



COUNCIL POLICIES & PROCEDURES

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CITY COUNCIL POLICIES & PROCEDURES

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Article I. Authority

Authority of Council to determine rules.

The Bonney Lake City Council, in accordance with state statute RCW 35A.12.120 shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order. The council hereby establishes the following rules and procedures. They shall be in effect upon adoption by the council and until such time as they are amended or new procedures adopted in the manner provided.

Procedural policies.

Action taken not in compliance with these rules, but which is otherwise lawful, shall not invalidate such action or be deemed a violation of law. These procedural policies are designed to assist the council and councilmembers in performing their duties and not to provide additional substantive rights or duties above and beyond that otherwise already established by state law. Failure of the council to follow any of these rules shall be deemed a council decision to waive such rule, and no notice of such waiver need be provided prior to such waiver.

Article II. General Rules

Meetings to be public.

All official meetings of the council shall be open to the public with the exception of closed sessions (e.g., discussions regarding labor negotiations), and executive sessions for certain limited topics as defined in Chapter 42.30 RCW. All minutes of meetings and workshops shall be available on the Washington State Digital Archives Website.

Voucher and payroll review – Time and place.

The finance committee voucher and payroll reviews shall be held as provided in Article XVI Council Committees.

Quorum.

A majority of the current councilmembers shall be in attendance to constitute a quorum for transaction of business. If a quorum is not present, those in attendance shall be named and shall adjourn to a later time, but no adjournment shall be for a longer period than until the next regularly scheduled meeting. When all councilmembers are absent from a regular meeting, workshop or special meeting, the city clerk or designee may adjourn the meeting with notice. When adjourned to a later time, the city clerk or designee shall post a notice immediately on city's website and other processes as the city determines.

Meeting cancellation.

Individual council meetings and workshops may be canceled with the concurrence of the mayor and deputy mayor following the procedure of Article III Types of Council meetings providing for 24 hours' advance notice.

Right of floor.

Any councilmember desiring to speak shall be recognized by the chair and shall confine their remarks to the subject under consideration or to be considered. No member shall speak until so recognized. All councilmembers desiring to speak on a subject shall have the opportunity to do so before a councilmember may seek to speak again. At the discretion of the chair, councilmembers may be recognized to speak again should there be pertinent new information to

provide on the subject. No member shall address the presiding officer or demand the floor while a vote is being taken.

Parliamentary procedure.

The Standard Code of Parliamentary Procedure, 4th Edition (by Alice Sturgis), shall govern the proceedings of all regular council meetings; however, any informal procedures or policies set by the council shall supersede that text. All councilmembers will familiarize themselves with the parliamentary rules in the above edition for efficiency of procedures at all council meetings.

Attendance of media at council meetings.

All official meetings of the council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time; provided, that such arrangements do not interfere with the orderly conduct of the meetings.

Public notice.

The city shall comply with the provisions of RCW 35A.12.160. The city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meetings. Such procedure may include, without limitation publication of a notice in the official newspaper, posting of upcoming council meeting agendas on the city's social media sites, website, lobby, or such other processes as the city determines will satisfy the intent of this requirement and applicable legal notice requirements.

Article III. Types of Council Meetings

Regular council meetings.

The council shall meet on the second and fourth Tuesday of each month at 6:00 p.m. The meeting shall adjourn no later than 9:00 p.m. To continue past this time of adjournment, a council majority must concur. When a council meeting falls on a holiday, the council may determine an alternate day for the meeting or cancel the meeting. The council may reschedule regular meetings to a different date or time by motion. The location of the meetings shall be the council chambers at the Justice and Municipal Center and virtually by link provided on the city's website and noted on the agendas unless specified otherwise by a majority vote of the council. All regular and special meetings shall be public.

If possible, only one or two major topics (defined as issues of high interest, controversial or those which would take an extraordinary amount of city council meeting time) will be scheduled per meeting.

Special meetings.

The mayor or any three members of the council may call special meetings as stipulated in RCW 35A.12.110. The city clerk or designee shall prepare a notice of the special meeting stating the time, place and business to be transacted. The city clerk shall attempt to notify each member of the council and the mayor, either by telephone or otherwise, of the special meeting. The city clerk shall or designee shall provide notice of the special meeting at least 24 hours in advance by posting a written notice on the city website; social media sites, and displaying the notice at the agency's principal location (and the meeting site if the special meeting is not held at the agency's principal location); and delivering a notice to each local newspaper of general circulation and to each local radio and/or television station which has filed with the clerk a written request to be notified of special meetings. The council may amend the agenda for any special meeting. The council shall not make final disposition on any matter not mentioned in the notice.

The council may schedule special joint meetings with the councils of the county, other cities or with members of any of the boards, commissions or agencies.

Council meetings in the event of a disaster or emergency.

- A. Special emergency meetings may be called by the mayor or a majority of the council in less than 24 hours, and without the notice required in BLMC 2.04.090, to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage as provided in RCW 42.30.080. In addition, in accordance with RCW 42.30.070, in the case of an emergency, if expedited action is needed to meet the emergency, the mayor or designee may provide for a meeting site other than the regular meeting site, for a remote meeting without a physical location, or for a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency, and the notice requirements of chapter 42.30 RCW shall be suspended during such emergency.
- B. If local, state, or federal authorities proclaim a disaster or emergency, including but not limited to an epidemic or pandemic, that interferes with the safe and normal conduct of council meetings, the mayor or designee, in consultation with the deputy mayor, shall have the authority to take any or all of the following actions:
1. Remove nonessential items from council agendas, or postpone such items for consideration at a later date.
 2. Place emergency items on the council agenda without providing the required or customary notice.
 3. Arrange the council chamber to allow for safe conduct of council meetings and change meeting locations to allow for same.
 4. Arrange for councilmembers to participate in meetings via telephone or web-based video conferencing, and for council meetings to be broadcast or live-streamed for simultaneous public viewing. If warranted by the disaster or emergency, any number of councilmembers may participate remotely, even when remote participation is not necessary to establish a quorum. If required by the Open Public Meetings Act, the mayor or designee shall establish a location on city property for the public and media to watch or listen live to remote council meetings.
 5. Provide a means for the public to submit comments at regular meetings, consistent with OPMA requirements.
 6. Cancel regular or special meetings on less than 24 hours' notice.
 7. Direct the city clerk to make agendas available to the public only online and not in paper copy.
- C. Actions taken under subsection B of this section shall be deemed to automatically suspend and supersede any provisions of this chapter that are to the contrary.

Continued and adjourned sessions.

Any session of the council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting.

Council workshops.

The council shall meet on the first and third Tuesday of each month at 6:00 p.m. to review forthcoming agenda issues, review reports on current programs or projects, receive other similar information from city department heads or conduct procedure workshops. Decisions/votes on the issues discussed at workshops will generally be scheduled for a regular or special council meeting, but the council may do anything at a Council workshop that they are legally permitted to do at a regular Council meeting, however, in general the Council will only take action at a workshop upon approval of a majority vote of the councilmembers present. If action is to be taken, public comments will be allowed for that item only prior to voting. Workshops shall have a council open discussion period generally at the beginning of the meetings to discuss issues of concern unless waived by the council. Council workshops shall be open to the public and will be offered virtually also for those who cannot make the meeting in person.

Executive sessions.

Executive sessions may be held in accordance with the provisions of the Washington State Open Meetings Act (RCW 42.30.110). The only parties allowed to participate in a council executive session shall be the council, mayor, city attorney or deputy city attorney, authorized staff members and/or consultants authorized by the city council.

The council may hold an executive session during a regular, workshop or special meeting. Before convening an executive session, the chair shall publicly announce the purpose for excluding the public from the meeting and shall state the time when the executive session will be concluded. The statutory reference(s) supporting the executive session shall be noted on the meeting agendas. If the council wishes to adjourn at the close of a meeting from executive session, that fact will be announced along with the estimated time for the executive session. Should the executive session require more time, the chair or person so designated by the chair, shall make a public announcement that the session is being extended, along with another estimated time for the executive session to conclude.

Councilmembers shall keep confidential all written materials and verbal information provided to them during executive sessions, to ensure that the city's position is not compromised. This duty also applies when attending an executive session remotely, and includes ensuring other individuals are not able to hear the executive session proceedings. Confidentiality also includes information provided to councilmembers outside of executive sessions when the information is marked confidential or is considered to be exempt from disclosure under the Public Disclosure Act, including all privileged communications with the city attorney's office, Chapter 42.56 RCW; RCW 5.60.060; RCW 42.23.070(4).

If the council, after executive session, has provided direction or consensus to city staff on proposed terms and conditions for any confidential or privileged issue, all contact with any other party shall be made by the designated city staff representative handling the issue. Prior to discussing the information with anyone other than fellow councilmembers, city attorney, mayor, or city staff designated by the mayor, councilmembers should review such potential discussion with the city attorney. Any councilmember having any contact or discussion with any person other than those listed above on any such confidential or privileged issue shall make full disclosure to the mayor, council, and the city attorney or assistant city attorney in a timely manner.

Likewise, the provisions of the "Open Public Meetings Act" shall not be applicable to any conference, discussion or deliberation between the legislative body and its city attorney concerning settlements, avoidance of, or contemplated litigation, settlement offers and like matters, all of which shall be subject to the statutory and common law attorney-client privilege.

No final action shall be taken during any executive session, except as allowed by RCW 42.30.110.

At the conclusion of the executive session, if appropriate, the public council meeting shall reconvene and the council may take final action or the minutes will reflect that no final action was taken.

Public hearings.

Public hearings shall be held on issues as defined in the Bonney Lake Municipal Code, as required by State law, and on any other issue the council may deem necessary for the public's benefit. If there is more than one item scheduled for a public hearing, the chair shall hold separate public hearings on each issue by announcing and opening the public hearing, taking the public's testimony and closing the hearing for each issue to eliminate any confusion by the council or the public. Procedure for public hearings will comply with the provisions contained in the Bonney Lake Municipal Code. (See Article XIII Public Comments and Article XX, Council's Advisory Boards, Agencies and Commissions.)

Quasi-judicial public hearings.

Quasi-judicial public hearings will comply with the procedures in the Bonney Lake Municipal Code, Article XIII Public Comments , for detailed information.

Closed record hearings.

The council may hold closed record hearings, when required to do so in compliance with the Bonney Lake Municipal Code, to ensure that the findings of the hearing examiner are supported by the facts on record and to ensure that proper application of ordinances was adhered to in accordance with the findings of the hearing examiner.

Article IV. Council Meeting Attendance

Councilmembers.

All councilmembers will attend all regular meetings, workshops, special and emergency meetings and assigned council committee meetings of the council.

RCW 35A.12.060 provides that a councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the council without being excused by the council. Members of the council may be so excused by complying with this section. The member shall contact the mayor, deputy mayor or city clerk prior to the meeting and state the reasons for the councilmember's inability to attend the meeting. If the notice is provided to the deputy mayor or city clerk, they shall advise the chair of this information prior to the meeting. During the roll call portion of the council meeting, the chair shall inform the council of the member's absence and state the reason. The council, by motion, may excuse the absence and the clerk will make appropriate notation in the minutes. If a councilmember fails to contact any of the above to advise of their absence, excluding emergency situations, the council, by motion, may vote to not approve the absence and the clerk will note the minutes accordingly.

City clerk or designee.

The city clerk or designee shall attend all regular meetings, workshops, special and emergency meetings of the council unless excused by the council or mayor. If the city clerk and the designee are absent from any council meeting, the chair or person so designated by the chair, shall appoint a clerk pro tempore for that meeting only.

Administration/department directors.

The chair shall assure that all regular meetings, workshops, special and emergency meetings of the council are appropriately staffed. While the authority for requiring department heads to attend council meetings rests with the mayor, the council is free to refuse to take action on particular agenda items where necessary department directors are not present.

City attorney.

The city attorney or designee, shall attend all regular council meetings, workshops, and special meetings unless excused by the deputy mayor or person so designated by the chair, in advance, or by a council majority at a meeting. Such attendance may be virtual with advance notice to the clerk. Attendance is not required for joint meetings with other legislative bodies, or for budget meetings, unless attendance is specifically requested in advance by the deputy mayor or mayor. Any member of the council may, at any time, during a meeting of the council at which the city attorney is present, call upon the city attorney for an oral opinion and a majority of the council may request a written opinion to decide any questions of law and may call upon any other city official present for a report or recommendation as to any matter before the council.

Parliamentarian.

The city attorney or designee shall act as the council's parliamentarian and shall advise the chair as to correct rules of procedure or questions of specific rule application.

Sergeant at arms.

The chair shall assure that formal meetings of the council shall be staffed with the police chief or a police officer, when deemed necessary, who shall serve as the sergeant at arms to ensure order and peace of council meetings.

Article V. Chair and Duties

Chair.

The mayor, if present, shall preside as chair at all meetings of the council except for council committee meetings. In the absence of the mayor, the deputy mayor shall preside. In the absence of both the mayor and the deputy mayor, the city clerk or designee will call the meeting to order, note the absence of both mayor and deputy mayor and ask council to elect a chair. When the deputy mayor or a councilmember presides over a council meeting, it shall not abridge their right to vote upon all questions coming before the council.

Call to order.

The meetings of the council shall be called to order by the mayor, or in the absence of the mayor, by the deputy mayor. In the absence of both the mayor and the deputy mayor, the meeting shall be called to order by the city clerk or designee for the election of a temporary chair by the majority of the council.

Preservation of order.

The chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion.

Points of order.

The chair shall determine all points of order, subject to the right of any member to appeal to the council. If any appeal is taken, the question shall be, "Shall the decision of the chairman be sustained?" A point of order may be raised if the council rules of procedure appear to have been

broken. This may interrupt a speaker if the breach of the rules warrants it. The point is resolved before business continues. This is not a motion but is instead a request to the chair for decision. Valid reasons for a point of order include, but are not limited to: the speaker has not been granted the floor; the mayor mistakenly skipped an item on the agenda; a motion or second has been made erroneously; a person has spoken longer than authorized; a speaker is using inappropriate language; a speaker is not speaking to the matter under consideration.

Questions to be stated.

The chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken if requested by a member of the council or the chair.

Official timekeeper.

The chair, or person so designated by the chair, shall be the official timekeeper at all regular and special council meetings.

Mayor – Powers.

The mayor may not make or second motions, but may participate in debate to the extent that such debate does not interfere with chairing the meeting. If the mayor wishes to participate vigorously in the debate of an issue, the mayor shall turn the chairing of that portion of the meeting to the deputy mayor, or to another councilmember if the deputy mayor is absent. The mayor's duties and powers are specified in RCW 35A.12.100, Duties and Authority of the Mayor – Veto – Tie-breaking vote.

Article VI. Council Agenda

Submitting agenda issues.

The city council desires adequate time to review and research all issues coming before it for consideration and/or action. Therefore all communications, ordinances, resolutions, contract documents or other matters for council consideration at the forthcoming council meeting or workshop shall be delivered to the city clerk or designee by 5:00 p.m. on Wednesday prior to the Tuesday council or workshop meeting, and shall follow the agenda guidelines established by the city clerk. The timeline may be altered to accommodate holidays or other closures of city offices. Subject to the council's right to amend the agenda, no legislative item which is not on the council agenda and which has not been presented and approved as a forthcoming agenda item by a council committee or council workshop shall be voted upon, except in emergency situations (defined as situations which would jeopardize the public's health, safety or welfare), or where otherwise deemed important by a majority of the council.

Agenda issues through council committee and/or workshop.

Issues coming before the city council shall first be placed on the agenda of the appropriate council committee or council workshop for discussion unless approved by motion by a majority of the council as an agenda amendment. An exception may be made when the mayor and deputy mayor jointly concur that an issue is of such a routine or administrative nature as to not require advance discussion by the council. (See Article XVI defining the role of council committees and issues approved for workshops.) The staff shall contact the chair of the appropriate council committee and request their issue be placed on the next committee agenda.

Directory statements.

Statements in these policies under Article VI Council Agenda, Article XIII Public Comments, Article XVI Council Committees, or any other section which require preliminary consideration of ordinances or other council agenda items by council committees, are directory statements only

for the convenience of the council and not mandatory procedural or substantive requirements for lawful, final council action.

Setting council agendas.

The mayor, the deputy mayor, the city clerk or designee, and city administrator shall review all items/issues submitted by the deadline set by the council. Council sets its own agendas for all council meetings and workshops.

Legally required and advertised public hearings shall have a higher priority over other scheduled agenda items that have been scheduled by convenience rather than for statutory or other legal reasons.

Setting council agendas for special joint meetings.

In consultation with the mayor, councilmembers, and the chair of the affected board or commission, the deputy mayor shall set the agenda for all special joint meetings. The city clerk or designee shall provide board or commission members with a final copy of the agenda at the same time it is provided to members of the city council.

Agenda documentation requirements.

Before the council takes final action, the council requires all backup documentation for the issues being considered. To that end, all additional information requested by committee members will be provided to the council by staff in their advance agenda packets.

An original ordinance or resolution must be provided when amending or repealing an ordinance or resolution. An original must also be provided when updating of all contracts or agreements.

If the council is asked to approve an issue with a monetary value, a copy of the section of the budget, including remaining balance of budget appropriations pertaining to the issue must also be provided.

On all issues presented to the council for review or action, if any of the documentation provided by the staff references any BLMC, RCWs, MRSC or AWC documents, the documents referenced shall also be provided to the council in their advance packets for committee or workshop.

Originals of all proposed ordinances, resolutions, contracts or agreements shall be required and turned in to the city clerk or designee by the established deadline prior to being scheduled for a council committee or council meeting agenda.

City clerk or designee duties.

The city clerk or designee shall distribute copies of the proposed agenda, with all the required documentation to each member of the council, the mayor and the city attorney or deputy city attorney and other councils, boards or commissioners when applicable, by noon on Friday preceding the meeting. Agenda packets shall be distributed to the councilmember's city mailboxes, except in the case of emergency meetings (see Article III Types of Council Meetings , Emergency council meetings).

The city clerk or designee shall normally include draft copies of the minutes from the previously held council meetings in the council workshop agenda packets for review and any necessary corrections prior to adoption at the following council meeting.

The city clerk shall be responsible for providing each new councilmember with online references to the current copies of the Bonney Lake Municipal Code, council policies and procedures

manual, city reference manual and city comprehensive plans and copies of Chapter 35A.12 RCW, Mayor-Council Form of Government, and Chapter 35A.33 RCW, Budgets in Code Cities, of the RCWs, or paper copies, if available, as requested by the councilmember.

Agenda modification.

Once council agendas is set and posted on the city's website, for any necessary agenda modifications, the city clerk or designee shall prepare a separate blue sheet listing only the proposed agenda modifications for consideration by the council. Just before the meeting, copies shall be provided to the mayor, council, city or deputy city attorney, staff present and a copy of all modifications and any related documentation placed on the table for members of the public attending the meeting. The necessity of the agenda modifications shall be explained to the council. If the requests receive a majority vote of the council, by motion, the agenda modification shall be approved.

Continued agenda items.

Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

Council agenda bills.

All issues coming before the council, except those purely for discussion for further development, shall require a completed council agenda bill with ordinance and resolution numbers, the correct title of the ordinance or resolution, and a clear descriptive summary statement on each. The city clerk or designee shall be responsible for the format and numbering of the agenda bills. Those issues coming before the council solely for discussion and further development based on council input may be provided in such format as the mayor or his designee shall determine best presents the material for council consideration.

The city clerk or designee shall be responsible for completing the council agenda bills (CAB) on any issues requiring council action that are being submitted by a councilmember. These CABs do not require signatures of the mayor. As with council policy on all issues, it must be submitted to the appropriate council committee or workshop prior to scheduling for their review and signature approval on the required council committee form except issues as designated in these policies.

All council agenda bills, when applicable, shall include budget amounts, requested expenditure and impact along with statement of fiscal analysis and identification of fund source. Department directors shall be responsible for securing the appropriate approvals on all CABs and for submitting, by the council established deadline, all required documentation to the city clerk or designee for council agendas.

Mayor and councilmember comments.

The agenda shall provide a time (announcements/committee reports) for the mayor or any councilmember to bring before the council any business that he/she feels should be deliberated upon by the council. These matters need not be specifically listed on the agenda, but formal action on such matters may be deferred until a subsequent council meeting, except that immediate action may be taken upon a vote of a majority of all members of the council and after providing public comments on said action item(s).

Public's agenda packet.

Per RCW 35A.12.160, the city shall establish a procedure to notify the public of upcoming hearings and the preliminary agenda for forthcoming meetings. The city shall follow this procedure which shall include publication of a notice in the official newspaper, posting of

upcoming council meeting agendas and public hearings on the city's social media sites, website, or such other processes as the city determines will satisfy legal requirements and provide notice to the public.

The city clerk or designee shall have a complete packet of proposed ordinances, resolutions and contracts being considered by the council available on the table outside of the council chambers prior to the start of the meeting. These are public documents and anyone requesting a copy of any item being considered on the council agenda shall be supplied with such upon their request to the city clerk or designee and payment of copies as established in the Bonney Lake Municipal Code and during normal business hours.

Meeting information – City website.

The city clerk or designee shall be responsible for updating the council agenda on the city's website, which normally be updated by 2:00 p.m. Friday preceding the council meetings and workshops.

Agenda order of business.

The order of business for all regular meetings shall be transacted as follows unless the council, by a majority vote of the members present, suspends the rules and changes the order:

A. Call to Order. The mayor or, if absent, the deputy mayor calls to order.

1. Flag Salute. The mayor or, if absent, the deputy mayor, and at times invited guests, will lead the flag salute.

2. Roll Call. The city clerk or designee shall call the roll and the chair shall indicate those in attendance and state the reasons for absences. Council absences require a motion to excuse.

3. Agenda modifications.

4. Announcements, Appointments, and Presentations.

a. Announcements – By chair or councilmembers. Announcements are to be related to city business and limited to announcements of community or governmental actions, events, meetings or notices.

b. Appointments – By chair or councilmembers.

c. Presentations – By chair, councilmembers, staff or scheduled guests.

B. Public Comments, Public Hearings and Correspondence.

1. Public hearings.

2. Public comments (for the good of the order).

3. Correspondence. Any correspondence received by a city official that said official wants reported at the meeting that is pertinent to an item on the agenda shall be submitted to the city clerk or designee in advance of the meeting. The city clerk or designee will report that a correspondence has been received from (note the author), and state the subject matter of the correspondence. No action or discussion is to be taken during the correspondence segment of the council meeting. The chair may refer said correspondence to the appropriate council committee or administration for consideration.

C. Council Committee Reports.

1. Finance committee.
2. Community development committee.
3. Public safety committee.
4. Other committees or reports. Councilmembers and the chair may give reports regarding board or committee meetings they have attended or to which they have been appointed. Special committees which have reports to make shall be scheduled under the presentations section of the agenda.

D. Consent Agenda. The items listed on the consent agenda may be acted upon by a single motion and second of the city council. By simple request made prior to the vote on the consent agenda, the mayor or any councilmember may remove items from the consent agenda for separate consideration after the adoption of the remainder of the consent agenda items. The chair, with council consent, shall determine the point on the agenda at which items pulled from the consent agenda will be considered, normally during the related council committee issue section of the agenda.

1. Minutes.
2. Vouchers and Claims.
 - a. Check No. voided in check lineup.
 - b. Check Nos. in the total amount of \$_____.
3. Ordinances to be adopted by consent.
4. Resolutions to be approved by consent.
5. Motions to be approved by consent.

E. Finance committee issues.

F. Community development committee issues.

G. Public safety committee issues.

H. Full council issues.

I. Executive/closed sessions.

J. Adjournment.

Workshop order of business.

The workshop meetings shall start with the flag salute and be transacted in order of priority of issue unless the council, by majority vote, amends the order of the agenda. All workshops shall include a period of open discussion by the council and priority will be given to all previously tabled issues and presentations.

The following issues or matters do not require review by council standing committees but may be scheduled directly for review by the council of the whole at a council workshop; provided, that the requirements and necessary documents are provided by the agenda deadline as defined in

these policies and procedures. Issues or presentations requested by the mayor for future council agendas (that are not requirements of the council to be scheduled for council committee review), budget review, city hall plans, planning commission recommendations, issues referred by the council to planning commission, property acquisitions, issues previously reviewed by the full council, budget amendments, setting public hearing dates, executive sessions, items tabled by the council, public hearing testimony deliberations, council retreats, council vacancies, appointments to regional or local organizations, committees or task forces, litigation, council internal affairs, and review of all reserve funds.

Article VII. Minutes of Council Meetings

Journal of proceedings.

A journal of all proceedings of the council shall be kept by the city clerk or designee and shall be uploaded and saved on the Washington State Digital Archives Website constituting the official record of the council (per RCW 35A.39.010).

Reading of minutes.

Unless a reading of the minutes is requested by a majority plus one of the council, such minutes may be approved without reading; provided, that the city clerk or designee has provided each member with a printed copy of the minutes as stipulated in these provisions, or made them available on the city's website for those members no longer requesting a printed agenda packet.

Detail of regular, special and workshop minutes.

Official minutes shall contain the date, time, place and nature of the meeting, the names of the councilmembers present (excused and unexcused), mayor, city attorney or deputy city attorney and staff present; all motions, except those withdrawn, and the names of their maker and who made the second; an objective abstract of all business discussed, actions taken and the results or votes of such actions in the order of business established in these policies.

Ordinances, resolutions, contracts and agreements, budgets and budget amendments shall contain clear subject descriptions and shall state the total monetary amounts, when applicable, in the minutes for easier reference.

For efficient use of city resources, it is expected that there will not be verbatim accounts of council proceedings prepared in most situations but instead a summary will be prepared and video recordings will be uploaded to the city's YouTube channel and an audio recording to the state digital archives. However, if an issue is of such importance that a majority plus one of the council feel a verbatim account of a portion of the meeting and/or a particular councilmember's statements are appropriate, a verbatim account may be requested and prepared by the city clerk or designee.

Dissent.

Any member of the city council shall have the right to state the reasons for his/her dissent from, or protest against, any action of the council entered into the minutes.

Scheduling of minutes for adoption.

The city clerk or designee shall normally schedule the council meeting and workshop minutes for adoption by the council after review and approval of the draft minutes by the council at a previous workshop.

Recording of council meetings and workshops.

All regular, special and workshop meetings, unless otherwise determined by the city council, shall be recorded electronically and official minutes prepared by the city clerk or designee. The audio recording shall be uploaded to the Washington State Digital Archives Website pursuant to applicable record retention and public disclosure laws and city ordinance. All video recordings shall be retained and uploaded to the city's YouTube channel. All meeting audio and video recordings are permanent by law.

The city clerk shall provide a suitable area for council or anyone requesting to review any recordings. There shall be no fee for only reviewing them.

Article VIII. Deputy Mayor

Appointment.

The selection of deputy mayor will be biennially, by majority vote of the council, to serve in the absence or temporary disability of the mayor.

The biennial election shall occur during the even years at the first meeting of the council in January. If there has been no change in council membership said election of the deputy mayor and subsequent committee assignments may be made at the last meeting of the year, provided the results of the municipal election have been certified by that date.

Councilmembers shall make nominations for the appointment of deputy mayor. The nominator is permitted to give reasons for supporting the nominee. Nominations do not require a second, but the person nominated should accept or decline the nomination prior to the vote. Councilmembers nominated for this appointment are not required to abstain from voting.

Duties of deputy mayor.

The deputy mayor presides at meetings of the council, administers oaths and signs instruments in the absence of the mayor. When the deputy mayor presides over a council meeting they shall retain their councilmanic vote.

In addition to serving in the absence of the mayor, the deputy mayor shall serve as finance committee chair for the term of office as established for the deputy mayor, shall serve as voucher review committee chair, shall be responsible for overseeing council agendas with the city clerk or designee and the city administrator and shall perform any other duties prescribed by the council.

Article IX. Forms of Address

Elected officials.

In all formal council meetings the mayor shall be addressed as "Mayor (surname)," "Your Honor," or "Mr./Madam Mayor." The deputy mayor shall be addressed as "Deputy Mayor (surname)." Members of the council shall be addressed as "Councilmember (surname)."

Directors and staff.

All directors shall be addressed as "Director (surname)" or Mr. or Ms. (surname). All other staff shall be addressed as Mr. or Ms. (surname).

Article X. Rules of Decorum

Councilmembers.

While the council is in session, all members must preserve order, decency and decorum at all times, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the council.

No member shall use impertinent, degrading, or slanderous language as to any other member of the council, the mayor, city staff, or member of the public while discussing or debating the business of the council. Debate must be fundamentally **impersonal**. All discussion is addressed to the presiding officer and must **never be** directed to any individual. Meetings must discuss **measures, not people**. A motion – its nature and consequences – may be attacked vigorously, but it is never permissible to attack the motives, character, or personality of the presiding officer or another councilmember either directly or by innuendo or by implication.

It is the duty of the presiding officer instantly to stop any member who engages in personal attacks or discusses the motives of the presiding officer or another councilmember or is discourteous in word or manner. If the presiding officer fails to interrupt, any member may make a point of order and call the attention of the presiding officer to the speaker's misconduct.

Arguments and opinions should be stated as concisely as possible. Discussions by members of the council shall relate to the subject matter at hand and shall be **relevant and pertinent** thereto so as to provide for the expeditious disposition and resolution of the business before the legislative body.

Anyone who uses improper language or acts in a disorderly manner should be called to order promptly by the presiding officer. When a point of order is raised concerning a speaker's conduct, the speaker must be silent until the point of order is decided by the presiding officer.

A member who fails or refuses to speak in an orderly and courteous manner may be denied the right to the floor and, if necessary, may be ejected from the meeting by order of the presiding officer or by a vote of the assembly.

Chair.

The chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion. The chair may discourage any city staff or members of the public addressing the council from making personal, impertinent or slanderous remarks or from becoming boisterous (talking in a voice or making noises which are louder than normal conversation or which disrupt the meeting) while addressing the council, or by conversation to delay, impede or interrupt the proceedings or the peace of the council, or disrupts any member while speaking, or refuse to obey the orders of the council or the chair. All remarks shall be addressed to the council as a whole and any person(s) violating these provisions or who become threatening or disruptive while addressing the council may be requested to leave the meeting by the chair. Any person in violation of these provisions and who refuses to comply with the lawful orders of the chair shall be guilty of disorderly conduct.

The chair shall preserve order at all times during council meetings. If required by the chair, the chief of police or a designated member of his/her department shall act as sergeant in arms of the city council and shall carry out all orders given by the chair for the purpose of maintaining order, peace and decorum at the council meeting. Any councilmember may move to require the chair to

enforce the rules and the affirmative vote of a majority of the council shall require the chair to do so.

City staff.

Members of the city staff shall observe the same rules of order and decorum that are applicable to members of the city council.

Article XI. Code of Conduct

Councilmembers.

In all dealings, councilmembers shall be governed, to the extent applicable, by Chapter 42.20 RCW relating to misconduct of public officers, by Chapter 42.23 RCW relating to the code of ethics for municipal officers, and by Chapter 42.36 RCW relating to the appearance of fairness doctrine, and by this document and all other statutes or ordinances governing the conduct of city officers.

Motions generally.

All ordinances, resolutions, and other agenda bills requiring council approval shall be in the form of an affirmative motion. All motions shall require a second in order to proceed to a vote. If no one seconds the motion, the motion dies.

Article XII. Voting

Requirements.

A councilmember must be present at a council meeting or virtually to vote on any issue, contract, ordinance or resolution or any other order of business of the council.. No member shall be allowed to vote by proxy.

Tie breaker.

The mayor may cast a vote in the case of a tie vote of the council in matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money per RCW 35A.12.100.

Roll call voting.

The chair, any councilmember, or the city clerk or designee may request a verbal roll call vote. (Ord. 1474 § 1 (Att. A), 2013).

Votes on motions.

The council requires a majority vote of those councilmembers present and voting, for passage of any action issue; provided, that the passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council, as required by law. Each councilmember present may vote on all questions before the council, except on matters in which he or she has been disqualified or the councilmember has a legal conflict of interest or an appearance of fairness issue under Washington law. Such member shall disqualify him or herself prior to any discussion of the matter, shall temporarily leave the meeting until the agenda item is completed, and shall not attempt to influence the votes of the other councilmembers. When disqualification of a member or members results or would result in the inability of the council at a subsequent meeting to act on a matter which is required by law to take action, any member who was absent or who had been disqualified under the appearance of fairness doctrine may subsequently

participate provided such member shall first have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.

Failure to vote on a motion.

Any councilmember present who fails to state his or her vote without a valid disqualification shall be declared to have voted in the affirmative on the question, except that an abstaining councilmember still creates a quorum.

In situations where a councilmember may need to abstain from voting because of a possible violation of the appearance of fairness doctrine, RCW 42.36.090 provides that the challenged councilmember can still participate in the event that abstention would cause a lack of a quorum or result in a failure to obtain a majority vote as required by law if he or she publicly discloses the basis for disqualification prior to rendering a decision.

Explanation of vote by councilmember.

Any member of the council desiring to explain his or her vote may do so by requesting the floor from the chair and shall be allowed the opportunity to do so for the public and the official record. The question shall not be called for by any councilmember until each councilmember has had an opportunity to address or state their concerns.

Voting delegates of the council.

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

Consensus votes.

When a formal motion is not required on a council action or opinion, a consensus voice vote may be taken. The chair will state the action or opinion and each councilmember may vote by saying “aye” or “nay.”

Reconsideration.

Any action of the council shall be subject to a motion to reconsider, except any action previously reconsidered, motions to adjourn, motions to suspend the rules, an affirmative vote to lay on the table or to take from the table, or a vote electing to office one who is present and does not decline. A motion to reconsider may only be made by a member of the prevailing side on the original action. A motion to reconsider may be made at the same meeting the initial vote is taken, but no later than the next succeeding regular council meeting; provided, that a motion to reconsider approval of a contract may not be made at the next succeeding regular council meeting if the contract has already been signed and delivered to the other contracting party. Debate is limited to the reason for reconsidering the motion and should not be used to repeat discussion regarding the main motion.

Table motions.

If a councilmember wishes to make a motion to table an issue, they may state their intentions to do so and inquire whether any councilmembers wish to make statements or provide information prior to the motion being made and seconded.

Article XIII. Public Comments

Citizen comments.

The public is encouraged to attend and participate at all council meetings. Any individuals who will have difficulty attending a meeting or who desire to comment virtually will be provided an opportunity to provide oral comment at the meeting remotely either by giving prior notice to the city clerk or designee before 5:00pm the night of the Council Meeting or during the public commenting section of the agenda. Under agenda item “public comments,” members of the public may address the mayor and the council regarding any matter relating to city business or over which the city has authority, for up to five minutes per speaker, unless granted further time by the chair or a majority of the councilmembers present. Groups recognized by the chair, or action of the city council, who have a designated speaker may have a total of 10 minutes to speak. Following such comments, if action is required or has been requested, the chair shall refer the matter to staff or the appropriate council committee for review or investigation and report at a future meeting. Sign-up is not required for this portion of the council meeting. Each member of the public will be allowed to speak only once during the public comment portion in each council meeting.

Conduct and decorum when addressing council.

Any person addressing the council pursuant to BLMC 2.04.680 shall comply with the following rules of conduct and decorum:

- A. When recognized by the chair, each in-person attendee addressing the council shall go to the podium and remote attendees when recognized shall give their name and address in an audible tone of voice for the record, and shall limit their remarks to the time specified, unless granted further time by the chair or requested by a majority of the councilmembers present. All remarks shall be addressed to the council as a body and not to any member thereof. This time is set aside for public comments on city business and not to allow individual conversations between citizens and councilmembers/chairperson. No questions shall be asked of a councilmember, except through the chair.
- B. Out of respect for the efficient use of council meeting time, no councilperson or the chairperson shall respond to citizen comments unless the matter is city business and that person wants to respond during the council meeting rather than some other time. No councilperson nor the chair should respond at a meeting to individual or personal matters unless that councilmember nor the chair believes the matter is city business that should or may be addressed by the full council at a council meeting, and that councilmember nor the chair wants to make a response at a council meeting rather than some other time.
- C. No person, other than the chair, councilmembers, and the person having the floor, shall be permitted to enter into any discussions, either directly or through the members of the council, unless recognized by the chair.
- D. All speakers are expected to deliver their comments in a courteous and efficient manner. Any person who is unruly or disruptive while addressing the council may be requested to leave the meeting or may be barred from further audience before the council during that council meeting by the chair.
- E. Any speaker who fails to comply with these limits and rules for speaking at council meetings, or otherwise acts in an unruly or disruptive manner, may be subject to removal from the meeting.

- F. When public complaints or suggestions are brought before a council meeting, other than for items already on an agenda, the chair shall first determine whether the issue is legislative or administrative in nature and then:
1. If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the council finds such complaint suggests a change to an ordinance or resolution of the city, the council may refer the matter to a committee, administration or the council of the whole for study and recommendation.
 2. If administrative, and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the mayor, the mayor should then refer the complaint to the appropriate department head for his/her review if said complaint has not been so reviewed. The city council may direct that the mayor brief or report to the council when his/her response is made.

Written communication.

All material presented at council meetings, except confidential material not subject to disclosure under law, shall also be presented to the city clerk or designee. A copy of any written communications submitted to the council at council meetings under public comments or in reference to an agenda item shall also be provided to the city clerk or designee who shall note in the minutes that said communication was received and include the subject of the communication and the person or group submitting it.

Public hearing procedures.

A. Speaker Sign-In. Prior to the start of a public hearing, all persons wishing to be heard are requested to sign in with the city clerk or designee, giving their name and address and whether they wish to speak as a proponent, opponent or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. Each speaker shall be given five minutes or when presenting the official position of any organization or group recognized by the chair or council action 10 minutes shall be allowed. As allowed by the chair or council action, anyone who has signed in to speak at a public hearing may relinquish his or her allotted time to any person who is also signed in to speak. If there are numerous items for public hearings on any council agenda, there will be a separate public hearing on each item. The chair may change the order of speakers so that testimony is heard in the most logical groupings). Public hearing testimony sign-up forms shall be available on the table outside of the council chambers prior to the meeting until five minutes prior to the meeting starting for use by those wishing to address the council.

B. Conflict of Interest and Appearance of Fairness. Prior to the start of a public hearing any councilmember who has a conflict of interest or appearance of fairness doctrine concern, needs to step down and give the reason for recusing themselves from participation in the public hearing process. Another councilmember may ask a councilmember to step down from the public hearing process if they believe there is a conflict of interest or appearance of fairness doctrine concern. A councilmember who refuses to step down after challenge, upon the advice of the city attorney and after a ruling by the majority of the remaining members of the council that the member in question should step down, is subject to censure. A councilmember who has stepped down shall not participate in the council decision nor vote on the matter. The councilmember shall leave the council chambers while the matter is under consideration.

Public hearing process.

The city clerk or designee, with the concurrence of the deputy mayor, shall set public hearing dates to receive public testimony on all issues required by law or as the council may direct.

Discussions by council of public testimony shall normally be scheduled for the next regularly scheduled workshop. Final action by the council on all public hearings shall normally be scheduled for the next regularly scheduled council meeting; except where no public testimony was provided, the council may choose to take final action immediately following the public hearing.

On the day of the public hearing, the city clerk or designee will print a list of item(s) on the public hearing agenda for the public to have during the public hearing, along with the following notice:

1. All comments by proponents, opponents or other members of the public shall be made from the podium; any individuals making comments shall state their name and address for the official record of the transcript of the public hearing.
2. No comments from members of the public who are physically present shall be made from any other location. Comments that are not on the public hearing topic are out of order. Anyone making “out-of-order” comments shall be subject to removal from the meeting. If you have any special needs or require accommodation, please advise the nearest staff member.
3. These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his/her right of free speech.

The chair calls upon staff to present a brief staff report on the matter under consideration.

The chair calls upon proponents, opponents and all other individuals who have signed in to speak regarding the matter under consideration. After everyone that has signed in to speak has had their opportunity to do so, the chair shall ask if there is anyone else wishing to speak on this matter, including people who may choose to participate remotely.

The chair inquires as to whether any councilmember has questions for the proponents, opponents, speakers or staff. If any councilmember has questions, the appropriate individual will be recalled to the podium(or otherwise addressed if participating remotely).

The chair continues the public hearing to a specific date and time, or closes the public hearing. The council may choose to keep the public record open to a date and time set by the council to receive written testimony if they so desire.

Quasi-judicial public hearings.

The appearance of fairness doctrine applies to quasi-judicial hearings, not to legislative hearings. Council’s decision on a quasi-judicial matter must be based on and supported by the “record” in that matter. The “record” consists of all testimony or comment presented at the hearing and all documents or exhibits that have been submitted in connection with the matter being considered. All documents, including maps, drawings, and staff reports, should be admitted as numbered exhibits during the public hearing. All quasi-judicial hearings shall be recorded. Quasi-judicial hearings will be conducted in conformance to procedures outlined in other ordinances, such as the hearing examiner ordinance. Deliberations on a quasi-judicial matter can occur following the public hearing or at some other time. Deliberations and eventual decision shall fall within any applicable statutory timelines. Comments from the audience are not permitted during open meeting deliberations.

Comments in violation of the appearance of fairness doctrine.

The chair may rule out of order any comment made with respect to a quasi-judicial matter pending before the council or its boards or agency or commissions. Such comments should be made only at the hearing on a subject matter. If a hearing has been set, persons whose comments are ruled out of order will be notified of the time and place when they can appear at the public hearing on the matter and present their comments.

Article XIV. Ordinances and Resolutions

Defined.

- A. Ordinances. Ordinances are legislative acts or local laws, prescribing general, uniform, and permanent rules of conduct, relating to the corporate affairs of the city. Ordinances are the most permanent and binding form of council action and may be amended or repealed only by adoption of a subsequent ordinance.
- B. Resolutions. A resolution is an act of the council that is less solemn or formal than an ordinance, and in general is an expression of the opinion or mind of the council concerning some particular item of business or matter of administration coming within its official cognizance. Resolutions generally deal with matters of a special or temporary character. A resolution may be amended or repealed by adoption of a subsequent motion resolution or ordinance.

When required ordinances, resolutions and contract documents shall be reviewed by the city attorney or deputy city attorney and approved as to form and legality and shall bear his/her certification on a council agenda bill, if required, or approval via e-mail or fax on the issue being reviewed, prior to submitting to the city clerk or designee for inclusion on a council agenda.

All contracts and agreements which are to be approved by the council shall be submitted to the council for consideration as an exhibit to a resolution to ensure tracking ability.

All additional issues pertaining to the city's yearly budget shall be submitted as exhibits to the main budget ordinance (i.e., salary scale, etc.).

All ordinances and resolutions shall be submitted in the city clerk approved standard template format.

No ordinance or resolution shall contain more than one subject and shall be fully and clearly expressed in its title.

All ordinances and resolutions may be passed by the council by having only the title and summary statement read aloud by the city clerk or deputy city clerk or designee at a council meeting, if it is the second reading of the ordinance or resolution, without the full reading of the ordinance or resolution; however, a councilmember may request a full reading at which time the chair shall ask the city clerk or designee to read the ordinance or resolution.

Introduction of ordinances and resolutions at council meetings.

Ordinances, resolutions and other matters or subjects requiring action by the council must be introduced by a council agenda bill.

All ordinances and resolutions shall include a clear description of the subject matter in the titles shown on all agendas and minutes of the council.

Legal review..

All documents needing legal review by the city attorney or deputy city attorney must also be reviewed and approved by the mayor or city administrator prior to final submittal to the city clerk.

Action items.

All issues for a forthcoming council agenda shall be reviewed by the appropriate council committee or, on designated issues, through council workshop. Refer to council standing committee sections, BLMC 2.04.860 through 2.04.880, for clarification of processing issues.

Two readings required of ordinances.

Ordinances before the city council for consideration and passage shall be reviewed at two meetings of the council, inclusive of workshops or council committee meetings, prior to passage.

A. Introduction and First Reading of Ordinance. Discussion and debate by the city council at a regular meeting or workshop may be held at this time. Councilmembers shall decide whether to amend the ordinance, direct staff to further review the ordinance, forward the ordinance to an advisory board, council workshop for further discussion and study, or approve placing the ordinance on the agenda of the forthcoming regular council meeting for enactment as an enforceable city law.

Nothing contained in this policy shall prohibit the city council from enacting any ordinance, other than a franchise, after a single reading by majority vote.

B. Action Items. The council may delay taking action on any issues if sufficient documentation and information has not been provided by the mayor and the staff in advance in council packets to allow the council due deliberation.

Numbering ordinances and resolutions.

Prior to submitting to council committee or workshop, a number shall be assigned to every ordinance or resolution by the city clerk or designee and a current numeric and alphabetical journal log of all ordinances and resolutions shall be kept by the city clerk for easy cross-reference. Copies of the journals shall be provided upon request to councilmembers.

Effective date of ordinances and resolutions.

A. Ordinances.

1. Ordinances Subject to Referendum. Pursuant to BLMC 2.64.010, no ordinance subject to referendum shall take effect prior to 30 days after passage, subject to prior approval by the mayor and prior publication for five days as required by law, unless the council declares such ordinance to be necessary for immediate preservation of public peace, health, and safety or for the support of city government and its existing public institutions, includes a statement of urgency, and passes the ordinance by unanimous vote of the council.
2. Ordinances Not Subject to Referendum. Pursuant to RCW 35A.12.130, no ordinance not subject to referendum shall take effect until five days after the date of its publication unless otherwise provided by statute or charter, except that an ordinance passed by a majority plus one of the whole membership of the council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property, public welfare, or public peace, may become effective upon adoption, but such

ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

- B. Resolutions. A resolution may be put to its final passage on the same day it is introduced and may be effective the same day. The title of each resolution shall, in most cases, be read by the city clerk or designee prior to its passage; provided, should a councilmember request that the entire resolution or certain of its sections be read aloud, such requests shall be granted by the chair.

Publication of ordinances.

Ordinances and their summaries shall be published in the city's official newspaper as legal publication in the first possible publication following enactment. Ordinances will also be posted on the city website.

Ordinance vetoes by the mayor.

Per RCW 35A.12.100, the mayor shall have the power to veto ordinances passed by the council as provided in RCW 35A.12.130 but such veto may be overridden by the vote of the majority plus one of the whole membership.

To become valid, every ordinance adopted by the council must be presented to the mayor, or in the mayor's absence to the deputy mayor. If approved by the mayor, the mayor or deputy mayor shall sign the ordinance. If not approved by the mayor or deputy mayor, the ordinance shall be returned to the council with the mayor's or deputy mayor's written objections. The council shall cause such objections to be entered at large upon the journal and proceed to a reconsideration thereof. If upon reconsideration a majority plus one of the whole membership, voting upon a call of ayes and nays, favor its passage, the ordinance shall become valid notwithstanding the mayoral veto. If the mayor fails for 10 days to either approve or veto an ordinance it shall become valid without approval. All ordinances shall be signed by the mayor, or in the absence of the mayor by the deputy mayor, approved as to form, when required, by the city attorney and attested to by the city clerk or designee.

Article XV. Council Representation/ Appointments to Regional or Local Organizations, Committees or Task Forces

Appointments of councilmembers to regional organizations.

Appointments to regional or local organizations, committees or task forces may be made in two ways: (A) the regional or local organization, committee or task force may request recommendation for ultimate council appointment; or (B) the mayor may make direct appointments to a regional or local organization, committee or task force when asked to do so by the council.

Any councilmember may express an interest in a particular subject and interest in serving on a particular body.

When any of the above request council membership recommendations where that particular body makes the final appointment, the mayor shall ask councilmembers to state their interest for appointment and the council shall determine who their representatives shall be.

When the mayor has the authority to make direct appointments to a regional committee, discussion shall take place with the full council to determine interest. The councilmember

receiving a majority vote will represent the city. The mayor may also be chosen to represent the city on regional committees.

Changes in representation to regional or local organizations, committees or task forces where the council has the authority to make direct appointment shall also be determined through full council discussion and majority vote of the council.

Commenting while representing the council.

If a councilmember appears on behalf of the city before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the councilmember shall state the majority position of the council, if known, on such issue. Personal opinions and comments which differ from the council majority may be expressed if the councilmember clarifies that their statements represent their personal position and do not represent the council's position.

Councilmembers appointed by the council to represent the council's positions on an issue must first acquire concurrence from the council prior to presenting to the media, another governmental agency or community organization.

Council travel arrangements and conference registration.

The city clerk or designee shall be responsible for handling and coordinating all travel arrangements and conference registrations.

Article XVI. Council Committees

Definition and scope of council standing committees.

The standing committees of the council and the scope of their duties are described as follows. The council may amend these committees as they deem necessary. All issues for council meeting agendas shall be reviewed by the appropriate council committee, except those issues identified as approved for council workshops or as council may approve, prior to submitting to the city clerk or designee for scheduling.

A. Finance Committee. The finance committee exists for the purpose of considering matters that fall under the executive, administrative services, and finance departments, including general administration, records management, human resources, information services, facilities, finance and accounting, parks planning, and city prosecution; provided, however, that all significant financial issues, including budget amendments, shall be considered at a council workshop rather than in the finance committee.

B. Public Safety Committee (PSC). The public safety committee exists for the purpose of considering matters that fall under the police department or municipal court, as well as fire-related matters brought forward by East Pierce Fire and Rescue.

C. Community Development Committee (CDC). The community development committee exists for the purpose of considering matters that fall under the public services department, including but not limited to streets, stormwater, water, sewer, parks maintenance, planning, zoning, building, annexation, and other development regulations.

D. Voucher Review Committee. The purpose of the voucher review committee is to assist the auditing officer in assuring that claims against the city are just, due and unpaid, and that the goods and services have been received. The committee members may review all accounts payable and payroll and report to the city council as deemed appropriate. The committee need

not meet as a body and may conduct individual claim review at a place and time appropriate for the committee member and the auditing officer.

Committee attendance.

Council committee members are to notify the committee chair of planned absences at least 24 hours in advance of the meeting and the chair of the committee may contact the deputy mayor or any other councilmember to serve in their absence.

Composition of the council committees.

Each council committee shall consist of three members appointed by the deputy mayor following consultation with, or caucus of, the councilmembers. If there has been a change in council membership, committee assignments shall be made by the deputy mayor at the first meeting of the new year after the deputy mayor has been elected. If there has been no change in council membership, said election of the deputy mayor and subsequent committee assignments may be made at the last meeting of the year, provided the results of the election have been certified by that date. Each council committee shall select its own committee chair except that the chair of the finance committee and voucher review committee shall be the deputy mayor.

Duties of council committees.

Standing committees shall be concerned primarily with policy matters. They shall review such matters within their general areas of jurisdiction or as determined by council direction or committee consensus and shall formulate recommendations to the full council for action.

The chair of each standing council committee shall be responsible for setting the agendas for each committee meeting and providing minutes of the meetings to all councilmembers, mayor and appropriate staff. (Ord. 1474 § 1 (Att. A), 2013).

Required documentation.

The committee chair may require that all issues, prior to scheduling for any council committee agenda, shall include a completed council agenda bill, with required approvals of the mayor and the city attorney when legal review is necessary and all necessary documentation on the issue being reviewed, including budget information if applicable. Whenever possible, any documents requiring legal review and evaluation (ordinances, resolutions, contracts, agreements, any amendments to same, etc.) shall be completed and the city attorney's response and recommendations shall be provided in the council committee or workshop packets prior to being scheduled on those agendas.

Council committee meeting schedules.

The days and times of all committees shall be fixed by resolution and may be amended as necessary by a majority vote of the council, or on a temporary basis by the committee chairperson. The schedule for committee meetings shall be posted on the city's website. All committee meetings are open to the public. Committee meeting cancellations shall be posted on the city website and at the location of the committee meeting.

Committee reports and agendas.

The chair of each council committee shall set committee agendas and provide committee agendas to the council, mayor, city clerk or designee.

The committee chair shall provide a verbal report of the committee meeting at the following regular council meeting.

The department directors shall be responsible for securing the required signatures of the appropriate council committee on the designated committee review form by the established deadline for submitting to the city clerk for inclusion on the forthcoming agenda.

Split decision by council committee.

If the decision of the committee is not unanimous, by those committee members present, on any issue presented to them for consideration, the chair of the committee shall request the issue be forwarded to the full council at the next scheduled workshop for further discussions and deliberations by the council, or may direct the issue be scheduled for further committee discussions and deliberations.

Ad hoc council committees.

From time to time, the council may, at its discretion, by resolution or motion appoint special council or resident committees to accomplish specific tasks of limited duration. Committee members shall be appointed by the council.

Article XVII. Public Concerns and Suggestions

Correspondence.

All correspondence received by the council shall be answered in a timely manner. All correspondence or phone calls from residents received by city staff regarding policy or legislative issues shall indicate the date received and which department they were referred to for follow up and response. Copies of the information shall be provided to all councilmembers.

The city clerk or designee is authorized to open and examine all mail or other written communications addressed to the city council. No mail shall be opened which is addressed to the personal attention of any one member of the council.

Requests from residents for council representative contact information.

The council expects the mayor to provide a system of information and responsibility for all requests to the city inquiring about a resident's council representatives.

Determining whether legislative or administrative.

When public concerns or suggestions are brought before the city council, other than for items already on the agenda, the mayor, along with the council, shall first determine whether the issue is legislative or administrative in nature.

If legislative, the council may refer the matter to the appropriate council committee, the administration or the council workshop for discussion and recommendation and shall provide the citizen with an approximate response time.

When administrative complaints are made directly to individual councilmembers, the councilmember shall then refer the matter directly to the mayor for action.

The councilmember making the referral shall be informed, in a timely manner, by the mayor of the response and findings regarding the complaint.

Article XVIII. Council Vacancies

Vacancy in council seat.

If a council vacancy occurs, the council will follow the procedures outlined in RCW 35A.12.050 and 42.12.070. If the council fails to appoint a qualified person to fill a vacancy within 90 days of the occurrence of the vacancy, the authority of the governing body shall cease and the Pierce County council shall appoint a qualified person to fill the vacancy. In order to fill the vacancy with the most qualified person available until an election is held, the council will direct the city clerk to distribute and publish a notice of the vacancy and deadline for applying for the position.

Notice.

The notice of the vacancy shall be widely distributed and published in the city's official newspaper, the city newsletter when possible, on the city website, at the Justice and Municipal Center, and such other places or by such other means as to reasonably provide information to the public, including the procedure and deadline for applying for the position.

Application and interview procedure.

The council during a regular or special council meeting open to the public may interview all or some of the candidates who submit an application by the deadline for the advertised council vacancy. Council applicants will be asked to remain outside the council chambers while other applicants are being interviewed. Applicants will be asked to answer questions submitted to them in advance of the interview and questions posed by each councilmember during the interview process. The councilmembers will ask the same questions of each candidate. Each candidate will be allowed two minutes for closing comments.

Selection of new councilmember.

The council may recess into executive session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy shall be conducted during an open public meeting.

Article XIX. Council's Request for Information from Staff

Defined.

The council shall make all requests for information to the city administrator or in the case of city legislative records to the city clerk or designee. Information shall be provided in a timely manner to enable councilmembers to perform their duties and responsibilities more effectively. If the information requested cannot be provided by the city administrator or staff in a timely manner, they shall be advised why and when to expect the requested information. Information of a general council nature will be dispersed to the full council.

Article XX. Council's Advisory Boards, Agencies and Commissions

Value of service.

Bonney Lake's boards, agencies, commissions, committees and task forces provide an invaluable service to the city. Their advice on a wide variety of subjects aids the councilmembers in their decision making process. Effective public participation is an invaluable tool for local government.

Bonney Lake advisory bodies bring together resident viewpoints which might not otherwise be heard. Persons of wide-ranging interests who want to participate in public service but not compete for public office can be involved in governmental boards, agencies, commissions, committees and task forces. These bodies also serve as a training ground or stepping stone for qualified persons who are interested in seeking public office.

Board, agency, commission and committee minutes and recommendations.

A. The mayor and staff shall ensure that the council is provided with, in a timely manner, copies of all agendas and minutes for all statutory boards, agencies and city advisory bodies. The mayor and staff shall ensure that copies of all council agendas and minutes shall be provided to each board, agency, and commission by the staff in a timely manner.

All recommendations and final reports to the council from all boards, agencies, commissions and city advisory committees shall be made in person at a regular council meeting by the chair or a duly designated representative of each board, commission or committee, which designee may include the appropriate department head or assigned staff liaison. A copy of the written report or recommendation shall be submitted to the city clerk or designee by the agenda cut-off time, prior to the scheduled meeting, as established in these policies, to allow the council sufficient time to review.

All tasks and issues assigned to each board, commission or city advisory committee by the city council shall be in writing and clearly outline the expectations of the council and approved by a vote of the majority of the council prior to its referral. The mayor shall designate the department tasked with bringing this outline document before the council.

All boards and commissions shall submit to the council an outline of the main scope of work or issues/projects that they will be working to accomplish and make recommendations to the council for the current year. This shall be submitted to the council annually by the board or commission no later than the end of February of each year.

B. Planning Commission. The planning commission shall hold public hearings, according to the public hearing process as defined in the state statutes or by ordinance in the Bonney Lake Municipal Code and on any other issue deemed necessary for the public's benefit as designated by the city council or on additional issues as defined in the bylaws of the planning commissioners and shall provide the council with a copy of the minutes from the public hearings along with their recommendations as appropriate.

The planning commission shall formally adopt the same code of parliamentary procedures for their meetings as the council for consistency.

The planning commission shall be required to comply with BLMC 2.04.610 of these policies pertaining to all votes on motions.

The planning commission shall provide the council with a copy of their required bylaws or policies and procedures and shall also be responsible for providing updated copies as amended.

The council shall hold at least one joint meeting with the planning commission annually, at such times and dates determined by the council in consultation with the commission.

Article XXI. Council Relations with City Staff

Policy guidelines.

There will be mutual respect from both city staff and councilmembers of their respective roles and responsibilities.

City staff shall acknowledge the council as policy makers and councilmembers shall acknowledge staff as administering the council's policies.

Article XXII. Number of Councilmembers – Duties – Salary – Council Retreats

Number of councilmembers.

The city of Bonney Lake is a non-charter code city under the laws and statutes of the state of Washington and its city council shall consist of seven members, all of whom shall be elected at-large.

Duties.

The duties of councilmembers shall be those prescribed in Chapters 35A.11 and 35A.12 RCW and as otherwise provided by law.

Council retreats.

The council, by majority vote, shall decide each year during the budget process, if they are approving a council retreat for the forthcoming year and will budget accordingly. The council will set the time of year for the retreat, the agenda for what they want to address and accomplish and will have final approval on the location of the retreat and if needed the selection of the company hired to facilitate the retreat.

Article XXIII. Suspension and Amendment of These Rules

Suspension of these rules.

Any provision of these rules not governed by state law or by the city code may be temporarily suspended by a vote of a majority of the council.

Amendment of council policies.

These rules and policies may be amended or new policies adopted by a majority vote of all members of the council. The council may review its policies and procedures yearly.

Severability.

If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter.