may request to be excused from a meeting by requesting the same of the Mayor or City Clerk in advance of the meeting. The reason for the request shall be given at the time of the request.

3. Announcements, Reports and Presentations

The Deputy Mayor shall provide any announcements, reports or presentations that need to be shared with the City Council in advance of the agenda discussion items. After that these announcements, reports or presentations, City Council members may have questions or wish to discuss the issues at this time or request that they be put on a future Study Session agenda for further discussion.

Study Sessions are an opportunity for the members of the City Council to discuss among themselves issues coming before the City Council. Study Sessions do not include a place on the agenda for public audience participation. However at the request of the presiding officer, individuals may be asked to give a report on topics appearing on the Study Session agenda.

4. Agenda items for Council Discussion.

The Deputy Mayor shall announce each of the various items that are on the agenda for Council discussion, and, as warranted, request a preliminary report from staff or a consultant or other individual(s) involved in the issue. The Deputy Mayor shall endeavor to call upon the members of the City Council in the order of their requests to discuss the Agenda Item.

After such report(s), if any, the Deputy Mayor shall open the floor for Council discussion on the agenda items in their order on the agenda, unless a different order is approved by a majority of the Councilmembers present.

Council discussion shall be in conformity with the provisions of Section 7 of these rules, other than the requirement that there be a motion before Council discussion.

At the conclusion of the discussion, or at the point the Council feels its questions have been answered and discussion vetted, the Deputy Mayor shall move the attention of the Council to the next discussion item on the agenda; provided that if, after a lengthy discussion on a particular agenda item, the presiding officer concludes that

discussion should be continued to a later date, the Deputy Mayor may conclude discussion on that agenda item and schedule the matter for a later Study Session.

With the support of a consensus of Councilmembers, the Deputy Mayor shall call for Study Session agenda items requiring formal Council action to be included in agendas for upcoming Regular Council Meetings.

5. Ordinances

Prior to an ordinance being included for adoption on the agenda of a Regular or Special Meeting of the City Council, the ordinance shall be included on the agenda of a Study Session for Council review and discussion.

- a. The Study Session ordinance review requirement shall be met even if the version to be considered at an upcoming City Council Meeting is amended from the version included on the Study session agenda following review and discussion at the Study Session.
- b. If, after City Council review and discussion of an ordinance at a Study Session, the City Council is not ready to vote on a proposed ordinance, the ordinance may be included on another Study session agenda for further review and discussion. If there is not agreement among members of the City Council as to whether the ordinance should next come before the City Council at a regular or Special Meeting of the City Council for consideration of adoption or whether it should return for further review and discussion at a Study Session, the matter shall be presented for a vote at the Study Session, and decided by majority vote of the members of the City Council at the Study Session.

6. Other Discussion Items

The presiding officer and/or members of the City Council may bring up other discussion items to be discussed at this time or to be scheduled for discussion at a future Study Session; provided that if the presiding officer concludes that there is not sufficient time to discuss or continue discussing the topic, the presiding officer may defer discussion or continued discussion to a future Study Session.

7. New Business

Agenda topics for future Study Sessions may be proposed by any Councilmember during New Business. If there is a consensus among the Councilmembers, the Deputy Mayor and the Mayor will meet to place the topic on the Matrix for a future Study Session Agenda. At Council discretion, production and delivery of a “white paper” in lieu of a future agenda item may be considered.

8. Special Focus Area

- a. The Chair of the Special Focus Area scheduled for the Study Session, on a rotating basis as described above, shall preside over this portion of the study session.
- b. The Chair of the Special Focus Area shall call the various items included in the agenda for this portion of the Study Session
- c. The Chair of the Special Focus Area shall also review the Matrix with respect to items related to the Special Focus Area.

9. Matrix Review/Update (the Deputy Mayor shall preside over this portion of the Study Session)

- a. Following the conclusion of City Council consideration of the topics of the Special Focus Area, the City Council shall review the Matrix of upcoming topics.
- b. The Matrix shall consist of topics from all areas of city concern, general concern as well as topics of each of the Special Focus Areas

10. Adjournment

The Deputy mayor shall adjourn the Study Session after conclusion of discussion on the above agenda items.

- 16.2 The Mayor, the Deputy Mayor or a majority of the City Council may establish such ad hoc committees as may be appropriate to consider special matters that require special approach or emphasis. Such ad hoc committees may be established and matters referred to them at study sessions, without the requirement that such establishment or referral take place at a regular City Council meeting. The Mayor shall appoint Council representatives to intergovernmental councils, boards and committees, and the Deputy Mayor shall appoint Councilmembers to Council ad hoc committees, provided that the Mayor shall appoint members to Council ad hoc committees if the Deputy Mayor is disabled or precluded from acting in that capacity. Councilmember appointments to intergovernmental councils, boards and committees, including ad hoc committees, shall be periodically reviewed to

determine which councilmembers could best be able to represent the City on such councils, boards and committees.

- 16.3 Ad hoc council committees shall consider all matters referred to them. The chair of such ad hoc committee shall report to the City Council the findings of the committee. Committees may refer items to the Council with a committee recommendation or with no committee recommendation.
- 16.4 Advisory Boards, Committees and Commissions established by ordinance, consisting of citizens appointed pursuant to the establishing Ordinance and serving in the capacity and for the purposes indicated in the Ordinance, shall act as an advisory committee to the City Council.
- 16.5 Committee Chairpersons shall have broad discretion in conducting their meetings. They will generally follow Roberts Rules of Order, Newly Revised.
- 16.6 Unless otherwise expressly provided for an ad hoc committee of the City Council, such committees shall not receive public testimony or allow audience participation in connection with or related to the agenda item being discussed by the Committee,. Unless otherwise expressly provided for such ad hoc committee, it is the intention of the City Council that such ad hoc committees function informally and not in any way that takes action in lieu of or on behalf of the full City Council. The purpose and function of such ad hoc committees shall be to review matters in advance of their consideration by the full City Council, and perhaps record and make recommendations to the full City Council. With that, it is the intention that these committees operate informally, without the need for compliance with the Open Public Meetings Act (Chapter 42.30. RCW).
- 16.7 Committee Chairpersons shall approve all agenda items and may, at their discretion, remove or add agenda items during the course of the meeting.

SECTION 17 - COUNCIL REPRESENTATION & INTERNAL COMMUNICATION

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

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

requirements of City of Auburn Administrative Policy and Procedure 500-03, "Internet & Electronic Resources/Equipment Use – Elected Officials" adopted hereby and incorporated herein by this reference.

It is important to note that all letters, memoranda, and interactive computer communication involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with exceptions stated by the Public Records Act (RCW 42.56), are public records.

B. Electronic Communications.

1. Informal messages with no retention value and 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. Users should delete these messages once their administrative purpose is served.
2. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.
3. Electronic communications that are intended to be shared among a quorum of the City Council or of an ad hoc Council Committee, whether concurrently or serially, must be considered in light of the Open Public Meetings Act, if applicable. If the intended purpose of the electronic communication is to have a discussion that should be held at an open meeting, the electronic discussion shall not occur. Further, the use of electronic communication to form a collective decision of the Council shall not occur.
4. Electronic communication should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other confidential City business. In general, electronic communication is discoverable in litigation, and even deleted electronic communication is not necessarily removed from the system. Confidential electronic communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.
5. Electronic communication between Councilmembers and between Councilmembers and staff shall not be transmitted to the public or news media without the filing of a public disclosure request with the City Clerk.

6. As a cautionary note, if an elected public official uses his or her personal home computer to send electronic communications dealing with City business, the electronic communications and electronic records may be subject to discovery demands and public disclosure requests. That possibility amplifies the need for caution in how one uses electronic communication for City business.

C. Use of City Equipment and Facilities.

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

17.6 Council Relations with City Boards and Commissions.

A Council Liaisons.

Different than where a City Councilmember is appointed by the City Council or the Mayor to serve as a member of a board, commission, committee, task force or any other advisory body, the City Council may, on limited occasions or under unusual circumstances, appoint a Councilmember to serve as a non-member Liaison to a board, commission, committee, task force or any other advisory body. Anytime a Councilmember is appointed as such a Liaison, the position or role of Liaison is subordinate to that of Councilmember, and the Councilmember's responsibility is first and foremost to the City and to the City Council. The role and responsibility of the Councilmember-Liaison is to keep the City Council apprised of the activities, positions and actions of the entity or organization to which the

Councilmember has been appointed Liaison, and not to communicate to the board, commission, committee, task force or other advisory body a statement as the position of the City Council, except as authorized or directed by the City Council. Insofar as a Council Liaison position does not give all councilmembers equal access to the activities, functions and information of or about a board, commission, committee, task force or any other advisory body, appointments to Council Liaison positions should be reserved to those instances where a Report to the Council by the board, commission, committee, task force or any other advisory body would not be convenient or practical.

B. Reports to the Council.

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

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

SECTION 18 - TRAVEL AUTHORIZATION

18.1

A. Value of Council Travel.

The Auburn City Council recognizes the need of its members to attend conferences, trainings, and meetings to broaden their knowledge of and familiarity with a diverse collection of City-related issues, including, but not limited to Public Works, Communications, Transportation, Economic Development, Public Safety and Energy. These conferences also provide valuable opportunities to network with other city elected officials. Comparing Auburn's specific issues with those of other cities often provides the City Council with established policies already in place in other cities that can be adapted to meet the specific needs of the City of Auburn, as well as expediently and efficiently acquainting Auburn City Councilmembers with ideas of how to address Auburn issues and solve Auburn problems.

B. Annual Budget Amounts for Council Travel

To accommodate Council travel, the Auburn City Council shall allocate an identified amount of money each year in the City budget process, whereby each Councilmember shall have an identified amount of money earmarked for his/her City related travel costs, including transportation, lodging, meals and registration costs.

C. Adjustment of Council Travel Allocations.

In the event that a councilmember needs more than the amount of travel related funds allocated for his or her use, the councilmember shall (1) see if there are unused funds available from any other councilmember(s) who are willing to transfer funds from their account to the councilmember needing additional travel funds, whereby, with the consent of the Deputy Mayor and the other transferring councilmember(s), funds will be transferred to the requesting councilmember's allotment; or (2) shall request a net adjustments to the budget adding additional funds to his or her allotment, which adjustment shall be approved by a majority of the whole City Council.

D. Receipts and Travel Documentation

Each City Councilmember shall be responsible for providing to the Mayor or Finance Director, within ten (10) business days of returning from City travel, any and all City travel related receipts and documentation. Quarterly reports of the travel costs incurred by each councilmember shall be provided by the Finance Department.

SECTION 19 - CONFIDENTIALITY

- 19.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive or Closed Sessions and as provided in RCW 42.23.070, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered by the exempt from disclosure under exemptions set forth in the Revised Code of Washington.

SECTION 20 – ENFORCEMENT OF RULES OF PROCEDURE

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

City Council Rules of Procedure:

Adopted: February 2, 2004

Ordinance No. 5802

Amended by Resolution No. 4282, December 17, 2007

Amended by Resolution No. 4429, December 15, 2008

Amended by Resolution No. 4467, April 6, 2009

Amended by Resolution No. 4615, July 6, 2010

Amended by Resolution No. 4686, February 22, 2011

Amended by Resolution No. 4740, August 15, 2011

Amended by Resolution No. 4813, May 21, 2012

Amended by Resolution No. 4909, February 19, 2013

Amended by Resolution No. 5105, November 3, 2014

Amended by Resolution No. 5112, December 1, 2014

Amended by Resolution No. 5115, December 15, 2014

Amended by Resolution No. 5217, May 2, 2016

Amended by Resolution No. 5240, July 5, 2016

Amended by Resolution No. 5283, February 21, 2017