



Meeting Location:
Council Chambers, 3rd Floor
216 Prospect Street
Port Orchard, WA 98366

Contact us:
Phone (360) 876-4407
cityhall@portorchardwa.gov
www.portorchardwa.gov

**City of Port Orchard City Council
Regular Meeting Agenda
June 25, 2024
6:30 p.m.**

Due to construction at City Hall, and pursuant to the Open Public Meetings Act, Chapter 42.30 RCW, the City Council is conducting its public meeting in a hybrid format with options for in-person attendance on the 2nd floor of City Hall, or remote viewing and participation via Zoom (link below). The meeting is streamed live on the City's YouTube channel, click [here](#).

Link: <https://us02web.zoom.us/j/84034294333>

Zoom Meeting ID: 840 3429 4333

Zoom Call-In: 1 253 215 8782

Guiding Principles

- Are we raising the bar in all of our actions?
- Are we honoring the past, but not living in the past?
- Are we building positive connections with our community and outside partners?
- Is the decision-making process building a diverse, equitable, and inclusive community?

1. CALL TO ORDER

- A.** Pledge of Allegiance

2. APPROVAL OF AGENDA

3. CITIZENS COMMENTS

*(This is an opportunity for citizens to address the City Council on any topic. Comments are limited to **3 minutes** per speaker. Please approach the podium or raise your Zoom hand if viewing remotely and wait to be recognized by the Mayor. Then, state your name for the official record. If you are attending remotely by Zoom via telephone, enter *9 from your keypad to raise your hand.)*

4. CONSENT AGENDA

(Items listed are to be considered routine in nature and are grouped together in a single motion. A Councilmember may remove an item for separate consideration upon request. In the event of such request, the item is placed under Business Items.)

- A.** Approval of Vouchers and Electronic Payments
- B.** Approval of Payroll and Direct Deposits
- C.** Adoption of a Resolution Confirming Mayoral Appointment to the Kitsap Public Facilities District (Wallace) Page 4
- D.** Adoption of a Resolution Supporting the Washington State Public Works Board Loan Application Process for the Old Clifton Road Water Intertie Project (Ryan) Page 6
- E.** Approval of the May 28, 2024, City Council Regular Meeting Minutes Page 8

5. PRESENTATION

6. PUBLIC HEARING

(Accepting public testimony from citizens limited to the specific item listed)

7. BUSINESS ITEMS

- A. Adoption of an Ordinance Vacating City Right-of-Ways, a Portion of an Alley off of Taylor Street and a Portion of Austin Avenue Between Taylor Street and Smith Street; a Portion of Sweany Street off of Sidney Avenue and Most of the Alley Between Taylor Street and Divisions Street; and a Portion of an Alley off of Cline Street Between Sweany Street and Taylor Street and Approving Easements with Kitsap County (Archer/Wallace) Page 14
- B. Adoption of an Ordinance Amending the 2023-2024 Biennial Budget, Including Exhibit A (Crocker) Page 54
- C. Adoption of a Resolution Establishing an Investment Policy (Crocker) Page 71

8. DISCUSSION ITEMS (No Action to be Taken)

- A. Discussion on a Possible City Council Protocol Manual (Archer) Page 89

9. REPORTS OF COUNCIL COMMITTEES

10. REPORT OF MAYOR

11. REPORT OF DEPARTMENT HEADS

12. CITIZEN COMMENTS

*(This is an opportunity for citizens to address the City Council on any topic. Comments are limited to 3 minutes. Please approach the podium or raise your Zoom hand if viewing remotely and wait to be recognized by the Mayor. Then, state your name for the official record. If you are attending remotely by Zoom via telephone, enter *9 from your keypad to raise your hand.)*

13. CITY COUNCIL GOOD OF THE ORDER

14. EXECUTIVE SESSION: Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

15. ADJOURNMENT

CITY COUNCIL ADVISORY COMMITTEES

(Three council members serve on the committee with staff to make collaborative recommendations about work product. Staff then prepares the items for full Council consideration based on the Committee's discussion.)

STANDING COMMITTEE	Date & Time	Location
Economic Development and Tourism	July 8, 2024; 9:30am – 2 nd Monday of the month	Remote Access
Utilities	July 9; 5:00pm – 2 nd Tuesday of the month	Remote Access
Finance	July 16; 4:00pm – 3 rd Tuesday of the month	Remote Access
Transportation	June 25 25; 4:30pm- 4 th Tuesday of the month	Remote Access
Land Use	June 27; 4:30pm – 3 rd Wednesday of the month	Remote Access
Lodging Tax Advisory	TBD 2024	Remote Access
Sewer Advisory	September 10, 2024; 3:00pm	Remote Access
Outside Agency Committees	Varies	Varies

ADA Requirements: In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, please contact the City Clerk's office at (360) 876-4407. Notification at least 48 hours in advance of meeting will enable the City to make arrangements to assure accessibility to this meeting.

REMINDER: Please silence all electronic devices while City Council is in session.

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Robert (Rob) Putaansuu
Mayor
Administrative Official

Eric Worden
Councilmember Position 4
Land Use Committee
Utilities/Sewer Advisory Committee
KRCC-alt

Brandy Wallace, MMC, CPRO
City Clerk
Matt Brown
Police Chief

Mark Trenary
Councilmember Position 1
Finance Committee, **Chair**
Transportation Committee
KRCC
PSRC-alt

Heidi Fenton
Councilmember Position 5
Utilities/Sewer Advisory Committee
E/D & Tourism Committee
Transportation Committee

Debbie Lund, CEBS SPHR SHRM-SCP
Human Resources Director
Nicholas Bond, AICP
Community Development Director

Jay Rosapepe
Councilmember Position 2
Utilities/Sewer Advisory Committee, **Chair**
Land Use Committee, **Chair**
KEDA-alt

Fred Chang
Councilmember Position 6
(Mayor Pro-Tempore)
E/D & Tourism Committee
Finance Committee

Noah Crocker, M.B.A.
Finance Director
Denis Ryan, CPWP-M, CPRP
Public Works Director

Scott Diener
Councilmember Position 3
Land Use Committee
Transportation Committee
Kitsap Public Health District

John Morrissey
Councilmember Position At-Large
Finance Committee
E/D & Tourism Committee
Lodging Tax, **Chair**
Kitsap Economic Development Alliance
PSRC EDD-alt
Tim Drury
Municipal Court Judge



Agenda Staff Report

Agenda Item No.: Consent Agenda 4C

Meeting Date: June 25, 2024

Subject: Adoption of a Resolution Confirming
Mayoral Appointment to the Kitsap
Public Facilities District

Prepared By: Brandy Wallace, MMC
City Clerk

Summary: The City Clerk's office was notified that a member of the Kitsap Public Facilities District would not be seeking reappointment starting July 1, 2024.

The Mayor is seeking to appoint the following volunteer upon confirmation of the City Council:

- **Kitsap Public Facilities District:** Appointment of Shawn Cucciardi for a four-year term expiring June 30, 2028.

Recommendation: Mayor Putaansuu recommends adoption of a resolution confirming his appointment to the Kitsap Public Facilities District, as presented.

Relationship to Comprehensive Plan: None

Has this item been presented to Committee/Work Study? If so, which one: N/A

Motion for consideration: I move to adopt a resolution confirming the Mayor's appointment to the Kitsap Public Facilities District, as presented

Fiscal Impact: None.

Alternatives: Not confirm the Mayor's appointment and provide further direction.

Attachments: Resolution

RESOLUTION NO. **-24

**A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON CONFIRMING
MAYORAL APPOINTMENT TO THE KITSAP PUBLIC FACILITIES DISTRICT.**

WHEREAS, the Mayor is authorized to appoint volunteers to fill expired or vacant terms on various boards, committees, and commissions, upon confirmation of the City Council; and

WHEREAS, the Kitsap Public Facilities District will have a vacancy starting July 1, 2024; and

WHEREAS, it is the Mayor's desire to appoint Shawn Cucciardi to this Board starting July 1, 2024, for a four-year term, expiring June 30, 2028; now therefore,

**THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES
AS FOLLOWS:**

THAT: The City Council of the City of Port Orchard does hereby confirm the appointment of Shawn Cucciardi, starting July 1, 2024, to the Kitsap Public Facilities District Board for a four-year term expiring June 30, 2028.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this 25th day of June 2024.

Robert Putansuu, Mayor

ATTEST:

Brandy Wallace, MMC, City Clerk



Agenda Staff Report

Agenda Item No.: Consent Agenda 4D

Meeting Date: June 25, 2024

Subject: Adoption of Resolution Supporting the
Washington State Public Works Board
Loan Application Process for the Old
Clifton Road Water Intertie Project

Prepared By: Denis Ryan
Public Works Director

Summary: The City of Port Orchard has identified the need for an intertie between the City’s water system and the McCormick Woods water system, as analyzed in the Port Orchard Consolidation Study dated March 31, 2021. The Old Clifton Road Water Intertie Project (the “Project”) will make necessary improvements to the City of Port Orchard Water System and has been identified as a priority task for the City of Port Orchard’s Public Works Department. As part of the PWB Loan Application for the Old Clifton Road Water Intertie Project in the City of Port Orchard Water System, the PWB requires the City Council to approve the City’s submittal of the PWB application, the proposed project, and the estimated amount sought for this round of funding. If authorized by Council via this Resolution, the City of Port Orchard Public Works Department will submit a Loan Application in the amount of \$1,000,000 to be used for engineering and planning the Old Clifton Road Water Intertie Project in the City of Port Orchard Water System. If the application is successful, the PWB Funding will be available to commence with engineering and planning of the Project in 2024 or 2025.

Recommendation: Staff recommends that the City Council adopt a Resolution supporting the City’s application for the Washington State Public Works Board Loan for engineering and planning for the Old Clifton Road Water Intertie Project to benefit the City of Port Orchard Water System.

Relationship to Comprehensive Plan: Chapter 7-Utilities

Has this item been presented to Committee / Work Study? If so, which one: Yes - Utilities Committee

Motion for consideration: I move to adopt a Resolution of support for the City’s application for a Washington State Public Works Board Loan for the Old Clifton Road Water Intertie Project to benefit the City of Port Orchard Water System.

Fiscal Impact: If approved and the loan application is successful, there will be debt service in future fiscal years.

Alternatives: Do not authorize the City to apply for the loan and provide alternative guidance

Attachments: Resolution

RESOLUTION NO. **-24

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, SUPPORTING THE WASHINGTON STATE PUBLIC WORKS BOARD LOAN APPLICATION FOR THE OLD CLIFTON ROAD WATER INTERTIE PROJECT IN THE CITY OF PORT ORCHARD WATER SYSTEM.

WHEREAS, the City of Port Orchard has identified the need for an intertie between the City's water system and the McCormick Woods water system, as analyzed in the Port Orchard Consolidation Study dated March 31, 2021; and

WHEREAS the Old Clifton Road Water Intertie Project (the "Project") will make necessary improvements to the City of Port Orchard Water System and has been identified as a priority task for the City of Port Orchard's Public Works Department; and

WHEREAS, the City desires to apply for planning and engineering loan funding from the Washington State Public Works Board (PWB), to fund the Project; and

WHEREAS, as part of the PWB Loan Application for the Old Clifton Road Water Intertie Project in the City of Port Orchard Water System, the PWB requires the City Council to approve the City's submittal of the PWB application, the proposed project, and the estimated amount sought for funding; and

WHEREAS, the City Council believes it is in the best interests of the City to submit a Loan Application in the amount of \$1,000,000 for the Project, in order to fund planning and engineering of this vital improvement to the City's Water System; and

WHEREAS, if awarded, the PWB Funding will allow the City to commence with the design of the Project in the City of Port Orchard Water System in 2024 or 2025; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution.

THAT: The City Council fully supports the submission of a Washington State Public Works Board Loan Application on behalf of the City for the Old Clifton Road Water Intertie Project to benefit the City of Port Orchard Water System.

THAT: This Resolution shall take full force and be effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the City Clerk in authentication of such passage on this 25th day of June 2024.

Robert Putaansuu, Mayor

ATTEST:

Brandy Wallace, MMC, City Clerk



1. CALL TO ORDER AND ROLL CALL

Mayor Putaansuu called the meeting to order at 6:30 p.m.

Roll call was taken by the City Clerk as follows:

Mayor Pro-Tem Chang	Present
Councilmember Diener	Present
Councilmember Fenton	Present
Councilmember Morrissey	Present
Councilmember Rosapepe	Present
Councilmember Trenary	Present
Councilmember Worden	Present
Mayor Putaansuu	Present

Staff present: Public Works Director Ryan, Finance Director Crocker, HR Manager Lund, Police Chief Brown, City Attorney Archer, and Deputy City Clerk Floyd.

Staff present via Zoom: City Clerk Wallace

The meeting streamed live on YouTube.

A. PLEDGE OF ALLEGIANCE (Time Stamp 00:28)

Mayor Putaansuu led the audience and Council in the Pledge of Allegiance.

2. APPROVAL OF AGENDA (Time Stamp: 00:49)

MOTION: By Councilmember Rosapepe, seconded by Councilmember Trenary, to approve the agenda as published.

The motion carried.

3. CITIZENS COMMENTS ON AGENDA ITEMS (Time Stamp: 01:20)

There were no citizen comments.

4. CONSENT AGENDA (Time Stamp: 01:52)

A. Approval of Voucher Nos. 87727 through 87742 and 87750 through 87765 including bank drafts in the amount of \$309,615.56 and EFT's in the amount of \$1,079,345.41 totaling \$1,388,960.97.

- B. Approval of Payroll Check Nos. 87743 through 87749 including bank drafts and EFT's in the amount of \$ 268,758.49 and Direct Deposits in the amount of \$264,650.49 totaling \$533,408.98.
- C. Adoption of an Ordinance Amending the Chief of Police Employment Agreement to Extend the Term by 60 Days **(Ordinance No. 009-24)**
- D. Approval of a Special Event Street Closure: 27th Annual Cruisin' Sunday Car, Truck and Bike Show (Wallace)
- E. Approval of the May 14, 2024, City Council Regular Meeting Minutes

MOTION: By Councilmember Diener, seconded by Councilmember Morrissey, to approve the Consent Agenda as presented.

The motion carried.

5. PRESENTATION

There were no presentations.

6. PUBLIC HEARING

There were no public hearings.

7. BUSINESS ITEMS

A. Adoption of an Ordinance Authorizing New Positions within the Public Works Department (Time Stamp 02:20)

MOTION: By Councilmember Morrissey, seconded by Councilmember Fenton, to adopt an ordinance establishing new positions and setting general qualifications and duties for positions for the Public Works Department.

The motion carried.
(Ordinance No. 007-24)

B. Approval of a Memorandum of Understanding Amending the Collective Bargaining Agreement with the Teamsters Representing Public Works Employees Regarding Organizational Structure and Personnel Changes (Time Stamp 09:31)

MOTION: By Councilmember Trenary, seconded by Councilmember Rosapepe, to sign an MOU with the Teamsters representing the Public Works Employees memorializing organizational changes.

The motion carried.
(MOU to Contract No. 021-22)

C. Adoption of an Ordinance Amending the 2023-2024 Biennial Budget, Exhibit A, for New Positions within the Public Works Department (Time Stamp 13:29)

MOTION: By Councilmember Fenton, seconded by Councilmember Diener, to adopt an ordinance amending the 2023-2024 Biennial Budget for the City of Port Orchard.

The motion carried.
(Ordinance No. 008-24)

D. Approval of a Memorandum of Understanding with the Teamsters Representing Public Works Employees Regarding Global Positioning Devices (Time Stamp 20:01)

MOTION: By Councilmember Diener, seconded by Councilmember Rosapepe, to authorize the Mayor to sign an Agreement with the Teamsters representing the Public Works Employees regarding global positioning devices for City vehicles.

The motion carried.
(MOU to Contract No. 021-22)

E. Adoption of a Resolution Approving a Small Works Contract with Specialized Pavement Marking, LLC for the 2024 City of Port Orchard Road Striping Project (Time Stamp 33:56)

MOTION: By Councilmember Rosapepe, seconded by Councilmember Fenton, to adopt a resolution authorizing the Mayor to sign the contract with Specialized Pavement Marking, LLC for the 2024 City of Port Orchard Road Striping Project in the amount of \$103,160.02.

The motion carried.
(Resolution No. 028-24 and Contract No. 046-24)

F. Adoption of a Resolution Approving a Contract with Skillings, Inc. for Construction Support Services (Time Stamp 39:50)

MOTION: By Councilmember Worden, seconded by Councilmember Rosapepe, to adopt a Resolution approving and authorizing the Mayor to execute an Agreement with Skillings, Inc. for Construction Phase Contract Administration and in an amount of \$150,000 and documenting the Professional Services procurement procedures.

The motion carried.
(Resolution No. 029-24 and Contract No. 047-24)

G. Approval of a Purchase and Sale Agreement for Kitsap County Tax Parcel No. 4650-015-006-0007 for Additional Staffing Needs (Time Stamp 47:57)

MOTION: By Councilmember Chang, seconded by Councilmember Trenary, to authorize the Mayor to execute the Purchase and Sale Agreement and all documents necessary to effectuate the purchase of Tax Parcel number 4650-015-006-0007, to authorize \$10,000 in earnest money, and to ratify all actions taken prior to this authorization but consistent therewith.

**The motion carried.
(Contract No. 048-24)**

H. Approval of Amendment No. No. 5 to Contract No. 048-23 with Lincoln Construction, Inc. for the City Hall Renovation Project (Time Stamp 57:44)

MOTION: By Councilmember Diener, seconded by Councilmember Rosapepe, to authorize the Mayor to execute Change Order No. 5 to Contract No. 048-23 with Lincoln Construction, Inc. for the City Hall Renovations Project to add an amount of \$136,783.49 for a new contract total of \$9,375,578.74 (applicable tax included).

The motion carried.

I. Adoption of a Resolution Approving an Easement for Puget Sound Energy for Commercial Electric Facilities Work for the McCormick Woods Well 11 Site (Time Stamp: 1:11:00)

MOTION: By Councilmember Worden, seconded by Councilmember Fenton, to adopt a resolution authorizing the grant of an easement to PSE for work associated with the McCormick Woods-Well No. 11 Site Improvement Project.

**The motion carried.
(Resolution No. 030-24)**

J. Approval of the April 23, 2024, City Council Meeting Minutes (Time Stamp 1:14:17)

MOTION: By Councilmember Rosapepe, seconded by Councilmember Trenary, to approve the April 23rd meeting minutes as presented.

The motion carried. Councilmember Worden abstained.

8. DISCUSSION ITEMS (No Action to be Taken)

A. City Council Guiding Principles (Time Stamp 1:15:13)

This is a continuation of a discussion from the May 14th City Council meeting.

Council, Mayor, and staff discussed updating the City Council Guiding Principles and agreed upon the following:

- Are we raising the bar in all of our actions?
- Are we honoring the past, but not living in the past?
- Are we building positive connections with our community and outside partners?
- Is the decision-making process building a diverse, equitable, and inclusive community?

9. REPORTS OF COUNCIL COMMITTEES (Time Stamp 1:19:46)

Councilmember Rosapepe reported the tour scheduled for Friday, May 31st for the Economic Development and Tourism Committee has been cancelled. He also reported on the May 22nd Land Use Committee meeting.

Mayor Putaansuu reported on the KRCC [Kitsap Regional Coordinating Council] Transportation Advisory Committee.

10. REPORT OF THE MAYOR (Time Stamp 1:25:21)

The Mayor reported on the following:

- Updates of City Hall construction, staff and Council meetings.
- No June Work Study meeting.
- Association of Washington Cities updates.
- Tribal land acknowledgement.
- Department of Natural Resources lease and Community Events Center.
- Kitsap Transit Origin and Destination Survey.
- Letter received from the South Kitsap School District asking to bring back the school resource officer.
- Rental assistance.

11. REPORT OF DEPARTMENT HEADS (Time Stamp 1:49:55)

Public Works Director Ryan thanked everyone for their help and support with the public works department reorganization.

Finance Director Crocker said the Finance Committee needs to figure out a date for the next meeting.

HR Manager Lund echoed what Public Works Director Ryan said.

City Attorney Archer reported on lease pricing with DNR regarding the Community Events Center.

Police Chief Brown reported on hiring and employment.

12. CITIZEN COMMENTS ON ANY ITEM (Time Stamp 1:55:50)

There were no citizen comments.

13. CITY COUNCIL GOOD OF THE ORDER (Time Stamp 1:56:13)

Council briefly discussed Coffee with the Council and Councilmember attendance.

Mayor Putaansuu briefly discussed the City's membership with the Farmer's Market.

Councilmember Morrissey thanked the Mayor and Police Chief for participating in the Seagull Calling Contest and noted Councilmember Fenton was the winner of the Seagull Calling Contest.

Councilmember Fenton mentioned the downtown Mosquito Fleet Fest went very well.

Councilmember Rosapepe spoke to the weekend events downtown, Lady Washington, and asked Council to consider how they gather information and questions from the public to send out for responses, and asked Council to avoid talking over each other during council meetings.

14. EXECUTION SESSION

No executive session was held.

15. ADJOURNMENT

MOTION: By Councilmember Rosapepe, seconded by Councilmember Morrissey, to adjourn the meeting.

The motion carried.

The meeting adjourned at 8:36 p.m. No other action was taken. Audio/Visual was successful.

Brandy Wallace, MMC, City Clerk

Robert Putaansuu, Mayor



Agenda Staff Report

Agenda Item No.: Business Item 7A

Meeting Date: June 25, 2024

Subject: Adoption of an Ordinance Vacating City Rights-of-way; 1) a Portion of an Alley off of Taylor St and a Portion of Austin Ave Between Taylor St and Smith St; 2) Portion of Sweany St off of Sidney Ave and Most of the Alley Between Taylor St and Division St; and 3) Portion of an Alley off of Cline St Between Sweany St and Taylor St and Approving easements with Kitsap County

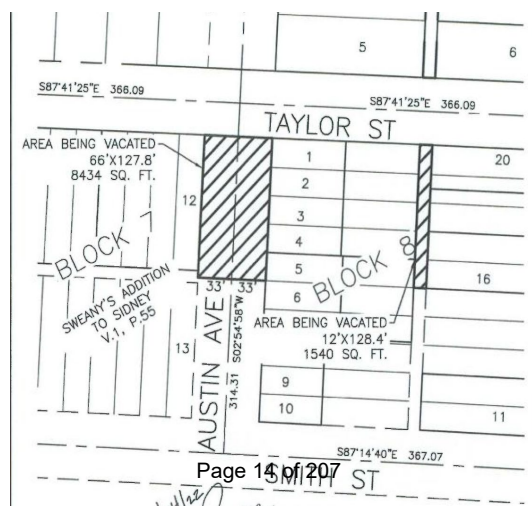
Prepared By: Brandy Wallace, MMC
City Clerk

Summary: In 2022 and 2023, the City received petition materials to vacate City rights-of-way from Kitsap County (“Petitioner”). The purpose of the vacations are for the construction of new surface parking lots to serve a future courthouse expansion and remodel project. The project is phased and the first phase includes the construction of these parking lots, subject to all necessary permits.

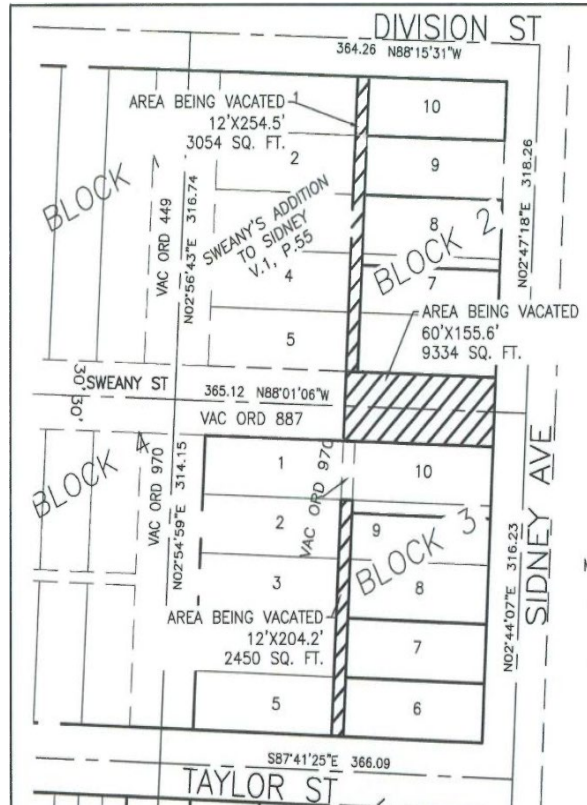
The petitioner owns all adjoining property to the areas sought for vacation and therefore they own more than two thirds of the abutting property, as required by RCW 35.79.010 and POMC 12.08.010.

The requested areas are grouped in three areas, described and depicted as follows:

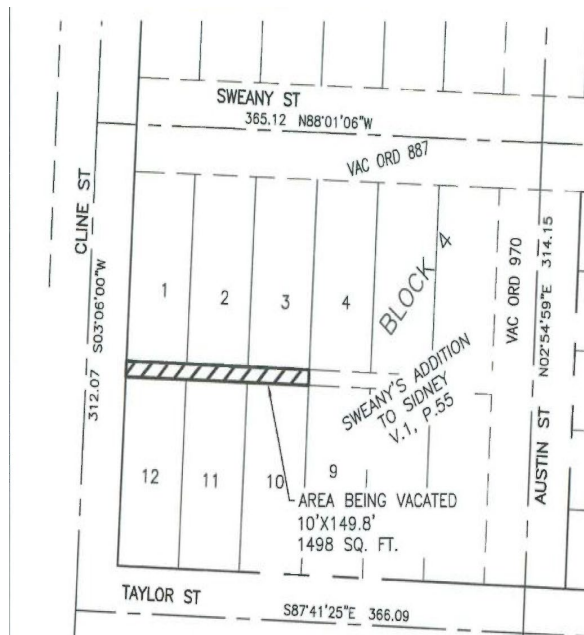
- 1) a Portion of an Alley off of Taylor Street and a Portion of Austin Avenue between Taylor Street and Smith Street, which is approximately 9,974 square feet (area to be vacated designated with diagonal lines):



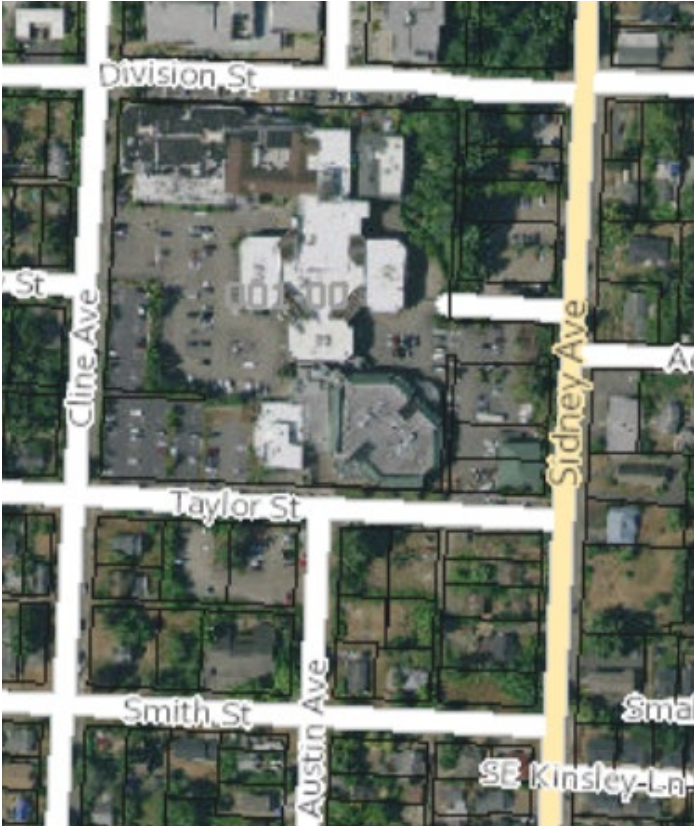
- 2) Portion of Sweany Street off of Sidney Avenue and Most of the Alley Between Taylor Street and Division Street, which is approximately 14,838 square feet (area to be vacated designated with diagonal lines):



- 3) Portion of an Alley off of Cline Street Between Sweany Street and Taylor Street, which is approximately 1,498 square feet (area to be vacated designated with diagonal lines):



The rights of way and alleys proposed for vacation total approximately 26,310 square feet. The following image depicts the subject area:



The following are list of the involved, County owned, Kitsap County Tax Parcels:

Proposition #1 Alley & Street Vacates (Cline to Sidney & Division to Taylor)			
Label	Parcel #	Owner	Site Address
A	4059-001-001-0009	Kitsap County General	614 DIVISION ST PORT ORCHARD WA 98366
B	4059-002-010-0006	KITSAP COUNTY ADMINISTRATIVE SERVICES	608 SIDNEY AVE PORT ORCHARD WA 98366
C	4059-002-009-0009	Kitsap County	612 SIDNEY AVE PORT ORCHARD WA 98366
D	4059-002-007-0001	KITSAP COUNTY ADMINISTRATIVE SERVICES	616 SIDNEY AVE PORT ORCHARD WA 98366
E	4059-002-006-0002	KITSAP COUNTY ADMINISTRATIVE SERVICES	NO ADDRESS FOUND
F	4059-003-008-0008	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	712 SIDNEY AVE PORT ORCHARD WA 98366
G	4059-003-007-0009	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	NO ADDRESS FOUND
H	4059-003-006-0000	KITSAP COUNTY ADMINISTRATIVE SERVICES	717 TAYLOR ST PORT ORCHARD WA 98366
Proposition #2A Alley Vacate (Austin to Sidney & Taylor to Half block between Smith)			
I	4059-008-019-0004	KITSAP COUNTY ADMIN SERV	802 SIDNEY AVE PORT ORCHARD WA 98366
J	4059-008-018-0005	KITSAP COUNTY	808 SIDNEY AVE PORT ORCHARD WA 98366
K	4059-008-016-0007	KITSAP COUNTY ADMIN SERV	810 SIDNEY AVE PORT ORCHARD WA 98366
L	4059-008-001-0004	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	706 TAYLOR ST PORT ORCHARD WA 98366
M	4059-008-005-0208	KITSAP COUNTY ADMIN SERV	815 AUSTIN AVE PORT ORCHARD WA 98366
Proposition #2B Street Vacate (Austin Ave to half block between Smith)			
N	4059-007-009-0008	KITSAP COUNTY	620 TAYLOR ST PORT ORCHARD WA 98366
O	4059-008-001-0103	KITSAP COUNTY ADMIN SERV	702 TAYLOR ST PORT ORCHARD WA 98366
P	4059-008-006-0009	KITSAP COUNTY ADMIN SERV	809 AUSTIN AVE PORT ORCHARD WA 98366

Pursuant to *POMC Section 12.08*, on September 12, 2023, the City held a public hearing to take testimony on whether the City Council should vacate City Right-of-Way (ROW). The public hearing was closed, and Council moved to direct this item to a future council meeting agenda. The City and County have prepared utility easements to allow the City access to the underground utilities. Those agreements will be prepared and signed by both parties upon the approval of the City Council authorizing the vacation.

The City has sought an appraisal for the fair market value of the rights-of-ways. The amount of the appraisal will be provided prior to the City council meeting. The Council has the discretion to charge an amount that does not exceed the full appraised value of the area to be vacated, per POMC 12.08.050.

Lastly, consistent with the requirements of POMC Chapter 12.08, Staff has determined the following with regards to the proposed street vacation:

- The area sought to be vacated was part of the incorporation of the Town of Sidney in 1890.
- The City Engineer has reviewed the street vacation petition and has indicated the following:
 1. The area sought to be vacated is not needed for public travel now or in the foreseeable future.
 2. The functionality of the area sought to be vacated for public purposes is nonexistent.
 3. The vacation of the area would not adversely affect any City utilities, such as water, sewer, or storm, provided there will be an easement required from the County to providing access to the City's existing utilities in the area.
 4. The City has not included any projects within the proposed vacation area as part of its six-year road plan, nor has the City any scheduled capital facilities projects on this property.
- The Community Development Director stated the following:
 1. Vacation of the proposed area does not create potential or actual land uses that are inconsistent with City growth plans and goals. This area has not been identified in the City's Comprehensive Plan.

Relationship to the Comp Plan: N/A

Has this item been presented to Committee/Work Study? If so, which one: July 19, 2023, Land Use Committee

Recommendation: Based on the report provided to the Council, staff recommends approving the street vacation petition by Kitsap County, as presented.

Motion for consideration: I move to adopt an Ordinance, vacating the City's right-of-way, 1) a Portion of an Alley off of Taylor St and a Portion of Austin Ave Between Taylor St and Smith St; 2) Portion of Sweany St off of Sidney Ave and Most of the Alley Between Taylor St and Division St; and 3) Portion of an Alley off of Cline St Between Sweany St and Taylor St, and approve easements with Kitsap County, as presented.

Fiscal Impact: Pursuant to the Council's action, the City would receive an amount not to exceed the fair market value of the area to be vacated.

Alternatives: Deny the street vacation and provide alternative guidance.

Attachments: Ordinance, Petition and Supporting Documents.
Appraisal to be provided prior to the meeting from legal counsel as privileged.

ORDINANCE NO. **-24

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, VACATING CITY RIGHTS-OF-WAY 1) A PORTION OF AN ALLEY OFF OF TAYLOR ST AND A PORTION OF AUSTIN AVE BETWEEN TAYLOR ST AND SMITH ST; 2) PORTION OF SWEANY ST OFF OF SIDNEY AVE AND MOST OF THE ALLEY BETWEEN TAYLOR ST AND DIVISION ST; AND 3) PORTION OF AN ALLEY OFF OF CLINE ST BETWEEN SWEANY ST AND TAYLOR ST AND APPROVE EASEMENTS WITH KITSAP COUNTY, IN PORT ORCHARD, WASHINGTON; ESTABLISHING THE CONDITIONS OF SUCH VACATION; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, petition to vacate City right-of-way (ROW), 1) a Portion of an Alley off of Taylor St and a Portion of Austin Ave Between Taylor St and Smith St; 2) Portion of Sweany St off of Sidney Ave and Most of the Alley Between Taylor St and Division St; and 3) Portion of an Alley off of Cline St Between Sweany St and Taylor St, was submitted to the City by Kitsap County (“Petitioners”); and

WHEREAS, the total proposed area for vacation is approximately 26,310 square feet, legally described as follows and depicted in the survey contained in Exhibit A, B-1, and B-2 hereto:

PORTION OF AN ALLEY OFF OF TAYLOR STREET AND A PORTION OF AUSTIN AVENUE BETWEEN TAYLOR STREET AND SMITH STREET

THAT PORTION OF AUSTIN AVENUE (AUSTIN STREET ON FACE OF PLAT) LYING ADJACENT TO LOTS 1 THROUGH 5 INCLUSIVE OF BLOCK 8, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF ALLEY LYING ADJACENT TO LOTS 1 THROUGH 5 INCLUSIVE OF BLOCK 8, SWEANY'S ADDITION 10 SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON.

PORTION OF SWEANY STREET OFF OF SIDNEY AVENUE AND MOST OF THE ALLEY BETWEEN TAYLOR STREET AND DIVISION STREET

THAT PORTION OF SWEANY STREET LYING ADJACENT TO LOT 10, BLOCK 3 AND ADJACENT TO THE ALLEY IN BLOCK 3, SWEANY'S ADDITION TO SIDNEY AS

RECORDED IN VOLUME 1 OF PLATS AT PAGE 55,
RECORDS OF KITSAP COUNTY, WASHINGTON;

TOGETHER WITH ALL THE ALLEY IN BLOCK 2 AND THE
ALLEY ADJACENT TO LOTS 6 THROUGH 9 INCLUSIVE,
BLOCK 3, SWEANY'S ADDITION TO SIDNEY AS
RECORDED IN VOLUME 1 OF PLATS AT PAGE 55,
RECORDS OF KITSAP COUNTY, WASHINGTON.

**PORTION OF AN ALLEY OFF OF CLINE STREET BETWEEN SWEANY STREET AND
TAYLOR STREET**

THAT PORTION OF ALLEY LYING ADJACENT TO LOTS 1
THROUGH 3 INCLUSIVE OF BLOCK 4, SWEANY'S
ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF
PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WA
SHINGTON.

WHEREAS, the Petitioner sought signatures to join the petition by adjoining property owners, which collectively represent the owners of more than two thirds of the abutting property, and all have signed and are in support of the petition; and

WHEREAS, on July 25, 2023, the City Council adopted Resolution No. 079-23, fixing September 12, 2023, as the date for a public hearing on the street vacation petition, which is not more than 60 days or less than 20 days after passage of the Resolution (POMC Section 12.08.010(3) and RCW 35.79); and

WHEREAS, the City Clerk provided public notice of the pending street vacation petition and public hearing thereon as required by law (POMC Section 12.08.020(1) and RCW 35.79); and

WHEREAS, staff reviewed the petition and, in light of the provisions of POMC chapter 12.08.060, determined this proposed street vacation is not subject to the 1889-1890 Laws of Washington, Chapter 19, Section 32 (the nonuser statute) as it was part of the original creation of the City boundaries in 1890; and

WHEREAS, the City Council held a public hearing on September 12, 2023, on the proposed street vacation; now, therefore,

**THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO
ORDAIN AS FOLLOWS:**

Section 1. Non-user Statute. Under POMC Section 12.08.060(5), staff has determined the area proposed for vacation has not been vacated by lapse of time under the non-user statute.

Section 2. Public Notice. The City Council finds that the City Clerk provided at least 20 days' and not more than 60 days' notice of the public hearing on this street vacation petition, as required by POMC Section 12.08.020 and RCW 35.79, including notice being posted on the street or alley sought to be vacated.

Section 3. Staff Report. Staff has prepared a report and recommendation on the proposed vacation, which is dated July 25, 2023. A copy of this report was available to the public prior to the public hearing.

Section 4. Public Hearing. The public hearing was held on the petition for street vacation on September 12, 2023.

Section 5. Testimony at Public Hearing. The Public Hearing was held and no one from the public commented on this street vacation.

Section 6. City Council Findings. After hearing the testimony of the public, if any, and considering the staff report and all other relevant facts, the City Council finds as follows:

- a. The area sought to be vacated was the original incorporated of the Town of Sidney, in 1890.
- b. The area sought to be vacated is not needed for public travel now or in the foreseeable future.
- c. The functionality of the area sought to be vacated for public purposes is nonexistent.
- d. The vacation of the area would not adversely affect any City utilities, such as water, sewer, or storm. However, a utility easement between the City and Kitsap County will be required for the City to access the underground utilities.
- e. The City has not included any projects within the proposed vacation area as part of its six-year road plan, nor has the City any scheduled capital facilities projects on this property.
- f. Vacation of the proposed area does not create potential or actual land uses that are inconsistent with City growth plans and goals. This area has not been identified in the City's Comprehensive Plan.

Section 7. City Council Conclusions. The City Council has determined that the area proposed for vacation may be vacated and hereby approves the street vacation petition.

Section 8. Compensation and Recording. A certified copy of this Ordinance vacating the proposed area shall be recorded by the City Clerk with the Kitsap County Auditor’s office, as required by RCW 35.79.030, upon receipt by the City of compensation from property owner of the areas to be vacated in an amount equal to the full appraised value of the area so vacated.

Section 9. Reservation of Easement. As a condition of this vacation, the abutting receiving property owners receiving the vacated right-of-way shall grant to the City an easement in the vacated land for the construction, repair, and maintenance of public utilities and services, in a form acceptable to the City Attorney. The Mayor is authorized to execute the easement and any documents necessary to effectuate this reservation.

Section 10. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful 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 Ordinance.

Section 11. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 12. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this 25th day of June 2024.

Robert Putaansuu, Mayor

ATTEST:

Brandy Wallace, MMC, City Clerk

APPROVED AS TO FORM:

Charlotte Archer, City Attorney

PUBLISHED:

EFFECTIVE DATE:



City of Port Orchard
 City Clerk's Office
 216 Prospect Street, Port Orchard, WA 98366
 (360) 876-4407 • FAX (360) 895-9029 • cityhall@cityofportorchard.us
 www.cityofportorchard.us



**PETITION TO VACATE CITY RIGHT-OF-WAY
 APPLICATION**

(POMC 12.08 / Resolution No. 030-17)

This document is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner's Name(s): Kitsap County Courthouse

Mailing Address: 614 Division Street, MS-4 Port Orchard WA 98366
Street City State Zip

Contact Information: Karen Goon, County Administrator. 360-337-4403 kgoon@co.kitsasp.wa.us
Phone Email

Address of Requested Vacation: #2B Austin Ave, between Taylor Street and Smith Street
Street or nearest cross street
#2A Alley E Austin to Sidney & Taylor to Smith
 See attached Exhibit C, D & E.

Parcel Number of Requested Vacation: #1 Alley + street - Cline to Sidney & Division to Taylor

1. The undersigned, owner of real property abutting upon that public street/alley described below, does hereby petition the City of Port Orchard to vacate said street/alley, described as follows (you may attach a separate sheet containing the legal description):

Legal description of the requested right-of-way prepared by a licensed surveyor:

See exhibit A & B.

all situated in the City of Port Orchard, County of Kitsap, State of Washington; declares that this petition is supported by the signatures of the owners of more than two-thirds of the real property abutting the requested vacation area; and requests that said City Council by Resolution fix a time and place when this petition shall be heard and determined by that authority, which time shall not be more than sixty (60) days nor less than twenty (20) days after passage of such Resolution (RCW 35.79.010)

2. State the proposed use of the vacated right-of-way: _____
New surface parking lot to serve the new courthouse expansion and remodel.

3. Provide a map of the proposed right-of-way area to be vacated with the following information:
 - a. Approximate width of the area to be vacated
 - b. Approximate length of the area to be vacated
 - c. Approximate total square footage of the area to be vacated

I/We declare under penalty of perjury under the laws of the State of Washington that the foregoing information and attached documentation is true and correct, and that I/We are the true and correct owner(s) of real property abutting the requested vacation of City right-of-way.

Kaela Coon _____ 5/9/22 _____
 Signature of Applicant Date

 Signature of Applicant Date

When submitting this application, please make sure the following requirements are completed and documents are submitted:

- Support for Vacation of City Right-of-Way Petition form(s) signed by the owners of real property abutting upon the part of the street or alley sought to be vacated (these owners must, along with the Petitioner, constitute the owners of at least two-thirds of the real property abutting such area);
- New legal description to include the requested right-of-way;
- Documentation supporting the fair market value of the street or alley sought to be vacated, if applicable;
- Documentation supporting the application of the Non-User Statute, if applicable;
- Dimensions of area proposed to be vacated;
- Map of the proposed right-of-way to be vacated outlined or highlighted;
- Application processing fee of \$120; and
- \$500 appraisal fee refundable deposit (Petitioner shall pay the actual cost of the appraisal, upon Council approval).

FOR CITY CLERK'S OFFICE USE ONLY

\$120 Vacation Fee Received Yes No Receipt No.: _____

\$500 Vacation Appraisal Fee (Refundable Deposit) Received Yes No Receipt No.: _____

Support for Vacation Petition By Abutting Property Owners form(s) Received Yes No

Public Hearing Date: _____

Notices Posted by: _____ Date of Noticing: _____

Approved by the City Council Yes No

VACATION DESCRIPTION

THAT PORTION OF AUSTIN AVENUE (AUSTIN STREET ON FACE OF PLAT) LYING ADJACENT TO LOTS 1 THROUGH 5 INCLUSIVE OF BLOCK 8, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON;

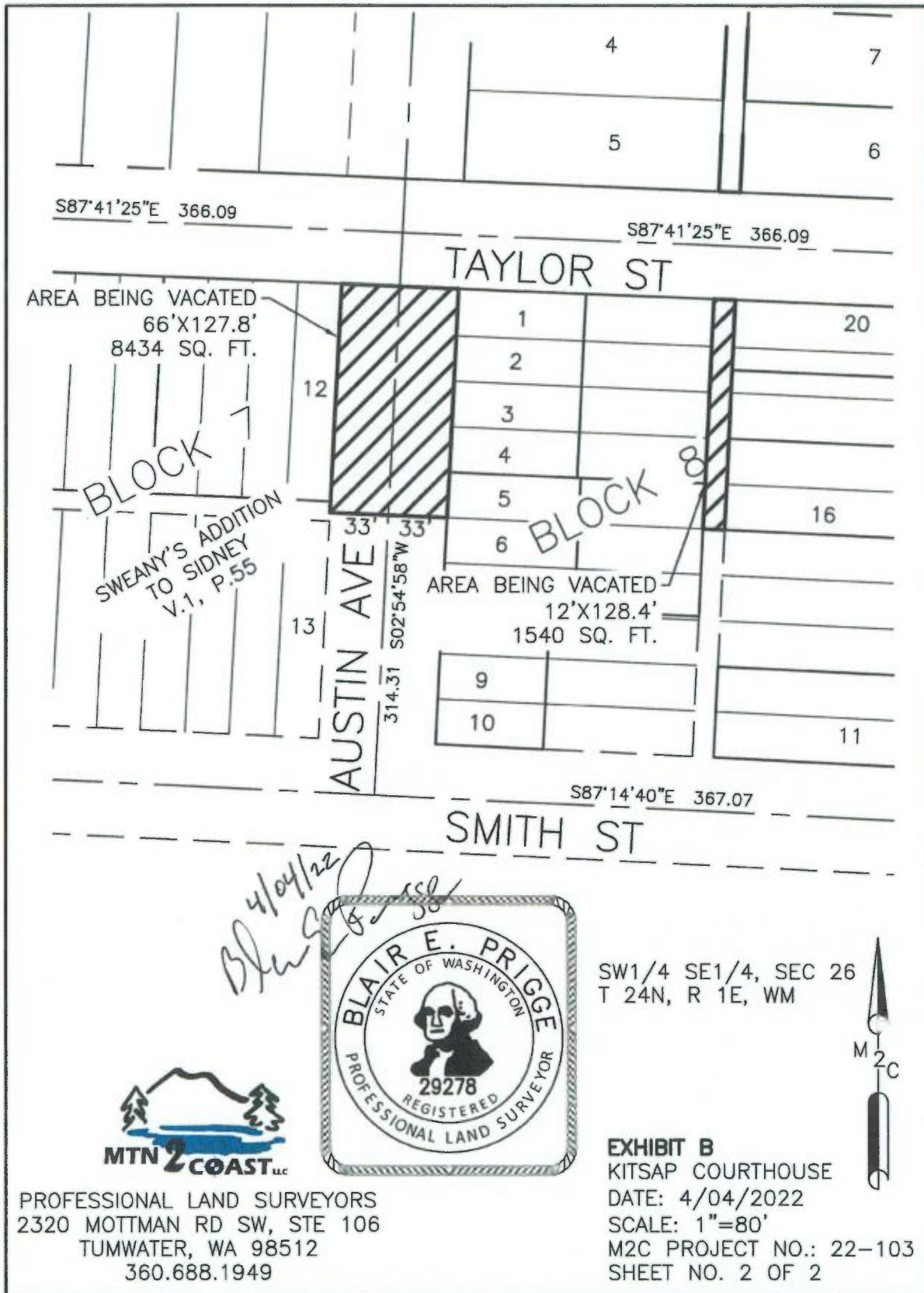
TOGETHER WITH THAT PORTION OF ALLEY LYING ADJACENT TO LOTS 1 THROUGH 5 INCLUSIVE OF BLOCK 8, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON.



PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
TUMWATER, WA 98512
360.688.1949

EXHIBIT A
KITSAP COURTHOUSE
DATE: 4/04/2022
SCALE: 1"=80'
M2C PROJECT NO.: 22-103
SHEET NO. 1 OF 2

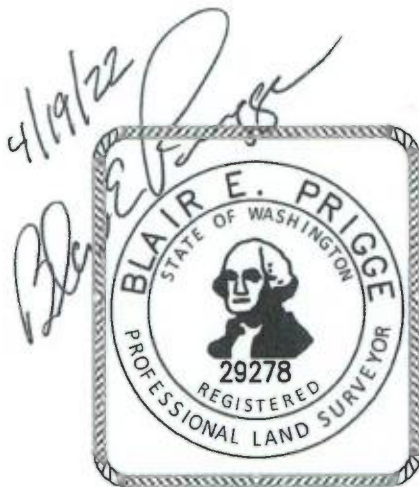
EXHIBIT A



VACATION DESCRIPTION

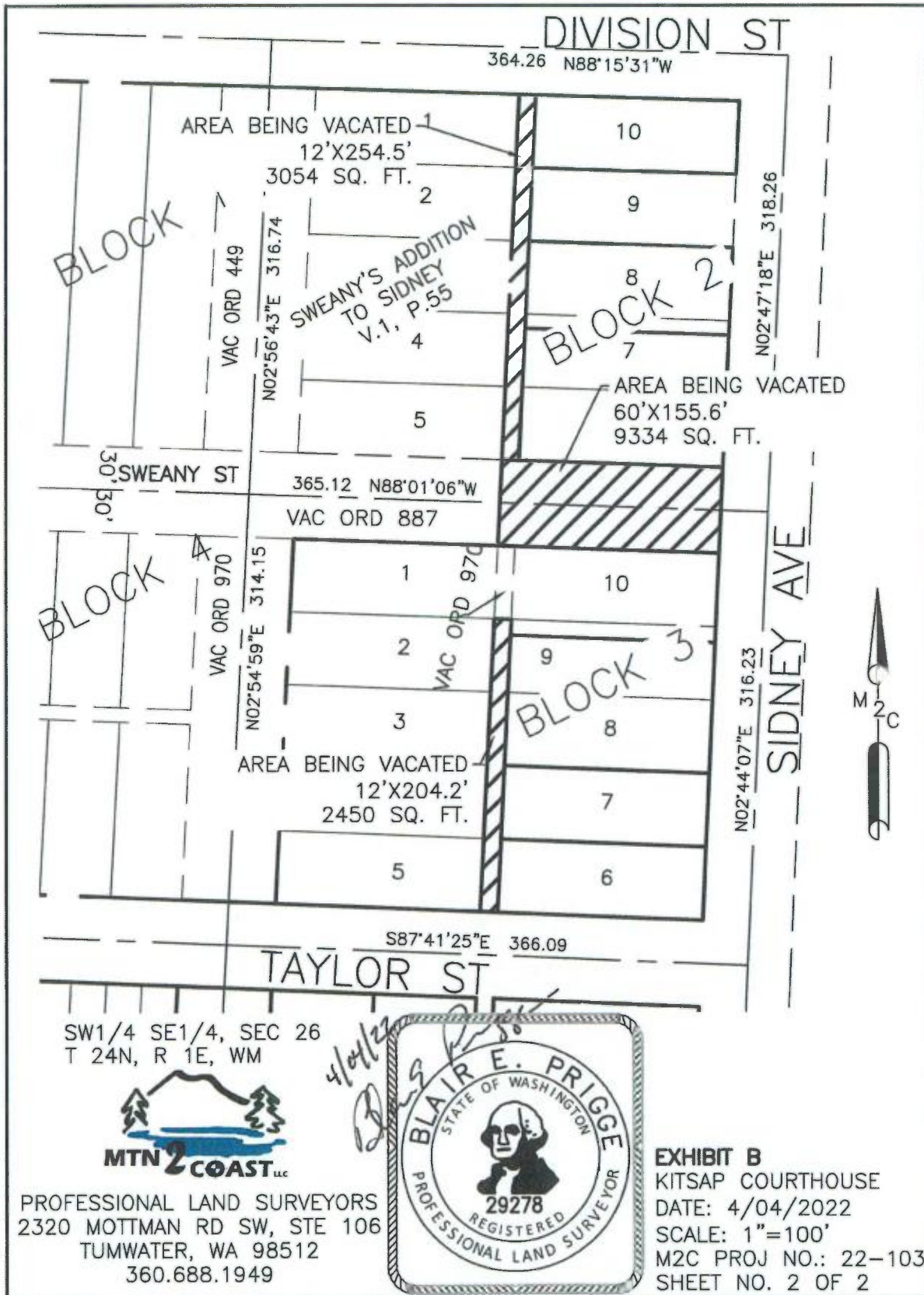
THAT PORTION OF SWEANY STREET LYING ADJACENT TO LOT 10, BLOCK 3 AND ADJACENT TO THE ALLEY IN BLOCK 3, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON;

TOGETHER WITH ALL THE ALLEY IN BLOCK 2 AND THE ALLEY ADJACENT TO LOTS 6 THROUGH 9 INCLUSIVE, BLOCK 3, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON.



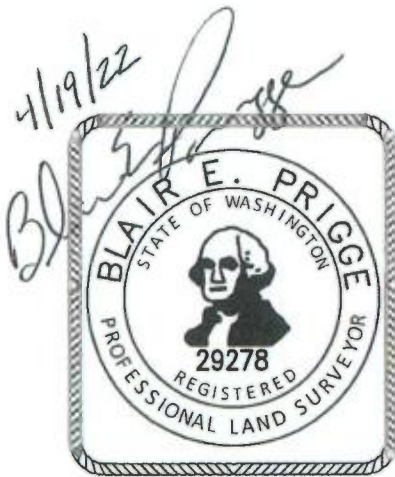
PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
TUMWATER, WA 98512
360.688.1949

EXHIBIT A
KITSAP COURTHOUSE
DATE: 4/04/2022
SCALE: N/A
M2C PROJECT NO.: 22-103
SHEET NO. 1 OF 2



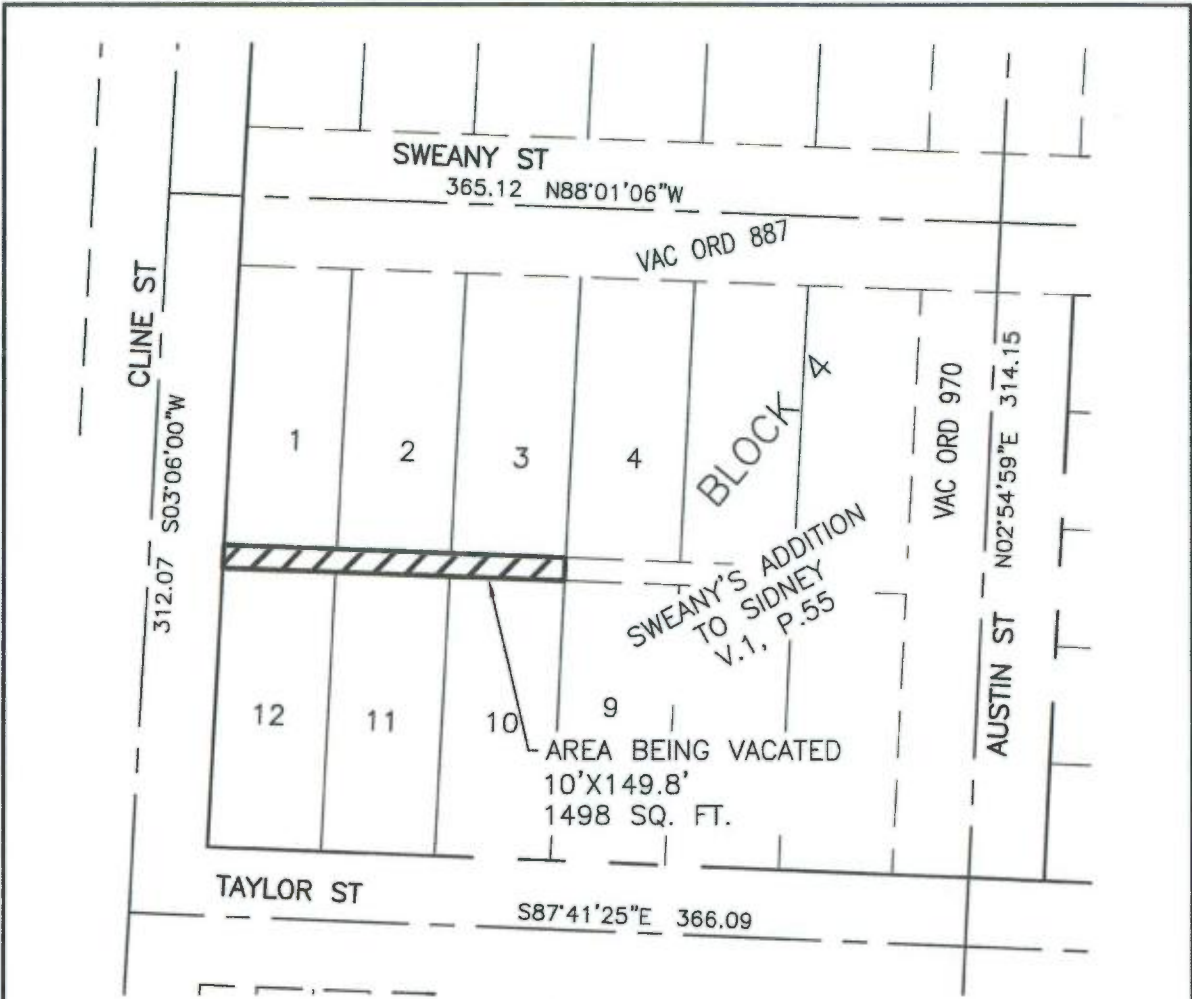
VACATION DESCRIPTION

THAT PORTION OF ALLEY LYING ADJACENT TO LOTS 1 THROUGH 3
INCLUSIVE OF BLOCK 4, SWEANY'S ADDITION TO SIDNEY AS
RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF
KITSAP COUNTY, WASHINGTON.

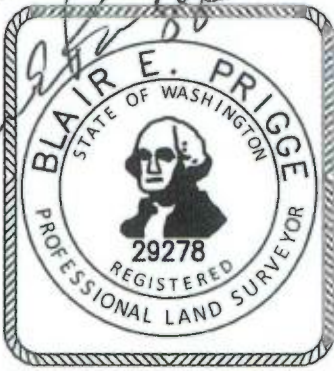


PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
TUMWATER, WA 98512
360-688-1949

EXHIBIT A
KITSAP COURTHOUSE
DATE: 4/18/2022
SCALE: 1"=80'
M2C PROJECT NO.: 22-103
SHEET NO. 1 OF 2



4/19/22
Blair E. Prigge



PROFESSIONAL LAND SURVEYORS
 2320 MOTTMAN RD SW, STE 106
 TUMWATER, WA 98512
 360-688-1949

SW1/4 SE1/4, SEC 26
 T 24N, R 1E, WM

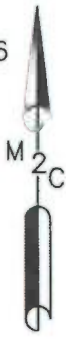


EXHIBIT B
 KITSAP COURTHOUSE
 DATE: 4/19/2022
 SCALE: 1"=80'
 M2C PROJECT NO.: 22-103
 SHEET NO. 2 OF 2



City of Port Orchard
 City Clerk's Office
 216 Prospect Street, Port Orchard, WA 98366
 (360) 876-4407 • FAX (360) 895-9029 • cityhall@cityofportorchard.us
 www.cityofportorchard.us

**SUPPORT FOR VACATION OF RIGHT-OF-WAY
 PETITION BY ABUTTING PROPERTY OWNERS**

This document is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner Seeking Vacation (Petitioner): Kitsap County Courthouse
 First and Last Name
 Contact Information: Karen Goon, County Administrator. 360-337-4403 kgoon@co.kitsasp.wa.us
 Phone Email
 Street or Nearest Cross Street of Requested Vacation: Austin Ave, between Taylor Street and Smith Street
 Parcel Number of Requested Vacation: See Exhibit C, D & E

Signatures of owners of real property abutting requested vacation of right-of-way area (Note: all persons who have an ownership interest **must sign** this document. This includes co-owner(s) and/or spouses, or corporate officers authorized by the corporation.

By signing, I/We declare under penalty of perjury under the laws of the State of Washington that:

- I/We are the true and correct owner(s) of real property abutting the street or alley sought to be vacated.
- I/We understand that I/We may see an increase on my/our tax assessment if this vacation of right-of-way petition is approved.
- I/We understand I/We may be required to pay for a portion of the vacated right-of-way.

Karen Goon

Kitsap County Courthouse

First and Last Name (Printed) of Property Owner/Corporate Officer
 Managing Member No. 1

Name of Corporation (if applicable)

Karen Goon, Kitsap County Administrator
 (Signature and/or Title)

First and Last Name (Printed) of Property Owner/Corporate Officer
 Managing Member No. 2

Name of Corporation (if applicable)

(Signature and/or Title)

See Exhibit C, D

See Exhibit C, D

Property Address

Tax Parcel Number

Mailing Address: 614 Division Street, MS-4
 Street

Port Orchard WA 98366
 City State Zip

Contact Information: 360-337-4403
 Phone

kgoon@co.kitsasp.wa.us KITSAP.GOV
 Email

Proposition #1 Alley & Street Vacates (Cline to Sidney & Division to Taylor)				
Label	Parcel #	Owner	Site Address	Mailing Address
A	4059-001-001-0009	Kitsap County General	614 DIVISION ST PORT ORCHARD WA 98366	614 DIVISION ST PORT ORCHARD WA 98366
B	4059-002-010-0006	KITSAP COUNTY ADMINISTRATIVE SERVICES	608 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST STOP 7 PORT ORCHARD WA 98366 4614
C	4059-002-009-0009	Kitsap County	612 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS-4 PORT ORCHARD WA 98366 4614
D	4059-002-007-0001	KITSAP COUNTY ADMINISTRATIVE SERVICES	616 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS-4 PORT ORCHARD WA 98366 4614
E	4059-002-006-0002	KITSAP COUNTY ADMINISTRATIVE SERVICES	NO ADDRESS FOUND	614 DIVISION ST STOP 7 PORT ORCHARD WA 98366 4614
F	4059-003-008-0008	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	712 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS-27 PORT ORCHARD WA 98366 4614
G	4059-003-007-0009	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	NO ADDRESS FOUND	614 DIVISION ST MS-27 PORT ORCHARD WA 98366 4614
H	4059-003-006-0000	KITSAP COUNTY ADMINISTRATIVE SERVICES	717 TAYLOR ST PORT ORCHARD WA 98366	614 DIVISION ST STOP 7 PORT ORCHARD WA 98366 4614
Proposition #2A Alley Vacate (Austin to Sidney & Taylor to Half block between Smith)				
I	4059-008-019-0004	KITSAP COUNTY ADMIN SERV	802 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614
J	4059-008-018-0005	KITSAP COUNTY	808 SIDNEY AVE PORT ORCHARD WA 98366	619 DIVISION ST PORT ORCHARD WA 98367
K	4059-008-016-0007	KITSAP COUNTY ADMIN SERV	810 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614
L	4059-008-001-0004	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	706 TAYLOR ST PORT ORCHARD WA 98366	614 DIVISION ST MS-27 PORT ORCHARD WA 98366 4614
M	4059-008-005-0208	KITSAP COUNTY ADMIN SERV	815 AUSTIN AVE PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614
Proposition #2B Street Vacate (Austin Ave to half block between Smith)				
N	4059-007-009-0008	KITSAP COUNTY	620 TAYLOR ST PORT ORCHARD WA 98366	614 DIVISION ST MS-4 PORT ORCHARD WA 98366 4614
O	4059-008-001-0103	KITSAP COUNTY ADMIN SERV	702 TAYLOR ST PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614
P	4059-008-006-0009	KITSAP COUNTY ADMIN SERV	809 AUSTIN AVE PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614

PROPOSITION: Part 1



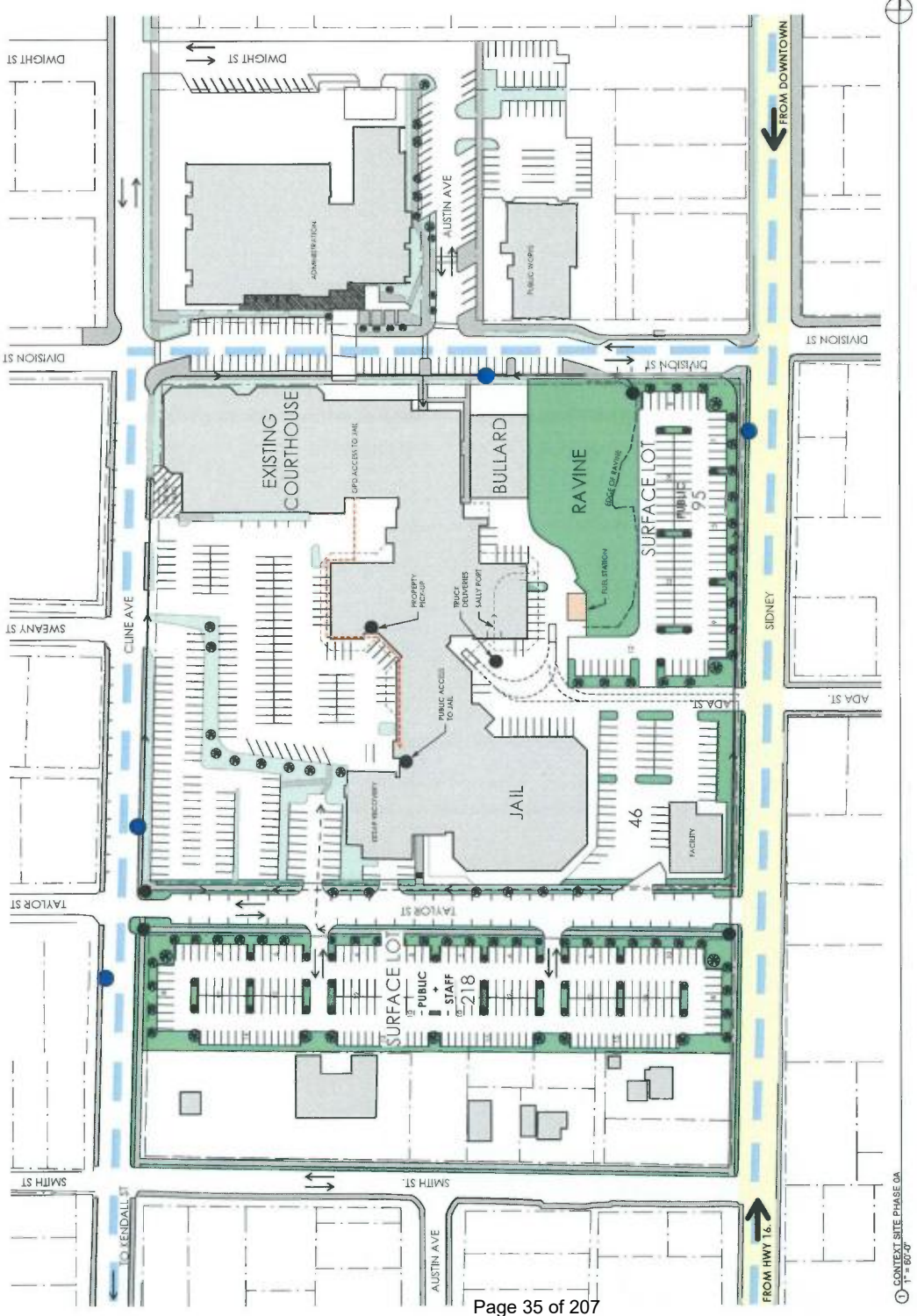
1. Vacate alleys on county owned properties highlighted in blue.
2. Vacate Sweany St. County will reconfigure to provide a new private access drive to align with Ada St.

PROPOSITION: Part 2



1. Vacate Northern half of Austin Block and alley between Taylor St. and Smith St. highlighted in green.

- BUS ROUTE (A) (B) (C) = PURDY CONNECTION
- BUS STOP
- MAIN ACCESS ROAD
(MINOR ARTERIAL C. FOOT FERRY TRAFFIC)
ALL OTHER = LOCAL ACCESS ROAD
- CIRCULATION PATH FROM COURTHOUSE TO
- JAIL RECEPTION
- BUILDING CANOPY LOCATION



A1.3
SITE PLAN PHASE 0A

KITSAP COUNTY COURTHOUSE
614 DIVISION ST | PORT ORCHARD, WA

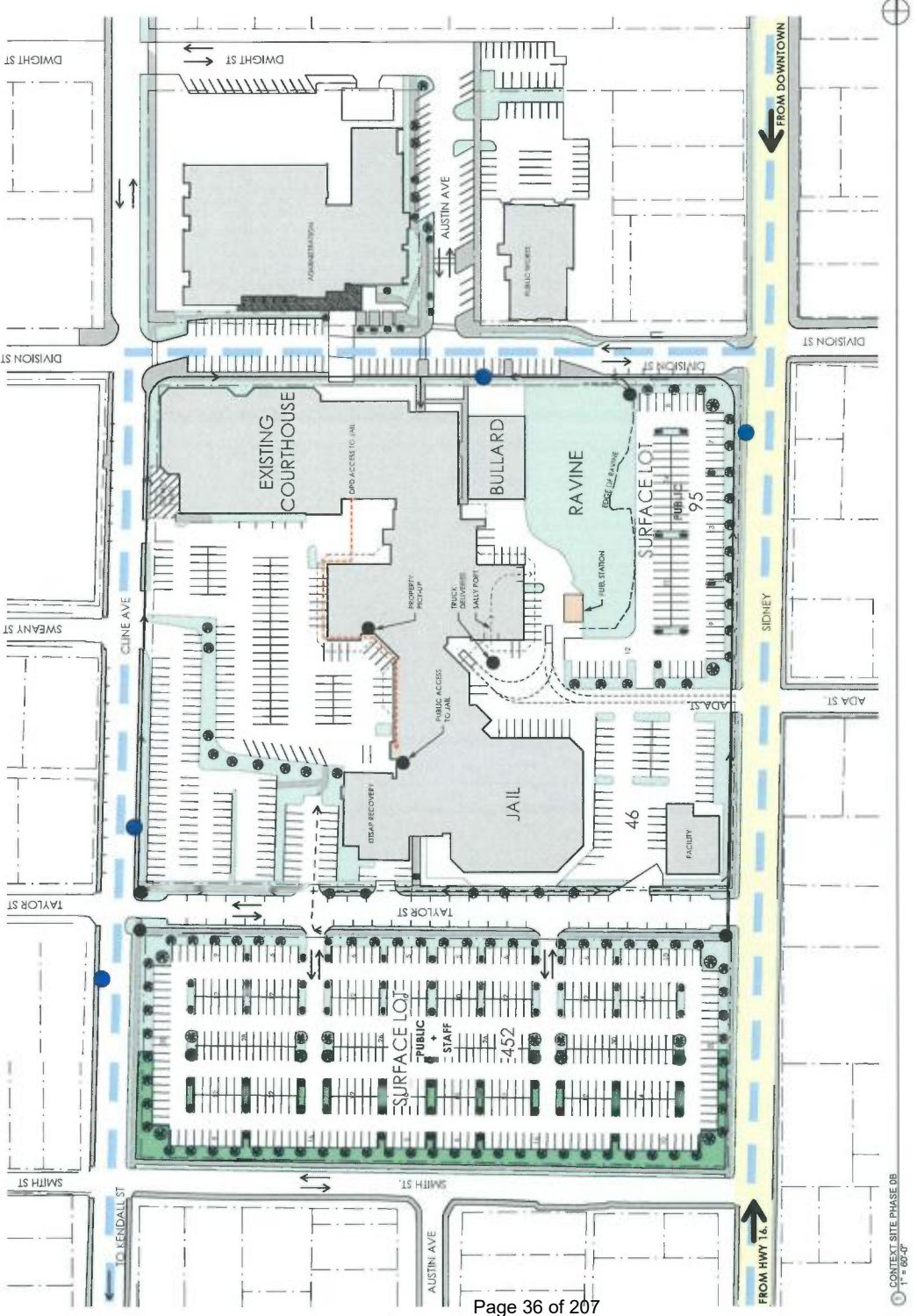
SCHEMATIC DESIGN | 03/17/21

Exhibit E



① - CONTEXT SITE PHASE 0A
1" = 60'-0"

- BUS ROUTE (4) (5) (PC) = PURDY CONNECTION
- BUS STOP
- MAIN ACCESS ROAD (MINOR ARTERIAL C.; FOOT FERRY TRAFFIC) ALL OTHER = LOCAL ACCESS ROAD
- CIRCULATION PATH FROM COURTHOUSE TO JAIL RECEPTION
- BUILDING CANOPY LOCATION



A1.4

SITE PLAN PHASE 0B

Exhibit E

KITSAP COUNTY COURTHOUSE

614 DIVISION ST | PORT ORCHARD, WA

SCHEMATIC DESIGN | 03/17/21

CONTEXT SITE PHASE 0B
1" = 60'-0"

RESOLUTION NO. 079-23

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, FIXING THE DATE OF PUBLIC HEARING ON A PETITION TO VACATE CITY RIGHT OF WAY, A PORTION OF AN ALLEY OFF OF TAYLOR STREET AND A PORTION OF AUSTIN AVENUE BETWEEN TAYLOR STREET AND SMITH STREET; PORTION OF SWEANY STREET OFF OF SIDNEY AVENUE AND MOST OF THE ALLEY BETWEEN TAYLOR STREET AND DIVISION STREET; AND PORTION OF AN ALLEY OFF OF CLINE STREET BETWEEN SWEANY STREET AND TAYLOR STREET.

WHEREAS, the petitioner, Kitsap County owners of the adjacent properties, submitted a petition to vacate City rights-of-way (ROW); and

WHEREAS, the petition is to vacate unopened portions of allies and streets as described below:

- 1) a Portion of an Alley off of Taylor Street and a Portion of Austin Avenue between Taylor Street and Smith Street;
 - a. approximately 9,974 square feet
- 2) Portion of Sweany Street off of Sidney Avenue and Most of the Alley Between Taylor Street and Division Street;
 - a. approximately 14,838 square feet
- 3) Portion of an Alley off of Cline Street Between Sweany Street and Taylor Street
 - a. Approximately 1,498 square feet

WHEREAS, the petitioner has submitted an application, copy attached hereto as Exhibit A and incorporated herein by this reference, which meets the requirements set out in Port Orchard Municipal Code (POMC) 12.08.010, and have paid the applicable fees required by the City; and

WHEREAS, the petitioner constitute the owners of more than two-thirds (2/3) of the property abutting the area proposed for vacation pursuant to RCW 35.79.010; and

WHEREAS, the petitioners have requested that proceedings be had hereon for the vacation of said portion of the city right-of-way in the manner prescribed by RCW 35.79; and

WHEREAS, the total proposed area for vacation is approximately 26,310 square feet, legally described as follows and depicted in the survey contained in Exhibit B hereto:

PORTION OF AN ALLEY OFF OF TAYLOR STREET AND A PORTION OF AUSTIN AVENUE BETWEEN TAYLOR STREET AND SMITH STREET

THAT PORTION OF AUSTIN AVENUE (AUSTIN STREET ON FACE OF PLAT) LYING ADJACENT TO LOTS 1 THROUGH 5

INCLUSIVE OF BLOCK 8, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF ALLEY LYING ADJACENT TO LOTS 1 THROUGH 5 INCLUSIVE OF BLOCK 8, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON.

PORTION OF SWEANY STREET OFF OF SIDNEY AVENUE AND MOST OF THE ALLEY BETWEEN TAYLOR STREET AND DIVISION STREET

THAT PORTION OF SWEANY STREET LYING ADJACENT TO LOT 10, BLOCK 3 AND ADJACENT TO THE ALLEY IN BLOCK 3, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON;

TOGETHER WITH ALL THE ALLEY IN BLOCK 2 AND THE ALLEY ADJACENT TO LOTS 6 THROUGH 9 INCLUSIVE, BLOCK 3, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON.

PORTION OF AN ALLEY OFF OF CLINE STREET BETWEEN SWEANY STREET AND TAYLOR STREET

THAT PORTION OF ALLEY LYING ADJACENT TO LOTS 1 THROUGH 3 INCLUSIVE OF BLOCK 4, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON.

WHEREAS, the street vacation is requested to be part of the Kitsap County new Courthouse expansion and remodel project; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution.

THAT: A Public Hearing upon said proposed street vacation shall be held in person and via the online platform Zoom on Tuesday, September 12, 2023, at 6:30 p.m., at which

hearing all persons interested in said street vacation are invited to appear in person or via the Zoom platform. Access information for Zoom shall be included in the notices required herein.

THAT: The City Clerk is directed to post notice of the petition in three of the most public places in the city and a like notice in a conspicuous place on the street and/or alley sought to be vacated, pursuant to RCW 35.79.020. The Clerk shall also post the notice on the City's website.

THAT: The Resolution shall take full force and effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the City Clerk in authentication of such passage on this 25th day of July 2023.

DocuSigned by:

Rob Putaansuu

3B06402E3F5847D...

Robert Putaansuu, Mayor

ATTEST:

Jenine Floyd

Jenine Floyd, CMC, Deputy City Clerk





City of Port Orchard
City Clerk's Office
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029 • cityhall@cityofportorchard.us
www.cityofportorchard.us



PETITION TO VACATE CITY RIGHT-OF-WAY APPLICATION

(POMC 12.08 / Resolution No. 030-17)

This document is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner's Name(s): Kitsap County Courthouse

Mailing Address: 614 Division Street, MS-4 Port Orchard WA 98366
Street City State Zip

Contact Information: Karen Goon, County Administrator. 360-337-4403 kgoon@co.kitsasp.wa.us
Phone Email

Address of Requested Vacation: #2B Austin Ave, between Taylor Street and Smith Street
#2A Alley between Austin to Sidney & Taylor to Smith
Street or nearest cross street
Parcel Number of Requested Vacation: See attached Exhibit C, D & E.

#1 Alley + street - Cline to Sidney & Division to Taylor

1. The undersigned, owner of real property abutting upon that public street/alley described below, does hereby petition the City of Port Orchard to vacate said street/alley, described as follows (you may attach a separate sheet containing the legal description):

Legal description of the requested right-of-way prepared by a licensed surveyor:

See exhibit A & B.

all situated in the City of Port Orchard, County of Kitsap, State of Washington; declares that this petition is supported by the signatures of the owners of more than two-thirds of the real property abutting the requested vacation area; and requests that said City Council by Resolution fix a time and place when this petition shall be heard and determined by that authority, which time shall not be more than sixty (60) days nor less than twenty (20) days after passage of such Resolution (RCW 35.79.010)

2. State the proposed use of the vacated right-of-way: _____
New surface parking lot to serve the new courthouse expansion and remodel.

3. Provide a map of the proposed right-of-way area to be vacated with the following information:
 - a. Approximate width of the area to be vacated
 - b. Approximate length of the area to be vacated
 - c. Approximate total square footage of the area to be vacated

I/We declare under penalty of perjury under the laws of the State of Washington that the foregoing information and attached documentation is true and correct, and that I/We are the true and correct owner(s) of real property abutting the requested vacation of City right-of-way.

Kaela Coon
Signature of Applicant

5/9/22
Date

Signature of Applicant

Date

When submitting this application, please make sure the following requirements are completed and documents are submitted:

- Support for Vacation of City Right-of-Way Petition form(s) signed by the owners of real property abutting upon the part of the street or alley sought to be vacated (these owners must, along with the Petitioner, constitute the owners of at least two-thirds of the real property abutting such area);
- New legal description to include the requested right-of-way;
- Documentation supporting the fair market value of the street or alley sought to be vacated, if applicable;
- Documentation supporting the application of the Non-User Statute, if applicable;
- Dimensions of area proposed to be vacated;
- Map of the proposed right-of-way to be vacated outlined or highlighted;
- Application processing fee of \$120; and
- \$500 appraisal fee refundable deposit (Petitioner shall pay the actual cost of the appraisal, upon Council approval).

FOR CITY CLERK'S OFFICE USE ONLY

\$120 Vacation Fee Received Yes No Receipt No.: _____

\$500 Vacation Appraisal Fee (Refundable Deposit) Received Yes No Receipt No.: _____

Support for Vacation Petition By Abutting Property Owners form(s) Received Yes No

Public Hearing Date: _____

Notices Posted by: _____ Date of Noticing: _____

Approved by the City Council Yes No

EXHIBIT A

VACATION DESCRIPTION

THAT PORTION OF AUSTIN AVENUE (AUSTIN STREET ON FACE OF PLAT) LYING ADJACENT TO LOTS 1 THROUGH 5 INCLUSIVE OF BLOCK 8, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON;

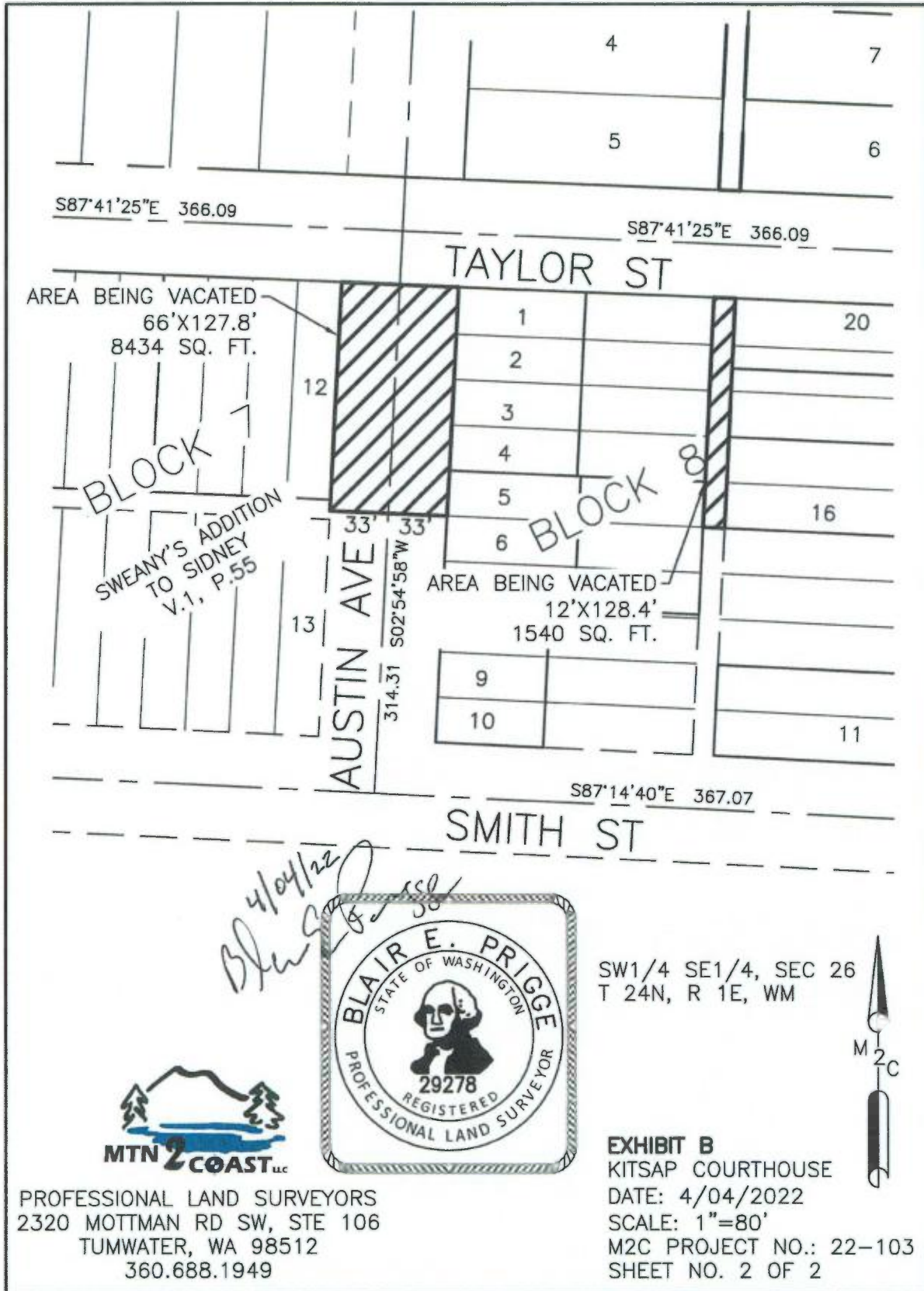
TOGETHER WITH THAT PORTION OF ALLEY LYING ADJACENT TO LOTS 1 THROUGH 5 INCLUSIVE OF BLOCK 8, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON.



PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
TUMWATER, WA 98512
360.688.1949

EXHIBIT A
KITSAP COURTHOUSE
DATE: 4/04/2022
SCALE: 1"=80'
M2C PROJECT NO.: 22-103
SHEET NO. 1 OF 2

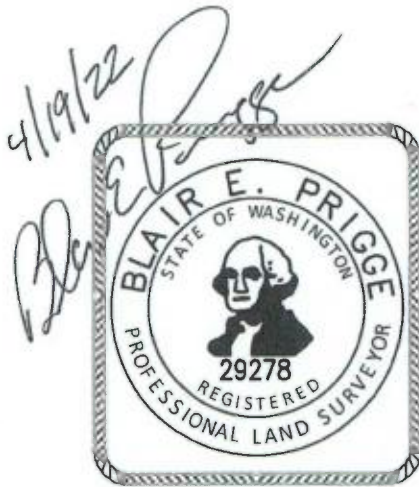
EXHIBIT A



VACATION DESCRIPTION

THAT PORTION OF SWEANY STREET LYING ADJACENT TO LOT 10, BLOCK 3 AND ADJACENT TO THE ALLEY IN BLOCK 3, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON;

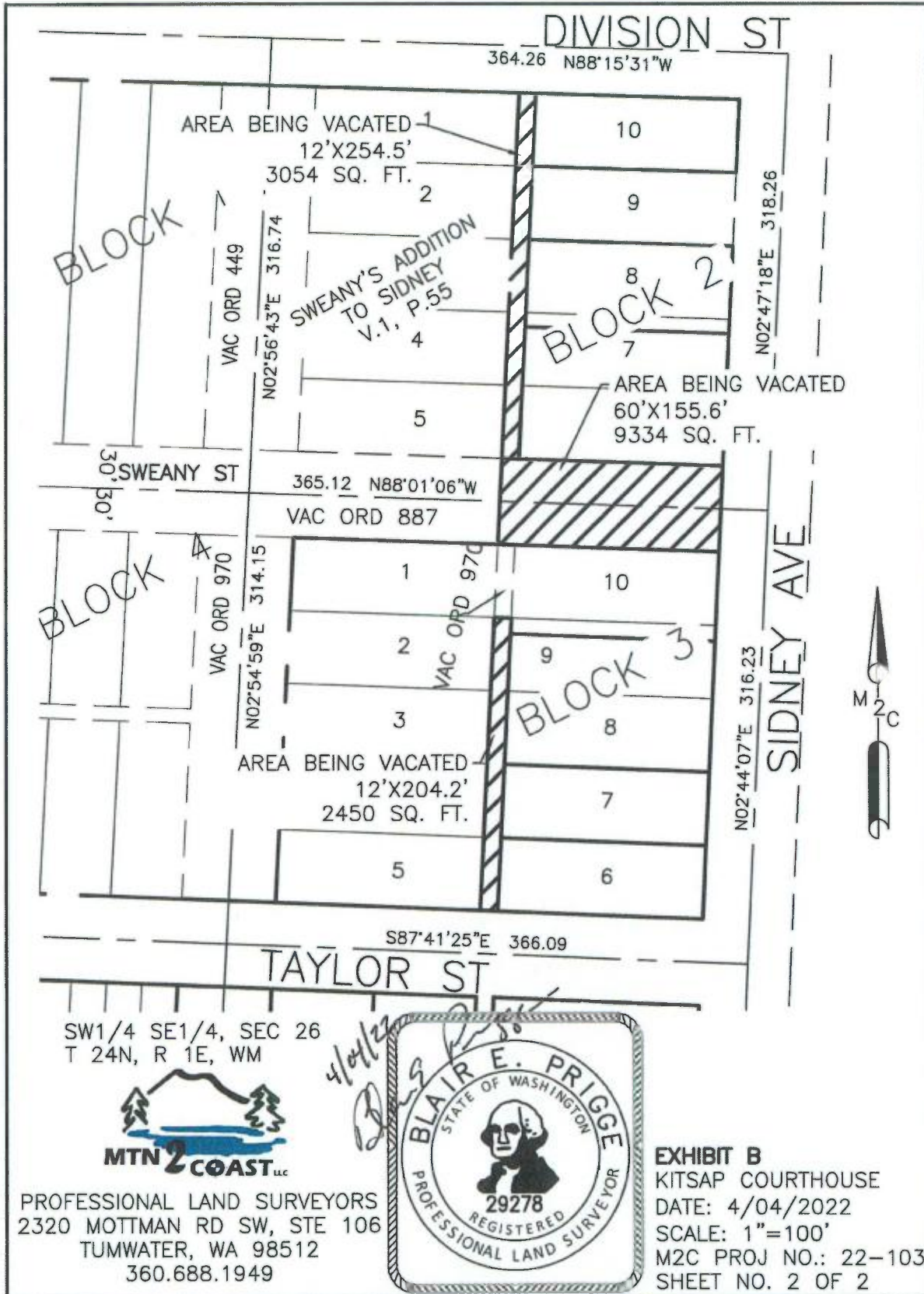
TOGETHER WITH ALL THE ALLEY IN BLOCK 2 AND THE ALLEY ADJACENT TO LOTS 6 THROUGH 9 INCLUSIVE, BLOCK 3, SWEANY'S ADDITION TO SIDNEY AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF KITSAP COUNTY, WASHINGTON.



PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
TUMWATER, WA 98512
360.688.1949

EXHIBIT A
KITSAP COURTHOUSE
DATE: 4/04/2022
SCALE: N/A
M2C PROJECT NO.: 22-103
SHEET NO. 1 OF 2

EXHIBIT B-1



VACATION DESCRIPTION

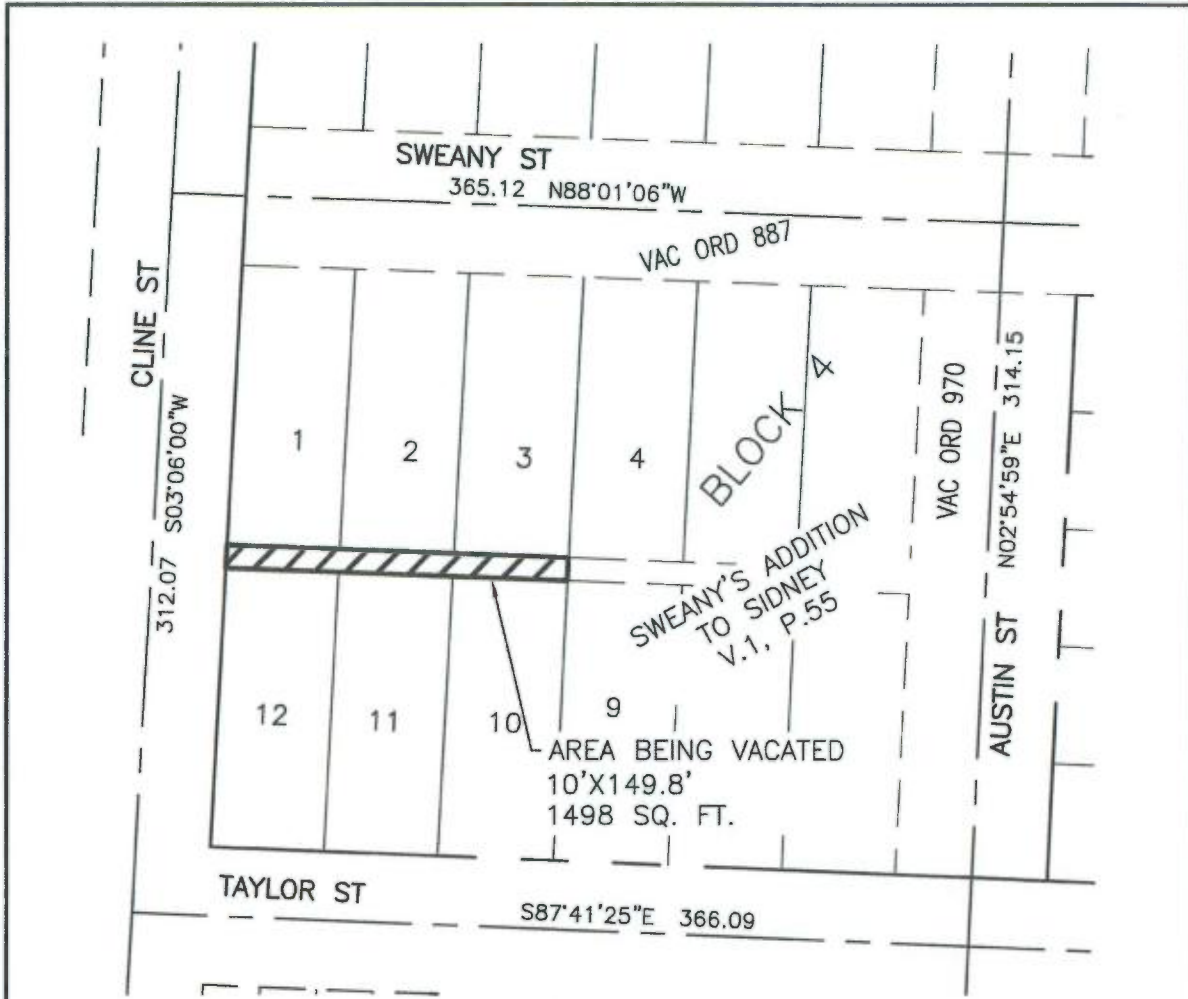
THAT PORTION OF ALLEY LYING ADJACENT TO LOTS 1 THROUGH 3
INCLUSIVE OF BLOCK 4, SWEANY'S ADDITION TO SIDNEY AS
RECORDED IN VOLUME 1 OF PLATS AT PAGE 55, RECORDS OF
KITSAP COUNTY, WASHINGTON.



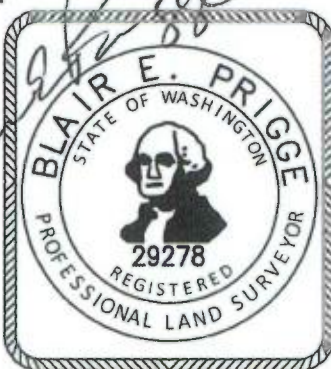
PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
TUMWATER, WA 98512
360-688-1949

EXHIBIT A
KITSAP COURTHOUSE
DATE: 4/18/2022
SCALE: 1"=80'
M2C PROJECT NO.: 22-103
SHEET NO. 1 OF 2

EXHIBIT B-2



4/19/22
Blair E. Prigge



PROFESSIONAL LAND SURVEYORS
 2320 MOTTMAN RD SW, STE 106
 TUMWATER, WA 98512
 360-688-1949

SW1/4 SE1/4, SEC 26
 T 24N, R 1E, WM

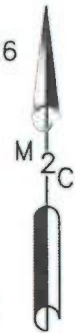


EXHIBIT B
 KITSAP COURTHOUSE
 DATE: 4/19/2022
 SCALE: 1"=80'
 M2C PROJECT NO.: 22-103
 SHEET NO. 2 OF 2



City of Port Orchard
City Clerk's Office
216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029 • cityhall@cityofportorchard.us
www.cityofportorchard.us

**SUPPORT FOR VACATION OF RIGHT-OF-WAY
PETITION BY ABUTTING PROPERTY OWNERS**

This document is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner Seeking Vacation (Petitioner): Kitsap County Courthouse
First and Last Name
Contact Information: Karen Goon, County Administrator. 360-337-4403 kgoon@co.kitsasp.wa.us
Phone Email
Street or Nearest Cross Street of Requested Vacation: Austin Ave, between Taylor Street and Smith Stree
Parcel Number of Requested Vacation: See Exhibit C, D & E

Signatures of owners of real property abutting requested vacation of right-of-way area (Note: all persons who have an ownership interest **must sign** this document. This includes co-owner(s) and/or spouses, or corporate officers authorized by the corporation.

By signing, I/We declare under penalty of perjury under the laws of the State of Washington that:

- I/We are the true and correct owner(s) of real property abutting the street or alley sought to be vacated.
- I/We understand that I/We may see an increase on my/our tax assessment if this vacation of right-of-way petition is approved.
- I/We understand I/We may be required to pay for a portion of the vacated right-of-way.

Karen Goon

Kitsap County Courthouse

First and Last Name (Printed) of Property Owner/Corporate Officer
Managing Member No. 1

Name of Corporation (if applicable)

Karen Goon, Kitsap County Administrator
(Signature and/or Title)

First and Last Name (Printed) of Property Owner/Corporate Officer
Managing Member No. 2

Name of Corporation (if applicable)

(Signature and/or Title)

See Exhibit C, D

See Exhibit C, D

Property Address

Tax Parcel Number

Mailing Address: 614 Division Street, MS-4

Port Orchard WA 98366

Street

City

State

Zip

Contact Information: 360-337-4403

kgoon@co.kitsasp.wa.us KITSAP.GOV

Phone

Email

Exhibit C

Proposition #1 Alley & Street Vacates (Cline to Sidney & Division to Taylor)				
Label	Parcel #	Owner	Site Address	Mailing Address
A	4059-001-001-0009	Kitsap County General	614 DIVISION ST PORT ORCHARD WA 98366	614 DIVISION ST PORT ORCHARD WA 98366
B	4059-002-010-0006	KITSAP COUNTY ADMINISTRATIVE SERVICES	608 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST STOP 7 PORT ORCHARD WA 98366 4614
C	4059-002-009-0009	Kitsap County	612 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS-4 PORT ORCHARD WA 98366 4614
D	4059-002-007-0001	KITSAP COUNTY ADMINISTRATIVE SERVICES	616 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS-4 PORT ORCHARD WA 98366 4614
E	4059-002-006-0002	KITSAP COUNTY ADMINISTRATIVE SERVICES	NO ADDRESS FOUND	614 DIVISION ST STOP 7 PORT ORCHARD WA 98366 4614
F	4059-003-008-0008	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	712 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS-27 PORT ORCHARD WA 98366 4614
G	4059-003-007-0009	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	NO ADDRESS FOUND	614 DIVISION ST MS-27 PORT ORCHARD WA 98366 4614
H	4059-003-006-0000	KITSAP COUNTY ADMINISTRATIVE SERVICES	717 TAYLOR ST PORT ORCHARD WA 98366	614 DIVISION ST STOP 7 PORT ORCHARD WA 98366 4614
Proposition #2A Alley Vacate (Austin to Sidney & Taylor to Half block between Smith)				
I	4059-008-019-0004	KITSAP COUNTY ADMIN SERV	802 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614
J	4059-008-018-0005	KITSAP COUNTY	808 SIDNEY AVE PORT ORCHARD WA 98366	619 DIVISION ST PORT ORCHARD WA 98367
K	4059-008-016-0007	KITSAP COUNTY ADMIN SERV	810 SIDNEY AVE PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614
L	4059-008-001-0004	KITSAP COUNTY GENERAL KITSAP COUNTY PUBLIC WORKS	706 TAYLOR ST PORT ORCHARD WA 98366	614 DIVISION ST MS-27 PORT ORCHARD WA 98366 4614
M	4059-008-005-0208	KITSAP COUNTY ADMIN SERV	815 AUSTIN AVE PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614
Proposition #2B Street Vacate (Austin Ave to half block between Smith)				
N	4059-007-009-0008	KITSAP COUNTY	620 TAYLOR ST PORT ORCHARD WA 98366	614 DIVISION ST MS-4 PORT ORCHARD WA 98366 4614
O	4059-008-001-0103	KITSAP COUNTY ADMIN SERV	702 TAYLOR ST PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614
P	4059-008-006-0009	KITSAP COUNTY ADMIN SERV	809 AUSTIN AVE PORT ORCHARD WA 98366	614 DIVISION ST MS 35A PORT ORCHARD WA 98366 4614

PROPOSITION: Part 1



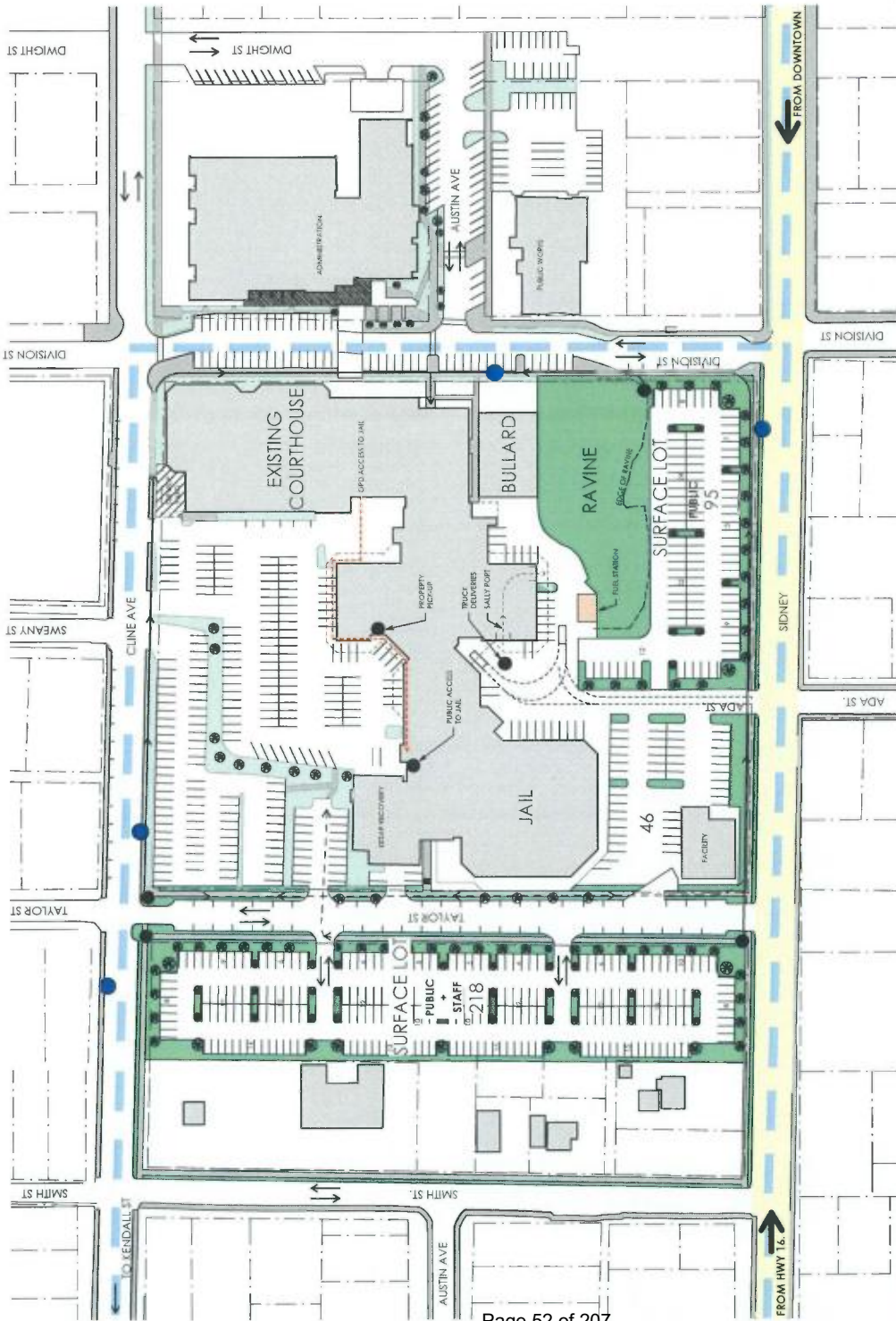
1. Vacate alleys on county owned properties highlighted in blue.
2. Vacate Sweany St. County will reconfigure to provide a new private access drive to align with Ada St.

PROPOSITION: Part 2



1. Vacate Northern half of Austin Block and alley between Taylor St. and Smith St. highlighted in green.

- BUS ROUTE (A) (B) (C) = PURDY CONNECTION
- BUS STOP
- MAIN ACCESS ROAD (MINOR ARTERIAL C. FOOT FERRY TRAFFIC) ALL OTHER = LOCAL ACCESS ROAD
- CIRCULATION PATH FROM COURTHOUSE TO JAIL RECEPTION
- BUILDING CANOPY LOCATION



① - CONTEXT SITE PHASE 0A
1" = 60'-0"

KITSAP COUNTY COURTHOUSE

614 DIVISION ST | PORT ORCHARD, WA

SCHEMATIC DESIGN | 03/17/21

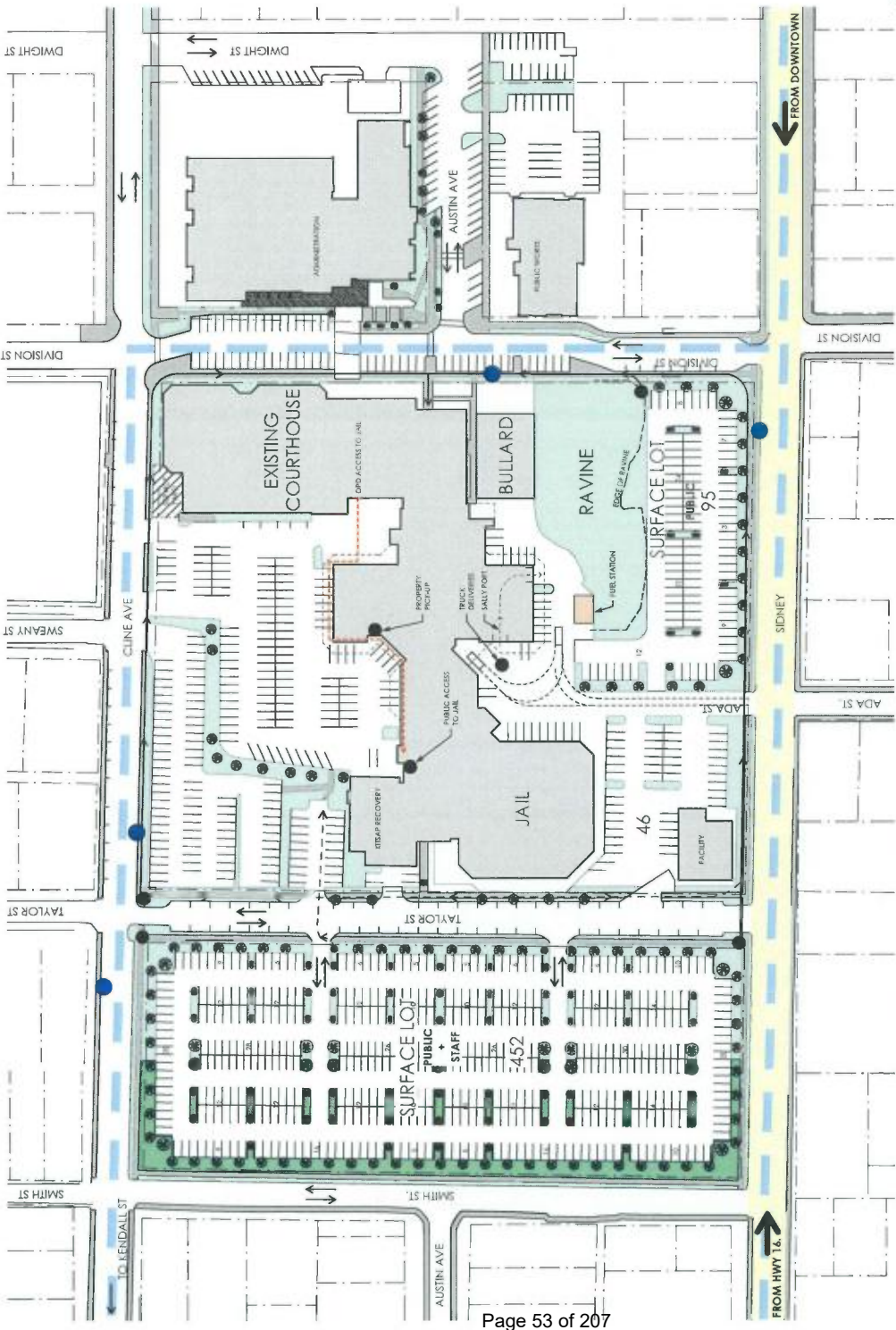


A1.3

SITE PLAN PHASE 0A

Exhibit E

- BUS ROUTE (4) (5) (PC) = PURDY CONNECTION
- BUS STOP
- MAIN ACCESS ROAD (MINOR ARTERIAL C.; FOOT FERRY TRAFFIC) ALL OTHER = LOCAL ACCESS ROAD
- CIRCULATION PATH FROM COURTHOUSE TO JAIL RECEPTION
- BUILDING CANOPY LOCATION



A1.4

SITE PLAN PHASE 0B

Exhibit E

KITSAP COUNTY COURTHOUSE

614 DIVISION ST | PORT ORCHARD, WA

SCHEMATIC DESIGN | 03/17/21

CONTEXT SITE PHASE 0B
P=60-0'



Agenda Staff Report

Agenda Item No.: Business Item 7B

Meeting Date: June 25, 2024

Subject: Adoption of an Ordinance Amending the 2023-2024 Biennial Budget Including Exhibit A

Prepared By: Noah Crocker
Finance Director

Summary: The City of Port Orchard Biennial Budget for 2023-2024 is written to capture revenue and expenses over the fiscal period. During the biennial period, changes to the budget in both revenue and expenditures need to be recognized by a Budget Amendment.

By this Ordinance, the City Council would amend the 2023–2024 Biennial Budget, as adopted by Ordinance No. 046-22 and amended by Ordinance No. 018-23, 022-23, 029-23, 039-23 and 008-24 including changes to Exhibit A which identifies Salary and personnel positions of the City.

The proposed budget amendment is intended to provide the following:

1) Fund 001: Current Expense Fund

- a. Increase Sales Tax Revenue by \$537,000
- b. Increase transfers out to Fund 302 for PW Shop-Schedule D Paving by \$25,000
- c. Increase transfers out to Fund 302 for Givens Park \$30,000 from Rec Reserve
- d. Increase transfers out to Fund 304 for TIP 1.15 Pottery Ave Non-Motorized by \$331,000
- e. Increase transfers out to Fund 423 for TIP 1.15 Pottery Ave Non-Motorized by \$50,000
- f. Increase expenses for Finance Software by \$15,000
- g. Increase expenses for ERR Purchase for a Mechanics Van by \$46,000
- h. Increase Ending fund Balance by \$40,000

2) Fund 002: City Street Fund

- a. Increase Public Transportation Tax Revenue by \$607,000
- b. Increase transfers out to Fund 304 for TIP 1.8/1.9 Salmonberry & Blueberry by \$607,000

3) Fund 111: Impact Fee Fund

- a. Increase transfers out to Fund 302 from Park Impact Fee's for Givens Park by \$100,000
- b. Increase transfers out to Fund 304 from TIF for TIP 1.15 Pottery Ave Non-Motorized by \$338,950
- c. Reduce Park Impact Fee Ending fund Balance by \$100,000
- d. Reduce Transportation Impact Fee Ending fund Balance for \$338,950

4) Fund 302: Capital Construction Fund

- a. Increase transfers in from Fund 111-PIF for Givens Park by \$100,000
- b. Increase transfers in from Fund 001 Rec Reserve for Givens Park \$30,000
- c. Increase transfers in from Fund 001 for PW Shop-Schedule D by \$25,000
- d. Increase Ending fund Balance by \$155,000

5) Fund 304: Street Capital Construction

- a. Increase transfers in from Fund 001 for TIP 1.15 Pottery Ave Non-Motorized by \$331,000
- b. Increase transfers in from Fund 002 for TIP 1.8 & 1.9 Salmonberry & Blueberry by \$607,000
- c. Increase transfers in from Fund 111 for TIP 1.15 Pottery Ave Non-Motorized by \$338,950
- d. Increase expense for TIP 1.8 & 1.9 Salmonberry & Blueberry by \$605,065
- e. Increase expenses for TIP 1.15 Pottery Ave Non-Motorized by \$331,000
- f. Increase expenses for TIP 1.15 Pottery Ave Non-Motorized by \$338,950
- g. Increase ending fund balance by \$1,935

6) Fund 411: Water Operations

- a. Increase revenue of \$390,000
- b. Increase transfers out to Fund 413 for TIP 1.15 Pottery Ave Non-Motorized by \$137,000
- c. Increase transfers out to Fund 413 for Melcher by \$431,250 (75% of \$574k)
- d. Increase expenses for ERR Purchase for a Flat Bed Truck by \$59,000
- e. Increase expenses for smart water meters/radio's by \$200,000
- f. Increase expenses for smart water meters AMI installation, software, equipment by \$500,000
- g. Reduce ending fund balance by \$937,250

7) Fund 413: Water Capital

- a. Increase transfers in from Fund 411 for TIP 1.15 Pottery Ave Non-Motorized by \$137,000
- b. Increase transfers in from Fund 411 for Melcher by \$431,250 (75% of \$574k)
- c. Increase expenses for TIP 1.15 Pottery Ave Non-Motorized by \$137,000
- d. Increase expenses for Melcher Pump Station by \$551,970
- e. Reduce fund balance in Fund 413 for by \$120,720

8) Fund 421: Storm Drainage

- a. Increase revenues in from Fund 421 for Storm Capacity Grant by \$130,000
- b. Increase expenses from Fund 421 for Storm Capacity mower and equipment by \$130,000

9) Fund 423: Storm Drainage Capital

- a. Increase transfers in from Fund 001 for TIP 1.15 Pottery Ave Non-Motorized for \$50,000
- b. Increase expenses for TIP 1.15 Pottery Ave Non-Motorized by \$50,000

10) Fund 433: Sewer Capital

- a. Increase revenue for SCIP#SB-South Sidney Sewer (Ruby Lift) by \$750,000
- b. Increase expenses for TIP 1.15 Pottery Ave Non-Motorized by \$209,000
- c. Increase expenses for SCIP#SB-South Sidney Sewer (Ruby Lift) by \$50,000
- d. Increase ending fund balance in Fund 433 by \$491,000

11) Fund 500: Equipment Rental Revolving Fund

- a. Modify by changing from a replacement of a F-150 truck to a Van to be used by the Mechanics with an increase of revenue for Facilities \$46,000
- b. Modify by changing one newly approved F-150 trucks additions to one F-350 Flatbed Truck with an increase of revenue for Water by \$59,000
- c. Modify by re-allocating one newly approved additions of F-150 trucks from water to one vehicle for public works Admin
- d. Increase revenue for the purchase of a Storm Pond Mower & Equipment \$130,000
- e. Modify by changing from a replacement of a F-150 truck to a Van to be used by the Mechanics with an increase expense for by \$46,000
- f. Modify by changing one newly approved F-150 trucks additions to one F-350 Flatbed Truck with an increase of expenses for Water by \$59,000
- g. Increase expense for the purchase of a Police Vehicle by \$73,000
- h. Increase expense for the purchase of a Storm Pond Mower & Equipment \$130,000

- i. Reduce ending fund balance by \$73,000

12) Exhibit A

- a. Add 1 FTE for Civil Engineer 1

Recommendation: The Finance Director recommends adoption of Ordinance No. 00X-24 amending the 2023 – 2024 Biennial Budget

Relationship to Comprehensive Plan: Chapter 7: Utilities; **Chapter 8:** Transportation; **Chapter 9:** Capital Facilities

Has this item been presented to Committee/Work Study? If so, which one: 2024.06.11 Finance Committee

Motion for consideration: “I move to adopt an Ordinance amending the 2023-2024 Biennial Budget for the City of Port Orchard.”

Fiscal Impact: Total Revenue and Expense Authority will increase by \$4,699,200

Alternatives: Do not authorize and provide alternative directions.

Attachments: Ordinance, Exhibit A – Salary Schedule

ORDINANCE NO. *-24

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, AMENDING THE 2023-2024 BIENNIAL BUDGET AS ADOPTED BY ORDINANCE NO. 046-22 AND AMENDED BY ORDINANCE NO. 018-23, 022-23, 029-23, 039-23 AND 008-24, TO RECOGNIZE EXPENDITURES AND REVENUES NOT ANTICIPATED AT THE TIME OF THE ADOPTION OF THE 2023–2024 BIENNIAL BUDGET INCLUDING MODIFICATIONS TO THE SALARY AND POSITIONS TABLE; PROVIDING FOR TRANSMITTAL TO STATE; PROVIDING FOR PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orchard adopted its 2023 – 2024 Biennial Budget by Ordinance No. 046-22, which was then amended by Ordinance No. 018-23, Ordinance No. 022-23, Ordinance No. 029-23, Ordinance No. 039-23 and Ordinance No. 008-24; and

WHEREAS, the City desires to keep current on necessary budget amendments; and

WHEREAS, it is necessary to consider adjustments to accounts and/or funds by means of appropriation adjustments that could not have been anticipated at the time of passage of the 2023 – 2024 Biennial Budget; and

WHEREAS, by this Ordinance, the City Council amends the 2023-2024 Biennial Budget to accommodate necessary adjustments as set forth herein; and

WHEREAS, the City will adjust Fund 001-the Current Expense fund to reflect additional revenue, transfer out authority for the Public Works Shop, Givens Park and TIP 1.15 Pottery Ave as well as additional expenses for software and ERR to purchase a mechanics van; and

WHEREAS, the City will adjust Fund 002-City Street Fund to reflect additional public transportation tax revenue and transfer out authority for the TIP 1.8/1.9 Salmonberry & Blueberry; and

WHEREAS, the City will adjust Fund 111-Impact Fee Fund to reflect additional transfer out authority for Givens Park from Park Impact fees and transfers out for TIP 1.15 Pottery Non-Motorized from Transportation Impact Fee's; and

WHEREAS, the City will adjust Fund 302- to reflect additional revenue for Givens Park, and the Public Works Shop; and

WHEREAS, the City will adjust Fund 304- to reflect additional revenue and expenses for TIP 1.15 Pottery Ave. Non-Motorized, TIP 1.8/1.9 Salmonberry & Blueberry; and

WHEREAS, the City will adjust Fund 411- to reflect additional revenue, transfers out for

TIP 1.15 Pottery Ave Non-Motorized (water), Melcher Pump Station and expenses for ERR to purchase a flatbed Truck, water meter radio attachments and completing the smart water meter AMI project; and

WHEREAS, the City will adjust Fund 413- to reflect additional revenue and expenses for TIP 1.15 Pottery Ave Non-Motorized (water) and the Melcher Pump Station; and

WHEREAS, the City will adjust Fund 421- to reflect additional revenue and expenses for a storm drainage capacity grant to be used for the purchase of a mower and equipment consistent with the grant requirements; and

WHEREAS, the City will adjust Fund 423- to reflect additional revenue and expenses for a TIP 1.15 Pottery Ave Non-Motorized (storm); and

WHEREAS, the City will adjust Fund 433- to reflect additional revenue and expenses for a SCIP#SB-South Sidney Sewer (Ruby Lift) and TIP 1.15 Pottery Ave Non-Motorized (sewer); and

WHEREAS, the City will adjust Fund 500-to reflect modifications to the fleet including additional revenue and expenses for a mechanics van, one F-350 Flatbed truck, two public works admin vehicles, a storm pond mower & equipment and additional expenses for a police vehicle; and

WHEREAS, the City evaluated its personnel needs for the 2023-2024 Biennium and this amendment modifies Exhibit A to Ordinance No. 046-22, as amended by Ordinance No. 018-23, No. 022-23, No. 029-23, No. 039-23, and No. 008-24 to modify personnel positions and salary table; and

WHEREAS, the City identified the need to add and fund a 1 Full Time Equivalent (1 FTE) Civil Engineer 1; and

WHEREAS, the City will adjust all 2024 ending fund balances to reflect the impact of the proposed budget amendments; and

WHEREAS, the City Finance Committee met on June 11, 2023, to review the proposed budget amendments including modifications to Exhibit A (Salary and Positions); and

WHEREAS, the City Council has considered the proposed budget amendments and finds that amendments authorized by this Ordinance are consistent with applicable laws and financial policies, and further the public's health, safety and welfare; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The 2023-2024 Biennial Budget and enabling Ordinance No. 046-22, as amended by Ordinance No. 018-23, Ordinance No. 022-23, Ordinance No. 029-23, Ordinance No. 039-23 and Ordinance No. 008-24, is hereby amended as follows, including changes to Exhibit A depicted on the attachment to this Ordinance, incorporated herein by this reference:

2023-2024 Biennial Budget										
Fund No.	Fund Name	Type	Ordinance-046-22	Ordinance-018-23	Ordinance-022-23	Ordinance-029-23	Ordinance-039-23	Ordinance-008-24	Adjustment	Ordinance-00X-24
001	Current Expense Fund	Revenue	\$ 37,042,700	\$ 44,906,800	\$ 44,906,800	\$ 46,837,200	\$ 46,837,200	\$ 46,837,200	\$ 537,000	\$ 47,374,200
		Expense	\$ 37,042,700	\$ 44,906,800	\$ 44,906,800	\$ 46,837,200	\$ 46,837,200	\$ 46,837,200	\$ 537,000	\$ 47,374,200
002	City Street	Revenue	\$ 6,555,300	\$ 8,381,700	\$ 8,381,700	\$ 8,978,300	\$ 8,978,300	\$ 8,978,300	\$ 607,000	\$ 9,585,300
		Expense	\$ 6,555,300	\$ 8,381,700	\$ 8,381,700	\$ 8,978,300	\$ 8,978,300	\$ 8,978,300	\$ 607,000	\$ 9,585,300
003	Stabilization	Revenue	\$ 2,890,500	\$ 2,921,000	\$ 2,921,000	\$ 2,921,000	\$ 2,921,000	\$ 2,921,000	\$ -	\$ 2,921,000
		Expense	\$ 2,890,500	\$ 2,921,000	\$ 2,921,000	\$ 2,921,000	\$ 2,921,000	\$ 2,921,000	\$ -	\$ 2,921,000
103	Criminal Justice	Revenue	\$ 1,165,000	\$ 1,422,800	\$ 1,422,800	\$ 1,422,800	\$ 1,422,800	\$ 1,422,800	\$ -	\$ 1,422,800
		Expense	\$ 1,165,000	\$ 1,422,800	\$ 1,422,800	\$ 1,422,800	\$ 1,422,800	\$ 1,422,800	\$ -	\$ 1,422,800
104	Special Investigative Unit	Revenue	\$ 102,000	\$ 106,900	\$ 106,900	\$ 106,900	\$ 106,900	\$ 106,900	\$ -	\$ 106,900
		Expense	\$ 102,000	\$ 106,900	\$ 106,900	\$ 106,900	\$ 106,900	\$ 106,900	\$ -	\$ 106,900
107	Community Events	Revenue	\$ 463,600	\$ 549,200	\$ 549,200	\$ 549,200	\$ 549,200	\$ 549,200	\$ -	\$ 549,200
		Expense	\$ 463,600	\$ 549,200	\$ 549,200	\$ 549,200	\$ 549,200	\$ 549,200	\$ -	\$ 549,200
108	Paths & Trails	Revenue	\$ 15,300	\$ 15,800	\$ 15,800	\$ 15,800	\$ 15,800	\$ 15,800	\$ -	\$ 15,800
		Expense	\$ 15,300	\$ 15,800	\$ 15,800	\$ 15,800	\$ 15,800	\$ 15,800	\$ -	\$ 15,800
109	Real Estate Excise Tax	Revenue	\$ 4,979,100	\$ 5,782,800	\$ 5,782,800	\$ 7,582,800	\$ 8,015,800	\$ 8,015,800	\$ -	\$ 8,015,800
		Expense	\$ 4,979,100	\$ 5,782,800	\$ 5,782,800	\$ 7,582,800	\$ 8,015,800	\$ 8,015,800	\$ -	\$ 8,015,800
111	Impact Fee	Revenue	\$ 15,713,700	\$ 16,181,800	\$ 16,181,800	\$ 16,181,800	\$ 16,181,800	\$ 16,181,800	\$ -	\$ 16,181,800
		Expense	\$ 15,713,700	\$ 16,181,800	\$ 16,181,800	\$ 16,181,800	\$ 16,181,800	\$ 16,181,800	\$ -	\$ 16,181,800
206	Bond Redemption Fund	Revenue	\$ 598,400	\$ 598,400	\$ 598,400	\$ 1,797,400	\$ 1,797,400	\$ 1,797,400	\$ -	\$ 1,797,400
		Expense	\$ 598,400	\$ 598,400	\$ 598,400	\$ 1,797,400	\$ 1,797,400	\$ 1,797,400	\$ -	\$ 1,797,400
302	Capital Construction	Revenue	\$ 2,423,500	\$ 18,854,600	\$ 18,854,600	\$ 21,523,900	\$ 22,731,300	\$ 22,731,300	\$ 155,000	\$ 22,886,300
		Expense	\$ 2,423,500	\$ 18,854,600	\$ 18,854,600	\$ 21,523,900	\$ 22,731,300	\$ 22,731,300	\$ 155,000	\$ 22,886,300
304	Street Capital Projects	Revenue	\$ 13,698,100	\$ 14,880,000	\$ 14,880,000	\$ 17,512,400	\$ 17,512,400	\$ 17,512,400	\$ 1,276,950	\$ 18,789,350
		Expense	\$ 13,698,100	\$ 14,880,000	\$ 14,880,000	\$ 17,512,400	\$ 17,512,400	\$ 17,512,400	\$ 1,276,950	\$ 18,789,350
411	Water - Operations	Revenue	\$ 10,685,800	\$ 11,499,300	\$ 11,499,300	\$ 11,696,900	\$ 11,696,900	\$ 11,696,900	\$ 390,000	\$ 12,086,900
		Expense	\$ 10,685,800	\$ 11,499,300	\$ 11,499,300	\$ 11,696,900	\$ 11,696,900	\$ 11,696,900	\$ 390,000	\$ 12,086,900
412	Water - Stabilization	Revenue	\$ 955,500	\$ 966,500	\$ 966,500	\$ 1,066,500	\$ 1,066,500	\$ 1,066,500	\$ -	\$ 1,066,500
		Expense	\$ 955,500	\$ 966,500	\$ 966,500	\$ 1,066,500	\$ 1,066,500	\$ 1,066,500	\$ -	\$ 1,066,500
413	Water - Capital Projects	Revenue	\$ 18,683,400	\$ 22,420,800	\$ 22,420,800	\$ 22,658,800	\$ 22,658,800	\$ 22,658,800	\$ 568,250	\$ 23,227,050
		Expense	\$ 18,683,400	\$ 22,420,800	\$ 22,420,800	\$ 22,658,800	\$ 22,658,800	\$ 22,658,800	\$ 568,250	\$ 23,227,050
414	Water - Debt Service	Revenue	\$ 1,502,600	\$ 1,502,600	\$ 1,502,600	\$ 3,096,300	\$ 3,096,300	\$ 3,096,300	\$ -	\$ 3,096,300
		Expense	\$ 1,502,600	\$ 1,502,600	\$ 1,502,600	\$ 3,096,300	\$ 3,096,300	\$ 3,096,300	\$ -	\$ 3,096,300
421	Storm Drainage -Operations	Revenue	\$ 5,215,200	\$ 4,900,900	\$ 4,900,900	\$ 4,900,900	\$ 4,900,900	\$ 4,900,900	\$ 130,000	\$ 5,030,900
		Expense	\$ 5,215,200	\$ 4,900,900	\$ 4,900,900	\$ 4,900,900	\$ 4,900,900	\$ 4,900,900	\$ 130,000	\$ 5,030,900
422	Storm Drainage -Stabilization	Revenue	\$ 536,800	\$ 543,000	\$ 543,000	\$ 543,000	\$ 543,000	\$ 543,000	\$ -	\$ 543,000
		Expense	\$ 536,800	\$ 543,000	\$ 543,000	\$ 543,000	\$ 543,000	\$ 543,000	\$ -	\$ 543,000
423	Storm Drainage -Capital Projects	Revenue	\$ 1,294,500	\$ 893,200	\$ 893,200	\$ 893,200	\$ 893,200	\$ 893,200	\$ 50,000	\$ 943,200
		Expense	\$ 1,294,500	\$ 893,200	\$ 893,200	\$ 893,200	\$ 893,200	\$ 893,200	\$ 50,000	\$ 943,200
424	Storm Drainage -Debt Service	Revenue	\$ 355,300	\$ 355,300	\$ 355,300	\$ 398,400	\$ 398,400	\$ 398,400	\$ -	\$ 398,400
		Expense	\$ 355,300	\$ 355,300	\$ 355,300	\$ 398,400	\$ 398,400	\$ 398,400	\$ -	\$ 398,400
431	Sewer - Operations	Revenue	\$ 15,420,200	\$ 17,306,100	\$ 17,306,100	\$ 17,306,100	\$ 17,306,100	\$ 17,306,100	\$ -	\$ 17,306,100
		Expense	\$ 15,420,200	\$ 17,306,100	\$ 17,306,100	\$ 17,306,100	\$ 17,306,100	\$ 17,306,100	\$ -	\$ 17,306,100
432	Sewer - Stabilization	Revenue	\$ 1,430,000	\$ 1,446,300	\$ 1,446,300	\$ 1,546,300	\$ 1,546,300	\$ 1,546,300	\$ -	\$ 1,546,300
		Expense	\$ 1,430,000	\$ 1,446,300	\$ 1,446,300	\$ 1,546,300	\$ 1,546,300	\$ 1,546,300	\$ -	\$ 1,546,300
433	Sewer - Capital Projects	Revenue	\$ 29,024,200	\$ 29,451,200	\$ 29,451,200	\$ 30,457,200	\$ 30,457,200	\$ 30,457,200	\$ 750,000	\$ 31,207,200
		Expense	\$ 29,024,200	\$ 29,451,200	\$ 29,451,200	\$ 30,457,200	\$ 30,457,200	\$ 30,457,200	\$ 750,000	\$ 31,207,200
434	Sewer - Debt Service	Revenue	\$ 1,527,600	\$ 1,536,500	\$ 1,536,500	\$ 1,927,200	\$ 1,927,200	\$ 1,927,200	\$ -	\$ 1,927,200
		Expense	\$ 1,527,600	\$ 1,536,500	\$ 1,536,500	\$ 1,927,200	\$ 1,927,200	\$ 1,927,200	\$ -	\$ 1,927,200
500	ER&R	Revenue	\$ 6,928,200	\$ 7,169,400	\$ 7,169,400	\$ 9,255,300	\$ 9,255,300	\$ 9,255,300	\$ 235,000	\$ 9,490,300
		Expense	\$ 6,928,200	\$ 7,169,400	\$ 7,169,400	\$ 9,255,300	\$ 9,255,300	\$ 9,255,300	\$ 235,000	\$ 9,490,300
632	Wastewater Treatment Facility	Revenue	\$ 10,187,900	\$ 10,334,900	\$ 10,334,900	\$ 10,334,900	\$ 10,334,900	\$ 10,334,900	\$ -	\$ 10,334,900
		Expense	\$ 10,187,900	\$ 10,334,900	\$ 10,334,900	\$ 10,334,900	\$ 10,334,900	\$ 10,334,900	\$ -	\$ 10,334,900
	Grand Total	Revenue	\$ 189,394,400	\$ 224,927,800	\$ 224,927,800	\$ 241,510,500	\$ 243,150,900	\$ 243,150,900	\$ 4,699,200	\$ 247,850,100
	Grand Total	Expense	\$ 189,394,400	\$ 224,927,800	\$ 224,927,800	\$ 241,510,500	\$ 243,150,900	\$ 243,150,900	\$ 4,699,200	\$ 247,850,100

SECTION 2. Amended Salary Schedule. The 2024 Salary Schedule for authorized positions is amended to read as set out on Attachment A hereto and adopted herein by this reference.

SECTION 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful 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 Ordinance.

SECTION 4. Corrections. Upon approval of the city attorney, the city clerk and the codifiers of this ordinance are authorized to make necessary technical corrections to this

ordinance, including, without limitation, the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

SECTION 5. Publication. This Ordinance shall be published by an approved summary consisting of the title. A summary of this Ordinance may be published in lieu of the entire ordinance, as authorized by State Law.

SECTION 6. Effective Date. This ordinance shall be in full force and effect five (5) days after posting and publication as required by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this 25th day of June 2024.

Robert Putansuu, Mayor

ATTEST:

Brandy Wallace, MMC, City Clerk

APPROVED AS TO FORM:

Charlotte Archer, City Attorney

PUBLISHED:

EFFECTIVE DATE:

Personnel Position Listing			
Elected Officials	Positions	Wages	
Mayor	1	Annual	123,911.41
Council (Seats 1,4,5)	3	Bi-Weekly	500
Council (Seats 2,3,6)	3	Monthly	1,000
Council (At Large)	1	Bi-Weekly	500
Total Elected	8.00		
Personnel Positions	FTE	Minimum	Maximum
City Clerk	1	50.15	58.15
Community Development Director	1	71.17	82.53
Finance Director	1	72.55	84.13
Human Resources Director	1	60.45	70.11
Police Chief	1	76.71	88.97
Public Works Director	1	74.07	85.90
Total Mayoral Direct Reports	6.00		
Deputy City Clerk	1	37.50	43.49
Human Resources Analyst	1	41.85	48.53
Human Resources Specialist	0	30.83	35.75
Total Administration	2.00		
Deputy Finance Director	1	55.40	64.24
Accounting Assistant I	1	28.65	33.22
Accounting Assistant II	4	31.96	37.06
Accounting Assistant III	2	38.90	45.11
Accounting Assistant III / IT Specialist	1	40.26	46.69
Information Technology Manager	1	58.58	67.94
IT Support Specialist	1	37.99	44.05
Total Finance/IT	11.00		
Deputy Director Community Development	1	54.29	62.97
Permit Center Manager	1	39.34	45.62
Permit Tech	2	32.01	37.12
Permit Clerk	2	29.54	34.28
Permit Center Assistant	0.70	26.03	30.19
Principal Planner	1	54.28	62.96
Senior Planner	1	46.50	53.91
Plans Examiner/Building Inspector II	2	40.07	46.47
Associate Planner	1	40.15	46.56
Assistant Planner	1	35.42	41.08
Building Inspector I	1	36.10	41.86
Code Enforcement Officer I	1	30.64	35.56
Code Enforcement Officer II	1	38.83	45.04
Parking Enforcement Officer (2 PT)	1	29.00	33.63
Total Community Development	16.70		
Municipal Court Judge	0.6	Annual	123,380.28
Municipal Court Administrator	1	50.16	58.17
Lead Clerk	1	31.87	38.08
Court Clerk	2	26.93	32.15
Total Judicial	4.60		
Deputy Police Chief	2	69.74	80.87
Police Services Coordinator	1	35.85	42.82
Records Evidence Specialist	3.7	26.80	31.99
Sergeant	5	53.72	59.48
Patrol Officer	19	36.04	49.48
Total Police Department	30.70		

Personnel Position Listing			
Personnel Positions	FTE	Minimum	Maximum
City Engineer	1	62.82	72.85
Assistant City Engineer	1	56.67	65.72
Operations Manager	1	52.05	60.36
Utility Manager	1	52.05	60.36
Operations and Utility Manager	1	54.70	63.44
Operations Supervisor	1	44.25	51.31
Utility Supervisor	1	44.25	51.31
Utilities Compliance Specialist	1	37.34	43.28
Civil Engineer II	1	48.97	56.78
Civil Engineer I	1	46.30	53.71
GIS/Asset Management Coordinator	1	41.90	48.60
Asset Management Technician	1	30.64	35.56
Public Works Procurement Specialist	1	38.95	45.16
Project Coordinator/Inspector	2	40.77	47.28
Public Works Administrative Specialist	1	32.01	37.12
Office Assistant II	0	29.67	34.41
Office Assistant I	1	26.03	30.19
Lead Mechanic	1	35.69	42.62
Mechanic	2	33.26	39.72
Electrician	1	35.28	42.13
Public Works Lead	5	35.69	42.62
Maintenance Technician II	15	32.25	38.51
Maintenance Technician I	2	24.02	28.69
Total Public Works	43.00		
		Minimum	Maximum
Seasonal Public Works	Hourly	16.87	22.50
Intern	Hourly	16.87	22.50
Temporary Employee	Hourly	16.87	22.50
Grand Totals	114.00		

Personnel Position Listing			
Elected Officials	Positions	Wages	
Mayor	1	Annual	123,911.41
Council (Seats 1,4,5)	3	Bi-Weekly	500
Council (Seats 2,3,6)	3	Monthly	1,000
Council (At Large)	1	Bi-Weekly	500
Total Elected	8.00		
Personnel Positions	FTE	Minimum	Maximum
City Clerk	1	50.15	58.15
Community Development Director	1	71.17	82.53
Finance Director	1	72.55	84.13
Human Resources Director	1	60.45	70.11
Police Chief	1	76.71	88.97
Public Works Director	1	74.07	85.90
Total Mayoral Direct Reports	6.00		
Deputy City Clerk	1	37.50	43.49
Human Resources Analyst	1	41.85	48.53
Human Resources Specialist	0	30.83	35.75
Total Administration	2.00		
Deputy Finance Director	1	55.40	64.24
Accounting Assistant I	1	28.65	33.22
Accounting Assistant II	4	31.96	37.06
Accounting Assistant III	2	38.90	45.11
Accounting Assistant III / IT Specialist	1	40.26	46.69
Information Technology Manager	1	58.58	67.94
IT Support Specialist	1	37.99	44.05
Total Finance/IT	11.00		
Deputy Director Community Development	1	54.29	62.97
Permit Center Manager	1	39.34	45.62
Permit Tech	2	32.01	37.12
Permit Clerk	2	29.54	34.28
Permit Center Assistant	0.70	26.03	30.19
Principal Planner	1	54.28	62.96
Senior Planner	1	46.50	53.91
Plans Examiner/Building Inspector II	2	40.07	46.47
Associate Planner	1	40.15	46.56
Assistant Planner	1	35.42	41.08
Building Inspector I	1	36.10	41.86
Code Enforcement Officer I	1	30.64	35.56
Code Enforcement Officer II	1	38.83	45.04
Parking Enforcement Officer (2 PT)	1	29.00	33.63
Total Community Development	16.70		
Municipal Court Judge	0.6	Annual	123,380.28
Municipal Court Administrator	1	50.16	58.17
Lead Clerk	1	31.87	38.08
Court Clerk	2	26.93	32.15
Total Judicial	4.60		
Deputy Police Chief	2	69.74	80.87
Police Services Coordinator	1	35.85	42.82
Records Evidence Specialist	3.7	26.80	31.99
Sergeant	5	53.72	59.48
Patrol Officer	19	36.04	49.48
Total Police Department	30.70		

Personnel Position Listing			
Personnel Positions Personnel Positions	FTE FTE	First 6 mos. Minimum Minimum	After 5 Yrs. Maximum Maximum
City Engineer	1	62.82	72.85
Assistant City Engineer	1	56.67	65.72
Operations Manager	1	52.05	60.36
Utility Manager	1	52.05	60.36
Operations and Utility Manager	1	54.70	63.44
Operations Supervisor	1	44.25	51.31
Utility Supervisor	1	44.25	51.31
Utilities Compliance Specialist	1	37.34	43.28
Civil Engineer II	1	48.97	56.78
Civil Engineer I	0	46.30	53.71
Civil Engineer I	1	46.30	53.71
GIS/Asset Management Coordinator	1	41.90	48.60
Asset Management Technician	1	30.64	35.56
Public Works Procurement Specialist	1	38.95	45.16
Project Coordinator/Inspector	2	40.77	47.28
Public Works Administrative Specialist	1	32.01	37.12
Office Assistant II	0	29.67	34.41
Office Assistant I	1	26.03	30.19
Lead Mechanic	1	35.69	42.62
Mechanic	2	33.26	39.72
Electrician	1	35.28	42.13
Public Works Lead	5	35.69	42.62
Maintenance Technician II	15	32.25	38.51
Maintenance Technician I	2	24.02	28.69
Total Public Works	43.00		
		Minimum	Maximum
Seasonal Public Works	Hourly	16.87	22.50
Intern	Hourly	16.87	22.50
Temporary Employee	Hourly	16.87	22.50
Grand Totals	114.00		

Income Statement Summary	2023-2024 Current	2023		2024 Adjustments	2023-2024	2023-2024 Amended
	Biennial Budget Ord. 008-24	Adjustments			Adjustments	Biennial Budget
Beginning Fund Balance	\$ 71,128,012	\$ -	\$ -		\$ -	\$ 71,128,012
Revenue	\$ 172,022,888	\$ 1,259,000	\$ 3,440,200		\$ 4,699,200	\$ 176,722,088
Expense	\$ 170,003,291	\$ -	\$ 5,581,185		\$ 5,581,185	\$ 175,584,476
Ending Fund Balance	\$ 73,147,609	\$ 1,259,000	\$ (2,140,985)		\$ (881,985)	\$ 72,265,624

Appropriation Summary	2023-2024 Current	2023		2024 Adjustments	2023-2024	2023-2024 Amended
	Biennial Budget	Adjustments			Adjustments	Biennial Budget
Total Revenue	\$ 243,150,900	\$ 1,259,000	\$ 3,440,200		\$ 4,699,200	\$ 247,850,100
Total Expense	\$ 243,150,900	\$ 1,259,000	\$ 3,440,200		\$ 4,699,200	\$ 247,850,100

Governmental Funds (Operating, Stabilization, Special, Debt Service)

Fund: 001 - Current Expense	2023-2024 Current	2023		2024 Adjustments	2023-2024	2023-2024 Amended
	Biennial Budget Ord. 008-24	Adjustments			Adjustments	Biennial Budget
Beginning Fund Balance	\$ 14,319,782	\$ -	\$ -		\$ -	\$ 14,319,782
Revenue	\$ 32,517,418	\$ 537,000	\$ -		\$ 537,000	\$ 33,054,418
2023 Sales Tax (Adjustment)		\$ 537,000			\$ 537,000	\$ 537,000
Expense	\$ 44,209,923	\$ -	\$ 497,000		\$ 497,000	\$ 44,706,923
Fund 001 to Fund 302 for PW Shop Schedule D			\$ 25,000		\$ 25,000	\$ 25,000
Fund 001 to Fund 304 for TIP 1.15 Pottery Ave Non-Motorized by \$331,000			\$ 331,000		\$ 331,000	\$ 331,000
Fund 001 to Fund 423 for TIP 1.15 Pottery Ave Non-Motorized by \$50,000			\$ 50,000		\$ 50,000	\$ 50,000
Fund 001 to Fund 302 for Givens Park from Rec Reserve \$30,000			\$ 30,000		\$ 30,000	\$ 30,000
Expense for Mechanics Van \$46,000			\$ 46,000		\$ 46,000	\$ 46,000
Expense for Finance Software \$15,000			\$ 15,000		\$ 15,000	\$ 15,000
Ending Fund Balance	\$ 2,627,277	\$ 537,000	\$ (497,000)		\$ 40,000	\$ 2,667,277

Fund: 002 - City Street Fund	2023-2024 Current	2023		2024 Adjustments	2023-2024	2023-2024 Amended
	Biennial Budget Ord. 008-24	Adjustments			Adjustments	Biennial Budget
Beginning Fund Balance	\$ 2,771,168	\$ -	\$ -		\$ -	\$ 2,771,168
Revenue	\$ 6,207,132	\$ 307,000	\$ 300,000		\$ 607,000	\$ 6,814,132
Public Transportation Tax		\$ 307,000	\$ 300,000		\$ 607,000	\$ 607,000
Expense	\$ 6,836,312	\$ -	\$ 607,000		\$ 607,000	\$ 7,443,312
Fund 002 to Fund 304-TIP 1.8 & 1.9 Salmonberry & Blueberry			\$ 607,000		\$ 607,000	\$ 607,000
Ending Fund Balance	\$ 2,141,988	\$ 307,000	\$ (307,000)		\$ -	\$ 2,141,988

Fund: 003 - Stabilization Fund	2023-2024 Current	2023		2024 Adjustments	2023-2024	2023-2024 Amended
	Biennial Budget Ord. 008-24	Adjustments			Adjustments	Biennial Budget
Beginning Fund Balance	\$ 2,740,960	\$ -	\$ -		\$ -	\$ 2,740,960
Revenue	\$ 180,040	\$ -	\$ -		\$ -	\$ 180,040
Expense	\$ -	\$ -	\$ -		\$ -	\$ -
Ending Fund Balance	\$ 2,921,000	\$ -	\$ -		\$ -	\$ 2,921,000

Fund: 103 - Criminal Justice	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 647,725	\$ -	\$ -	\$ -	\$ 647,725
Revenue	\$ 775,075	\$ -		\$ -	\$ 775,075
Expense	\$ 1,267,000		\$ -	\$ -	\$ 1,267,000
Ending Fund Balance	\$ 155,800		\$ -	\$ -	\$ 155,800

Fund: 104 - Special Investigative Unit	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 98,895	\$ -	\$ -	\$ -	\$ 98,895
Revenue	\$ 8,005	\$ -		\$ -	\$ 8,005
Expense	\$ 8,000			\$ -	\$ 8,000
Ending Fund Balance	\$ 98,900		\$ -	\$ -	\$ 98,900

Fund: 107 - Community Events	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 321,780	\$ -	\$ -	\$ -	\$ 321,780
Revenue	\$ 227,420	\$ -	\$ -	\$ -	\$ 227,420
Expense	\$ 252,400	\$ -	\$ -	\$ -	\$ 252,400
Ending Fund Balance	\$ 296,800	\$ -	\$ -	\$ -	\$ 296,800

Fund: 108 - Paths & Trails	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 13,784	\$ -	\$ -	\$ -	\$ 13,784
Revenue	\$ 2,016	\$ -		\$ -	\$ 2,016
Expense	\$ -			\$ -	\$ -
Ending Fund Balance	\$ 15,800		\$ -	\$ -	\$ 15,800

Fund: 109 - Real Estate Excise Tax	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 4,182,707	\$ -	\$ -	\$ -	\$ 4,182,707
Revenue	\$ 3,833,093	\$ -	\$ -	\$ -	\$ 3,833,093
Expense	\$ 5,213,485	\$ -	\$ -	\$ -	\$ 5,213,485
Ending Fund Balance	\$ 2,802,315	\$ -	\$ -	\$ -	\$ 2,802,315

Fund: 111 - Impact Mitigation Fee	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 5,304,555	\$ -		\$ -	\$ 5,304,555
Revenue	\$ 10,877,245	\$ -	\$ -	\$ -	\$ 10,877,245
Expense	\$ 7,230,190	\$ -	\$ 438,950	\$ 438,950	\$ 7,669,140
<i>Fund 111 to Fund 302 -PIF Givens Park</i>			\$ 100,000	\$ 100,000	\$ 100,000
<i>Fund 111 to Fund 304 TIP 1.15 Pottery</i>			\$ 338,950	\$ 338,950	\$ 338,950
Ending Fund Balance	\$ 8,951,610	\$ -	\$ (438,950)	\$ (438,950)	\$ 8,512,660

Fund: 206 - Bond Redemption Fund	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ -			\$ -	\$ -
Revenue	\$ 1,797,400	\$ -	\$ -	\$ -	\$ 1,797,400
Expense	\$ 1,295,810	\$ -	\$ -	\$ -	\$ 1,295,810
Ending Fund Balance	\$ 501,590	\$ -	\$ -	\$ -	\$ 501,590

**Governmental
Capital Construction**

Fund: 302 - Capital Construction	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 547,631	\$ -		\$ -	\$ 547,631
Revenue	\$ 22,183,669	\$ 25,000	\$ 130,000	\$ 155,000	\$ 22,338,669
<i>Fund 111 to Fund 302-PIF Givens Park</i>			\$ 100,000	\$ 100,000	\$ 100,000
<i>Fund 001 to Fund 302-Rec Reserve Givens Park</i>			\$ 30,000	\$ 30,000	\$ 30,000
<i>Fund 001 to Fund 302-PW Shop Schedule D</i>		\$ 25,000		\$ 25,000	\$ 25,000
Expense	\$ 22,138,100	\$ -	\$ -	\$ -	\$ 22,138,100
Ending Fund Balance	\$ 593,200	\$ 25,000	\$ 130,000	\$ 155,000	\$ 748,200

Fund: 304 - Street Capital Projects	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 2,299,051	\$ -		\$ -	\$ 2,299,051
Revenue	\$ 15,213,349	\$ -	\$ 1,276,950	\$ 1,276,950	\$ 16,490,299
<i>Fund 001 to Fund 304-TIP 1.15 Pottery Ave Non-Motorized</i>	\$ -		\$ 331,000	\$ 331,000	\$ 331,000
<i>Fund 111 to Fund 304- (TIF) TIP 1.15 Pottery Ave Non-Motorized</i>			\$ 338,950	\$ 338,950	\$ 338,950
<i>Fund 002 to Fund 304-TIP 1.18 & 1.9 Salmonberry Blueberry</i>			\$ 607,000	\$ 607,000	\$ 607,000
Expense	\$ 14,639,710	\$ -	\$ 1,275,015	\$ 1,275,015	\$ 15,914,725
<i>TIP 1.8 & .9 Salmonberry Blueberry</i>			\$ 605,065	\$ 605,065	\$ 605,065
<i>TIP 1.15 Pottery Ave Non Motorized</i>			\$ 331,000	\$ 331,000	\$ 331,000
<i>TIP 1.15 Pottery Ave Non Motorized</i>			\$ 338,950	\$ 338,950	\$ 338,950
Ending Fund Balance	\$ 2,872,690	\$ -	\$ 1,935	\$ 1,935	\$ 2,874,625

Enterprise Funds (Operating, Stabilization, Debt Service, Capital)

Fund: 411 - Water Operating	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 3,838,287	\$ -		\$ -	\$ 3,838,287
Revenue	\$ 7,858,613	\$ 390,000	\$ -	\$ 390,000	\$ 8,248,613
<i>Water-Residential (adjustment)</i>		\$ 76,000		\$ 76,000	\$ 76,000
<i>Water-Commercial (adjustment)</i>		\$ 61,000		\$ 61,000	\$ 61,000
<i>Water-Irrigation (adjustment)</i>		\$ 106,000		\$ 106,000	\$ 106,000
<i>Construction Water Sales (Adjustment)</i>		\$ 19,000		\$ 19,000	\$ 19,000
<i>Other Fee's & Charges (Adjustment)</i>		\$ 21,000		\$ 21,000	\$ 21,000
<i>Penalties (Adjustment)</i>		\$ 14,000		\$ 14,000	\$ 14,000
<i>Rents & Leases</i>		\$ 21,000		\$ 21,000	\$ 21,000
<i>Investment Interest</i>		\$ 72,000		\$ 72,000	\$ 72,000
Expense	\$ 9,903,362	\$ -	\$ 1,327,250	\$ 1,327,250	\$ 11,230,612
<i>Water Meters/radio's</i>			\$ 200,000	\$ 200,000	\$ 200,000
<i>Water Meters/radio's AMI install, software, equipment</i>			\$ 500,000	\$ 500,000	\$ 500,000
<i>Fund 411 to Fund 413-TIP 1.15 Pottery Ave. (Water)</i>			\$ 137,000	\$ 137,000	\$ 137,000
<i>Fund 411 to Fund 413-Melcher Pump station (75% of \$574K)</i>			\$ 431,250	\$ 431,250	\$ 431,250
<i>Expenses for a ERR water flat bed truck</i>			\$ 59,000	\$ 59,000	\$ 59,000
Ending Fund Balance	\$ 1,793,538	\$ 390,000	\$ (1,327,250)	\$ (937,250)	\$ 856,288

Fund: 412 - Water Stabilization	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 966,406	\$ -		\$ -	\$ 966,406
Revenue	\$ 100,094	\$ -	\$ -	\$ -	\$ 100,094
Expense	\$ -			\$ -	\$ -
Ending Fund Balance	\$ 1,066,500	\$ -	\$ -	\$ -	\$ 1,066,500

Fund: 413 - Water Capital	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 7,558,941	\$ -		\$ -	\$ 7,558,941
Revenue	\$ 15,099,859	\$ -	\$ 568,250	\$ 568,250	\$ 15,668,109
<i>Fund 411 to Fund 413-TIP 1.15 Pottery Ave Non-Motorized</i>			\$ 137,000	\$ 137,000	\$ 137,000
<i>Fund 411 to Fund 413-Melcher by \$431,250</i>			\$ 431,250	\$ 431,250	\$ 431,250
Expense	\$ 12,431,900	\$ -	\$ 688,970	\$ 688,970	\$ 13,120,870
<i>TIP 1.15 Pottery Ave</i>			\$ 137,000	\$ 137,000	\$ 137,000
<i>Melcher Pump Station</i>			\$ 551,970	\$ 551,970	\$ 551,970
Ending Fund Balance	\$ 10,226,900	\$ -	\$ (120,720)	\$ (120,720)	\$ 10,106,180

Fund: 414 - Water Debt Service	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ -			\$ -	\$ -
Revenue	\$ 3,096,300	\$ -	\$ -	\$ -	\$ 3,096,300
Expense	\$ 1,840,570	\$ -	\$ -	\$ -	\$ 1,840,570
Ending Fund Balance	\$ 1,255,730	\$ -	\$ -	\$ -	\$ 1,255,730

Fund: 421 - Storm Drainage Utility	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 1,410,718	\$ -		\$ -	\$ 1,410,718
Revenue	\$ 3,490,182	\$ -	\$ 130,000	\$ 130,000	\$ 3,620,182
<i>Storm Drainage Capacity Grant</i>			\$ 130,000	\$ 130,000	\$ 130,000
Expense	\$ 4,580,574	\$ -	\$ 130,000	\$ 130,000	\$ 4,710,574
<i>Storm Mower Purchase & Equipment</i>			\$ 130,000	\$ 130,000	\$ 130,000
Ending Fund Balance	\$ 320,326	\$ -	\$ -	\$ -	\$ 320,326

Fund: 422 - Storm Drainage Stabilization	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 542,966	\$ -		\$ -	\$ 542,966
Revenue	\$ 34	\$ -		\$ -	\$ 34
Expense	\$ -			\$ -	\$ -
Ending Fund Balance	\$ 543,000		\$ -	\$ -	\$ 543,000

Fund: 423 - Storm Drainage Capital Facil	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 593,137	\$ -		\$ -	\$ 593,137
Revenue	\$ 300,063	\$ -	\$ 50,000	\$ 50,000	\$ 350,063
<i>Fund 001 to Fund 423: TIP 1.15 Pottery Non-Motorized</i>			\$ 50,000	\$ 50,000	\$ 50,000
Expense	\$ 800,000	\$ -	\$ 50,000	\$ 50,000	\$ 850,000
<i>TIP 1.15 Pottery Non-Motorized</i>			\$ 50,000	\$ 50,000	\$ 50,000
Ending Fund Balance	\$ 93,200		\$ -	\$ -	\$ 93,200

Fund: 424 - Storm Drainage Debt Service	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ -			\$ -	\$ -
Revenue	\$ 398,400	\$ -	\$ -	\$ -	\$ 398,400
Expense	\$ 398,350	\$ -	\$ -	\$ -	\$ 398,350
Ending Fund Balance	\$ 50	\$ -	\$ -	\$ -	\$ 50

Fund: 431 - Sewer Operating	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 5,908,675	\$ -		\$ -	\$ 5,908,675
Revenue	\$ 11,397,425	\$ -		\$ -	\$ 11,397,425
Expense	\$ 12,062,934	\$ -	\$ -	\$ -	\$ 12,062,934
Ending Fund Balance	\$ 5,243,166	\$ -	\$ -	\$ -	\$ 5,243,166

Fund: 432 - Sewer Stabilization	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 1,446,270	\$ -		\$ -	\$ 1,446,270
Revenue	\$ 100,030	\$ -	\$ -	\$ -	\$ 100,030
Expense	\$ -			\$ -	\$ -
Ending Fund Balance	\$ 1,546,300		\$ -	\$ -	\$ 1,546,300

Fund: 433 - Sewer Capital	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 5,782,756	\$ -		\$ -	\$ 5,782,756
Revenue	\$ 24,674,444	\$ -	\$ 750,000	\$ 750,000	\$ 25,424,444
<i>ILA with Kitsap Transit-SCIP # SB-South Sidney (Ruby Lift)</i>			\$ 750,000	\$ 750,000	\$ 750,000
Expense	\$ 16,903,900	\$ -	\$ 259,000	\$ 259,000	\$ 17,162,900
<i>TIP 1.15 Pottery Ave Non-Motorized (Sewer)</i>			\$ 209,000	\$ 209,000	\$ 209,000
<i>SCIP # SB-South Sidney (Ruby Lift)</i>			\$ 50,000	\$ 50,000	\$ 50,000
Ending Fund Balance	\$ 13,553,300		\$ 491,000	\$ 491,000	\$ 14,044,300

Fund: 434 - Sewer Debt Service	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 558,878	\$ -		\$ -	\$ 558,878
Revenue	\$ 1,368,322	\$ -	\$ -	\$ -	\$ 1,368,322
Expense	\$ 491,470	\$ -	\$ -	\$ -	\$ 491,470
Ending Fund Balance	\$ 1,435,730	\$ -	\$ -	\$ -	\$ 1,435,730

Fund: 500 - Equipment Rental and Revolving	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 3,990,082	\$ -		\$ -	\$ 3,990,082
Revenue	\$ 5,265,218	\$ -	\$ 235,000	\$ 235,000	\$ 5,500,218
<i>Storm Drainage Mower & Equipment</i>			\$ 130,000	\$ 130,000	\$ 130,000
<i>Revenue for 350 Flat Bed Truck (Water)</i>			\$ 59,000	\$ 59,000	\$ 59,000
<i>Revenue for Mechanics Van</i>			\$ 46,000	\$ 46,000	\$ 46,000
Expense	\$ 5,247,300	\$ -	\$ 308,000	\$ 308,000	\$ 5,555,300
<i>Purchase of a Mechanics Van</i>			\$ 46,000	\$ 46,000	\$ 46,000
<i>Purchase of a Storm Drainage Mower & Equipment</i>			\$ 130,000	\$ 130,000	\$ 130,000
<i>Increase Expense to purchase a F-350 Flat Bed</i>			\$ 59,000	\$ 59,000	\$ 59,000
<i>Purchase of a Police Vehicle</i>			\$ 73,000	\$ 73,000	\$ 73,000
Ending Fund Balance	\$ 4,008,000	\$ -	\$ (73,000)	\$ (73,000)	\$ 3,935,000

Fund: 632 - Wastewater Treatment Facil Fee	2023-2024 Current Biennial Budget Ord. 008-24	2023 Adjustments	2024 Adjustments	2023-2024 Adjustments	2023-2024 Amended Biennial Budget
Beginning Fund Balance	\$ 5,282,855	\$ -		\$ -	\$ 5,282,855
Revenue	\$ 5,052,045	\$ -		\$ -	\$ 5,052,045
Expense	\$ 2,252,000			\$ -	\$ 2,252,000
Ending Fund Balance	\$ 8,082,900		\$ -	\$ -	\$ 8,082,900



Agenda Staff Report

Agenda Item No.: Business Item 7C

Meeting Date: June 25, 2024

Subject: Adoption of a Resolution Establishing an
Investment Policy

Prepared By: Noah Crocker
Finance Director

Summary: The City of Port Orchard has grown in all areas of operations including its cash and investment balances. Although the City has utilized best practices for maintaining funds, the City desires an investment policy to enable the City to better manage its investments and provide better value to its citizens. Staff have prepared an Investment Policy which will set the parameters by which the staff will manage an investment portfolio. Consistent with the policy, the City would invest public funds in a manner, which will provide the maximum security with a market rate of investment return while meeting daily cash flow requirements, and conforming to all federal, state statutes and other legal requirements. On June 11, 2024, the Finance Committee met and reviewed the proposed Investment Policy. Specifically, the Finance Committee discussed the following key Investment Objectives:

Safety: Safety of principal is the primary objective of the City. Investments shall be undertaken in a manner that seeks to ensure preservation of capital in the overall portfolio. To obtain this objective, funds will be diversified, utilizing highly rated securities, by investing among a variety of securities and financial institutions offering independent returns.

Liquidity: The investment portfolio will remain liquid to enable the City to meet all cash requirements that might reasonably be anticipated. Therefore, the investments shall be managed to maintain a balance to meet daily obligations.

Return on Investment: The investment portfolio will be structured with the objective of attaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk parameters and the cash flow characteristics of the portfolio.

Furthermore, staff noted the policy was developed using best practice templates from accredited associations including Governmental Finance Officers Association (GFOA), Washington Public Treasurers Association (WPTA) and Municipal Research Services Center (MRSC).

Recommendation: Staff recommends approving the resolution adopting an Investment Policy.

Relationship to Comprehensive Plan: N/A

Has this item been presented to Committee/Work Study? If so, which one: June 11, 2024, Finance Committee

Motion for consideration: I move to adopt a Resolution approving an Investment Policy for the City.

Fiscal Impact: This policy would enable the City to invest funds in a safe manner and provide a return on investment that can provide additional spending power for the City.

Alternatives: Do not approve and provide alternative guidance.

Attachments: Resolution, Ex. A - Investment Policy

RESOLUTION NO. **-24

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, ESTABLISHING AN INVESTMENT POLICY FOR THE MANAGEMENT OF PUBLIC FUNDS.

WHEREAS, the City of Port Orchard has experienced growth in its operations, including an increase in its cash and investment balances; and

WHEREAS, to the City has managed public funds in a manner that ensures safety, liquidity, and a reasonable return on investments and values this practice; and

WHEREAS, the City desires to formalize an Investment Policy that incorporates current practices, aligns with best practices, and adheres to all applicable federal and state statutes; and

WHEREAS, the City Council's Finance Committee reviewed the proposed Investment Policy on June 11, 2024, and has prioritized the investment objectives as follows: 1) Safety, 2) Liquidity, and 3) Return on Investment; and

WHEREAS, the Investment Policy has been developed using best practice templates from the Government Finance Officers Association (GFOA), the Washington Public Treasurers Association (WPTA), and the Municipal Research and Services Center (MRSC); and

WHEREAS, the City Council finds that adopting a best practices Investment Policy will enhance the City's ability to manage its investments and provide better value to its citizens; now, therefore;

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution.

THAT: The Investment Policy attached hereto as Exhibit A are hereby approved,

THAT: This Resolution shall take full force and effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the City Clerk in authentication of such passage this 25th day of June 2024.

Robert Putaansuu, Mayor

ATTEST:

Brandy Wallace, MMC, City Clerk



City of Port Orchard

Investment Policy

Policy Statement

It is the policy of the City of Port Orchard (“the City”) to invest public funds in a manner, which will provide the maximum security with a market rate of investment return, while meeting daily cash flow requirements, and conforming to all state statutes governing the investing of funds under control of the City.

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1.0 INTRODUCTION

The intent of this Investment Policy is to define the parameters within which funds are to be managed. In methods, procedures and practices, the policy formalizes the framework for the City's investment activities that must be exercised to ensure effective and judicious fiscal and investment management of the City's funds. The guidelines are intended to be broad enough to allow the investment officer to function properly within the parameters of responsibility and authority, yet specific enough to adequately safeguard the investment assets.

2.0 GOVERNING AUTHORITY

The investment program shall be operated in conformance with federal, state, and other legal requirements, including RCW.

3.0 SCOPE

This investment policy applies to all financial assets of the City. These funds are accounted for in the City's Annual Financial Report and include:

Funds:

- General Fund
- Special Revenue Funds
- Debt Service Fund
- Capital Project Funds
- Enterprise Funds
- Internal Service Funds
- Trust and Agency Funds
- Any new fund created by Council

Pooling of Funds

Except where prohibited by statute, trust indenture, or other controlling authority, the Authority will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

Each group of funds will be classified based on the objectives and requirements of the designated assets.

Liquidity

- Liquid Operating Cash Funds
- Liquid Project Funds
- Liquid Reserves

Investment Component

- Ongoing Operating Funds
- Project Funds over three-year life
- Reserves

4.0 OBJECTIVES

All funds will be invested in a manner that is in conformance with federal, state and other legal requirements. In addition, the objectives, in order of priority, of the investment activities will be as follows:

Safety: Safety of principal is the primary objective of the City. Investments shall be undertaken in a manner that seeks to ensure preservation of capital in the overall portfolio. To obtain this objective, funds will be diversified, utilizing highly rated securities, by investing among a variety of securities and financial institutions offering independent returns.

Liquidity: The investment portfolio will remain liquid to enable the City to meet all cash requirements that might reasonably be anticipated. Therefore, the investments shall be managed to maintain a balance to meet daily obligations.

Return on Investment: The investment portfolio will be structured with the objective of attaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk parameters and the cash flow characteristics of the portfolio.

5.0 STANDARDS OF CARE

5.1 Delegation of Authority:

Governing Body: The ultimate responsibility and authority for the investment of City funds resides with the City Council who has the authority to direct the management the City investment program

Finance Committee: The finance committee will directly oversee the investment program. The committee will be responsible for updating the investment policy and reviewing the investment portfolio.

Authority: Management responsibility for the investment program is hereby delegated to the City Finance Director, who shall establish written procedures for the operation of the investment program, consistent with this investment policy. The City Finance Director shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

Investment Adviser: The City may engage the services of an external investment adviser to assist with the management of the City's investment portfolio in a manner that is consistent with the City's objectives. Such advisers may be granted the authority to purchase and sell investments in accordance with this Investment Policy. Such Advisors, must be registered under the Investment Advisers Act of 1940.

5.2 Prudence:

The standard of prudence to be used by the Finance Director and any designees in the context of managing the overall portfolio is the prudent person rule which states: *Investments will be*

made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of the funds considering the probable income as well as the probable safety of the capital.

5.3 Ethics:

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the Mayor any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. Employees and officers shall subordinate their personal investment transactions to those of the City of Port Orchard, particularly with regard to the time of purchases and sales.

6.0 SAFEKEEPING, CUSTODY AND CONTROLS

6.1 Delivery vs. Payment:

All trades of marketable securities will be executed (cleared and settled) on a delivery vs. payment (DVP) basis to ensure that securities are deposited in the City's safekeeping institution prior to the release of funds.

6.2 Third Party Safekeeping:

The laws of the state and prudent treasury management require that all purchased securities be bought on a delivery versus payment (DVP) basis and be held in safekeeping by the City, an independent third-party financial institution, or the City's designated depository.

The City's Finance Director shall designate all safekeeping arrangements and an agreement of the terms executed in writing. The third-party custodian shall be required to provide a statement to the City listing at a minimum each specific security, book yield, description, maturity date, market value, par value, purchase date, and cusip number.

All securities pledged to the City for certificates of deposit or demand deposits shall be held in a segregated account at the issuing financial institution that is reporting to the State's public depository commission.

6.3 Internal Controls:

The Finance Director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. Specifics for the internal controls shall be documented in an ***investment procedures manual*** that shall be reviewed and updated periodically by the Investment Officers.

The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control

should not exceed the benefits likely to be derived and the valuation of costs and benefits requires estimates and judgments by management. The internal controls shall address the following points at a minimum:

- Control of collusion
- Separation of transaction authority from accounting and recordkeeping
- Custodial safekeeping
- Avoidance of physical delivery securities
- Clear delegation of authority to subordinate staff members
- Written confirmation of transactions for investments and wire transfers
- Dual authorizations of wire transfers
- Staff training and
- Review, maintenance and monitoring of security procedures both manual and automated.

7.0 AUTHORIZED FINANCIAL DEALERS

7.1 Broker/Dealers:

The Finance Director shall maintain a list of all authorized financial institutions and broker/dealers that are approved to transact with the City for investment purposes. Any firm is eligible to make an application to the City and upon due consideration and approval, will be added to the list. Additions and deletions to the list will be made at the City's discretion.

Authorized broker/dealers and financial institutions will be limited to those that meet one or more of the following: 1) financial institutions approved by the Washington PDPC (RCW 39.58) and meet all regulatory capital requirements, 2) primary dealers recognized by the Federal Reserve Bank, 3) non-primary dealers qualified under SEC rule 15C3-1 and a certified member of FINRA. This responsibility can be placed with the investment adviser and the approved list should be provided to the City as updates occur.

7.2 Investment Advisors:

The City may contract with an external non-discretionary investment advisor (Advisor) to assist with the management of the City's investment portfolio in a manner that is consistent with the City's objectives and this policy. Such Advisors shall provide recommendations and advice on the City investment program structure and constraints, investment strategy, and purchase and sale of specific securities. Advisors must be registered under the Investment Advisers Act of 1940 and must act in a non-discretionary capacity, requiring approval from the City prior to all transactions. The Advisor may be authorized through the contracted agreement to open accounts on behalf of the City with the broker/dealers on the approved broker/dealer list.

The Finance Director or designee may utilize the investment advisor's approved broker/dealer list in lieu of the City's own approved list. The Advisor must submit the approved list to the City annually and provide updates throughout the year as they occur. The Advisor shall follow GFOA best practices for evaluating and selecting financial institutions and broker/dealers. The Advisor must maintain documentation of appropriate license and professional credentials

of broker/dealers on the list. The annual investment advisor broker/dealer review procedures include but are not be limited to:

- a. FINRA Certification check:
 - i. Firm profile
 - ii. Firm history
 - iii. Firm operations
 - iv. Disclosures of arbitration awards, disciplinary and regulatory events
 - v. State Registration Verification

- b. Financial review of acceptable FINRA capital or letter of credit for clearing settlements.

7.3 Bank Institutions:

The City will only place funds, exceeding the current FDIC insurance limits, with banks who are currently participating in the Washington State PDPC program. Compliance/listing with the PDPC will be verified by the Finance Director or designated investment officer utilizing the Washington State Treasurer's website (<http://www.tre.wa.gov/government/pdpc.shtml>).

7.4 Competitive Transactions:

Each transaction must be executed on a competitive basis and documented. Competitive prices should be provided from at least three separate brokers or through a nationally online line trading platform. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities as the same original issue price. If an Adviser handles all trade executions then they must provide the competitive documentation as requested.

8.0 AUTHORIZED AND SUITABLE INVESTMENTS

8.1 Authorized Investments:

All investments of the City are limited by RCW, principally RCW 35.39.030, 39.59.020 and 36.29.020.

Additional Specifications:

- The State of Washington Local Government Investment Pool and the Kitsap County Investment Pool are the only government-sponsored pools approved for investment of funds.
- This policy recognizes S&P, Moody's, and Fitch as the major Nationally Recognized Statistical Ratings Organizations (NRSRO).
- Minimum credit ratings and percentage limitations apply to the time of purchase.
- All securities must be purchased on the secondary market and may not be purchased directly from the issuer.
- Securities rated in the broad single-A category with a negative outlook may not be purchased. Portfolio holdings of corporate notes downgraded to below single A and

portfolio holdings of securities rated single A with their outlooks changed to negative may continue to be held. No additional purchases are permitted.

8.2 Suitable Investments:

The City is empowered to invest in the following types of securities:

U.S. Treasury Obligations: Direct obligations of the United States Treasury.

US Agency Obligations: US Government Agency Obligations and Government Sponsored Enterprises (GSEs), which may include, but are not limited to Federal National Mortgage Association (FNMA), the Federal Home Loan Mortgage Corporation (FHLMC), Federal Home Loan Banks (FHLB), the Federal Farm Credit Banks Funding Corporation (FFCB), and Tennessee Valley Authority (TVA).

Supranational Bonds: United States dollar denominated bonds, notes or other obligations that are issued or guaranteed by supranational institutions, provided, that at the time of investment, the institution has the United States as its largest shareholder. These include: International Bank for Reconstruction and Development (IBRD or World Bank); the International Finance Corporation (IFC); the Asian Development Bank (ADB) and the Inter-American Development Bank (IADB).

Municipal Debt Obligations: Bonds of the State of Washington and any local government in the State of Washington, General Obligation bonds outside the State of Washington; at the time of investment the bonds must have one of the three highest credit ratings of a nationally recognized rating agency.

Corporate Notes: Unsecured debt obligations purchased in accordance with the investment policies and procedures adopted by the State Investment Board. Corporate notes must be rated at least weak single A (A-) or better by all the major rating agencies that rate the note at the time of purchase for inclusion in the corporate note portfolio. The maturity must not exceed 5 years and the maximum duration of the corporate note portfolio cannot exceed 3 years. The percentage of corporate notes that may be purchased from any single issuer rated AA- or better by all major rating agencies that rate the note is 3% of the assets of the total portfolio. The percentage of corporate notes that may be purchased from any single issuer rated in the broad single A (A-) category from all the major rating agencies that rate the security is 3% of the total portfolio. The individual country limit of non-U.S. and non-Canadian exposure is 3% of the total portfolio. The exposure is determined by the country of domicile of the issuers of portfolio securities.

Commercial Paper: Commercial paper must be rated with the highest short-term credit rating category of any two major Nationally Recognized Statistical Rating Organizations (NRSROs) at the time of purchase. If the commercial paper is rated by more than two major NRSROs, it must have the highest rating from all of them. Commercial paper holdings may not have maturities exceeding 270 days. Any commercial paper purchased with a maturity longer than 100 days must also have an underlying long-term credit rating at the time of purchase in one of the three highest rating categories of an NRSRO. The percentage of commercial paper that may be purchased from any one issuer is 3% of the market value of the total portfolio. Issuer constraints will apply to the combined holdings of corporate notes and commercial paper holdings.

Certificates of Deposit: Non-negotiable Certificates of Deposit of financial institutions that are qualified public depositories as defined by RCW 39.58.010(2) and in accordance with the restrictions therein.

Bank Time Deposits and Savings Accounts Issued by Banks: Deposits in PDPC approved banks.

Banker's Acceptance: Banker's Acceptances purchased on the secondary market.

Local Government Investment Pool: Investment Pool managed by the Washington State Treasurer's Office.

Kitsap County Investment Pool: Investment Pool managed by the Kitsap County Treasurer's Office.

8.3 Bank Collateralization:

The PDPC makes and enforces regulations and administers a program to ensure public funds deposited in banks and thrifts are protected if a financial institution becomes insolvent. The PDPC approves which banks and thrifts can hold state and local government deposits and monitors collateral pledged to secure uninsured public deposits.

8.4 Repurchase Agreement Collateralization:

Collateral will be required on Repurchase Agreements, and will be limited to the suitable investments listed in this policy under 5.2. Collateral shall be delivered to the City's safekeeping agent, or through a tri-party arrangement in which the proper documents delineating the responsibilities of the parties have been executed. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained.

Any required overcollateralization (the amount by which the market value of the securities collateralizing the transaction exceeds the transaction value) will be determined at the time of the transaction, as specified in the Master Repurchase Agreement. Any such overcollateralization shall not be less than 102% of the current market value of the collateral. Such collateral shall be revalued on a periodic basis, but not less than weekly, in order to maintain market protection.

The final maturity of the collateral for repurchase agreements may not exceed three years.

9.0 INVESTMENT PARAMETERS

9.1 Diversification:

It is the policy of The City to diversify its investment portfolio. Diversification is paramount to ensure potential losses on individual investments do not exceed income generated from the remainder of the portfolio. The City will diversify the investment of all funds in accordance with the following table:

Table of Constraints on the Total Portfolio

Issue Type	Maximum % Holdings	Maximum % per Issuer	Ratings S&P, Moody's, Fitch, or Equivalent NRSRO	Maximum Maturity
US Treasury Obligations	100%	None	N/A	5 years
US Agency Obligations	100%	35%	N/A	5 years
Kitsap County Investment Pool	100%	None	N/A	5 years
State Local Government Investment Pool	100%	None	N/A	5 years
Municipal Bonds	25%	5%	A- / Aa3	5 years
Corporate Notes	25%	3%	A- / Aa3	5 years
Commercial Paper			A1+ / P1, Long Term AA-, Aa3, F1+ Long term AA-	270 days
Certificates of Deposit	10%	5%	Deposits in PDPC approved Banks	5 years
Bank Time Deposits/Savings	50%	None	Deposits in PDPC approved Banks	N/A
Banker's Acceptance	5%	5%	N/A	180 days
Supranational Agency Notes	5%	5%	AA- / Aa3	5 years

9.2 Investment Maturity:

9.2.1 Liquidity Funds – Tier 1

Liquidity funds will be defined as those funds that are in the Kitsap County Investment Pool (KCIP), State LGIP pool, bank deposits, bank certificates of deposits or money market instruments and will be available for immediate use.

9.2.2 Investment Funds – Tier 2

Investment funds will be defined as the funds in excess of liquidity requirements and invested in authorized investments. The investments in this portion of the portfolio will have maturities out to 5 Years and will be only invested in higher quality and liquid (marketable) securities.

Total Portfolio Maturity Constraints:

Maturity Constraints	Minimum % of Total Portfolio
Under 30 days	10%
Under 1 year	25%
Under 5.5 years	100%
Maturity Constraints	Maximum of Total Portfolio in Years
Weighted Average Maturity	2 years
Duration of Corporate Note Portfolio	3 years
Security Structure Constraint	Maximum % of Total Portfolio
Callable Agency Securities	25%

9.3 Prohibited Investments:

9.3.1 The City shall not lend securities nor directly participate in a securities lending or reverse repurchase program.

9.3.2 The City shall not invest in mortgage-backed securities.

10.0 REPORTING REQUIREMENTS

10.1 Reporting:

The City’s Finance Director will retain fund reporting that will be available to provide the Finance Committee with comprehensive investment reports. The reports also will be available upon request. Securities holdings, cash balances, and market values in the investment portfolio will be provided to the Mayor and City Council on a quarterly basis at a minimum.

Specific Requirements:

- Book Yield
- Holdings Report including mark to market and security description
- Transactions Report
- Weighted Average Maturity or Duration

10.2 Performance Standards:

The portfolio shall be managed to obtain a fair rate of return and earnings rate that incorporates the primary objectives of protecting the City’s capital and assuring adequate liquidity to meet cash flow needs.

For purposes of this policy, “earnings rate” will be the composite rate of both the Liquidity and Core funds and be compared to the LGIP rate. The goal is for the total portfolio, to generally perform better than the LGIP due to the longer weighted average maturity and the earnings rate is expected to trend in a similar manner as interest rates change.

The investment portfolio performance may be tracked against a market index such as the US Treasury 0-3 year index or US treasury 0-5 year index on a total return basis. This will provide for accountability of price changes in the portfolio and help inform the strategy related to the duration of the portfolio.

11.0 INVESTMENT POLICY ADOPTION

The City’s Finance Committee shall submit any proposed revisions to the City’s investment policies, which the committee shall find advisable for adoption by the City Council by resolution.

12.0 GLOSSARY OF TERMS

Agency Securities: Government sponsored enterprises of the US Government.

Bankers Acceptances: A time draft accepted (endorsed) by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer. BAs are short-term non-interest-bearing notes sold at a discount and redeemed by the accepting bank at maturity for full face value.

Bond: An interest-bearing security issued by a corporation, government, governmental agency, or other body. It is a form of debt with an interest rate, maturity, and face value, and specific assets sometimes secure it. Most bonds have a maturity of greater than one year and generally pay interest semiannually. See Debenture.

Broker: An intermediary who brings buyers and sellers together and handles their orders, generally charging a commission for this service. In contrast to a principal or a dealer, the broker does not own or take a position in securities.

Collateral: Securities or other property that a borrower pledges as security for the repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

Commercial Paper: Short-term, unsecured, negotiable promissory notes issued by corporations.

Current Maturity: The amount of time left until an obligation matures. For example, a one-year bill issued nine months ago has a current maturity of three months.

CUSIP: A CUSIP number identifies securities. CUSIP stands for Committee on Uniform Security Identification Procedures, which was established under the auspices of the American Bankers Association to develop a uniform method of identifying municipal, U.S. government, and corporate securities.

Dealer: An individual or firm that ordinarily acts as a principal in security transactions. Typically, dealers buy for their own account and sell to a customer from their inventory. The dealer's profit is determined by the difference between the price paid and the price received.

Debenture: Unsecured debt backed only by the integrity of the borrower, not by collateral, and documented by an agreement called an indenture.

Delivery: Either of two methods of delivering securities: delivery vs. payment and delivery vs. receipt (also called "free"). Delivery vs. payment is delivery of securities with an exchange of money for the securities.

Duration: A measure used to calculate the price sensitivity of a bond or portfolio of bonds to changes in interest rates. This equals the sum of the present value of future cash flows.

Full Faith and Credit: Indicator that the unconditional guarantee of the United States government backs the repayment of a debt.

General Obligation Bonds (GOs): Bonds secured by the pledge of the municipal issuer's full faith and credit, which usually includes unlimited taxing power.

Government Bonds: Securities issued by the federal government; they are obligations of the U.S. Treasury; also known as "government securities."

Interest: Compensation paid or to be paid for the use of money. The rate of interest is generally expressed as an annual percentage.

Investment Funds: Core funds are defined as operating fund balance, which exceeds the City's daily liquidity needs. Core funds are invested out the yield curve to diversify maturity structure in the overall portfolio. Having longer term investments in a portfolio will stabilize the overall portfolio interest earnings over interest rate cycles.

Investment Securities: Securities purchased for an investment portfolio, as opposed to those purchased for resale to customers.

Liquidity: The ease at which a security can be bought or sold (converted to cash) in the market. A large number of buyers and sellers and a high volume of trading activity are important components of liquidity.

Liquidity Component: A percentage of the total portfolio that is dedicated to providing liquidity needs for the District.

Mark to Market: Adjustment of an account or portfolio to reflect actual market price rather than book price, purchase price or some other valuation.

Municipals: Securities, usually bonds, issued by a state, its agencies, by cities or other municipal entities. The interest on "munis" is usually exempt from federal income taxes and state and local income taxes in the state of issuance. Municipal securities may or may not be backed by the issuing agency's taxation powers.

Par Value: The value of a security expressed as a specific dollar amount marked on the face of the security or the amount of money due at maturity. Par value should not be confused with market value.

Portfolio: A collection of securities held by an individual or institution.

Prudent Person Rule: A long-standing common-law rule that requires a trustee who is investing for another to behave in the same way as a prudent individual of reasonable discretion and intelligence who is seeking a reasonable income and preservation of capital.

Quotation or Quote: A bid to buy or the lowest offer to sell a security in any market at a particular time. See Bid and Ask.

Repurchase Agreement: Range in maturity from overnight to fixed time to open end. Repos involve a simultaneous sale of securities by a bank or government securities dealer to an investor with an agreement for the bank or government securities dealer to repurchase the securities at a fixed date at a specified rate of interest.

TLGP -Temporary Liquidity Guarantee Program: Program created by the FDIC, in 2008, to strengthen the confidence and encourage liquidity in the banking system by guaranteeing newly issued senior unsecured debt of banks, thrifts and certain holding companies, and by providing full FDIC coverage of no-interest bearing deposit transaction accounts, regardless of dollar amount.

Treasury Bill (T-Bill): An obligation of the U.S. government with a maturity of one year or less. T-bills bear no interest but are sold at a discount.

Treasury Bonds and Notes: Obligations of the U.S. government that bear interest. Notes have maturities of one to ten years; bonds have longer maturities.

Yield: The annual rate of return on an investment, expressed as a percentage of the investment. Income yield is obtained by dividing the current dollar income by the current market price for the security. Net yield, or yield to maturity, is the current income yield minus any premium above par or plus any discount from par in the purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

Yield to Maturity: The average annual yield on a security, assuming it is held to maturity; equals to the rate at which all principal and interest payments would be discounted to produce a present value equal to the purchase price of the bond.



Agenda Staff Report

Agenda Item No.: Discussion Item 8A

Meeting Date: June 25, 2024

Subject: Discussion on a Possible City Council
Protocol Manual

Prepared By: Charlotte Archer
City Attorney

Summary: The City Council is authorized by statute to determine its own rules of conduct and to establish formal rules for the conduct of council meetings, provided those rules are consistent with state law. RCW 35A.12.120. The conduct of the City Council’s meetings is governed by the Washington Open Public Meetings Act (OPMA), Chapter 42.30 RCW, as well as the City Council’s current adopted rules of procedure, codified at Chapter 2.04 of the Port Orchard Municipal Code. At times, the Council has also adopted by Resolution specific guidance for certain topics, such as public commenting at its meetings. Further, the City Council’s conduct is subject to statutory restrictions, including Chapter 42.23 RCW, the Code of Ethics for Municipal Officers. The City Council has adopted Robert’s Rules to provide parliamentary procedures for its meetings.

Many city councils in Washington have adopted formal rules of procedure to govern the conduct of their meetings to increase meeting efficiency and effectiveness and to manage or reduce conflict. Additionally, those rules of procedure can provide clarity for administrative tasks that councilmembers undertake, such as placing an item on an agenda or responding to public records requests. Similarly, some cities have utilized these rules to address issues that arise because many of the above-mentioned laws contain undefined terms that can result in confusion, such as whether the acceptance of a promotional gift item is merely “de minimis” or violative of the statutory code of ethics. Although the statutes identify prohibited conduct, there are no procedures for a legislative body to enforce or otherwise evaluate concerns regarding prohibited conduct, and many cities have adopted rules to provide more specific guidance in a local code of ethics.

The City Council recently audited its own procedures for meetings and identified recommended modifications. This discussion is to introduce examples of broad protocol manuals utilized by other agencies to gauge interest in moving forward with a similar tool for Port Orchard.

Recommendation: Staff takes no position as this is a City Council-led endeavor.

Relationship to Comprehensive Plan: N/A

Has this item been presented to Committee/Work Study? If so, which one: N/A

Motion for consideration: Discussion only.

Fiscal Impact: None anticipated.

Alternatives: Do not move forward or provide alternative guidance.

Attachments: Sample Protocol Manuals

RESOLUTION NO. 2024-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, AMENDING SECTIONS 4.02, 5.01 AND 6.01 OF THE CITY COUNCIL RULES OF PROCEDURE REGARDING ADOPTION OF AN ANNUAL MEETING RESOLUTION.

WHEREAS, RCW 42.30.070 provides that the time for holding regular meetings of the City’s governing bodies shall be specified “by ordinance, resolution, bylaws, or whatever other rule is required for the conduct of business by that body”; and

WHEREAS, the City Council’s regular meeting and Committee of the Whole meeting dates and times are established in the Issaquah Municipal Code and referenced in the City Council Rules of Procedure; and

WHEREAS, the City Council’s regular standing committee meeting dates and times are established in the City Council Rules of Procedure; and

WHEREAS, the City Council anticipates adoption of a religious and cultural holiday calendar that will impact some of the City’s regular City Council and Committee meeting dates; and

WHEREAS, certain other events and legal holidays impact the City’s regular City Council and Committee meeting dates; and

WHEREAS, the City Council also desires to establish certain additional meeting dates on which to hold City Council retreats and budget deliberations; and

WHEREAS, the City Council wishes to adopt an annual meeting calendar by resolution to establish dates and times for City Council and Committee meetings that takes into

consideration cultural and religious holidays, legal holidays and other events in order to provide predictability and assist with advance planning and scheduling of City business; and

WHEREAS, this necessitates amending the City Council Rules of Procedure to provide for adoption of an annual meeting resolution; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Amended. The City Council hereby adopts the amended “Rules of Procedure” provided in Exhibit A, which is attached hereto and incorporated by this reference as if set forth in full.

Section 2. Conflict. In the event of a conflict between any provision of these Rules of Procedure and any other prior Council policy or procedure, the provisions of these Rules of Procedure shall control.

Section 3. Severability. If any sentence, clause or provision of these rules irreconcilably conflicts with an applicable provision of state or federal law or is otherwise invalidated by a court of competent jurisdiction, the offending sentence, clause or provision of these rules shall be severable from the remainder.

Section 4. Effective Date. This resolution shall take effect thirty days after passage.

PASSED by the City Council this 2nd day of January, 2024.

DocuSigned by:

9AA4F64C7B684B0...
LINDSEY WALSH, COUNCIL PRESIDENT

APPROVED by the Mayor this 2nd day of January, 2024.

DocuSigned by:

CEFF9F862CD7468...
MARY LOU PAULY, MAYOR

ATTEST:

DocuSigned by:

FE989FA7135144C...
TISHA GIESER, CITY CLERK

APPROVED AS TO FORM:

DocuSigned by:

5E52C0D472DB484...
RACHEL BENDER TURPIN, CITY ATTORNEY

RESOLUTION NO: 2024-02
AGENDA BILL NO: AB 8663

Exhibits:

A. City Council Rules of Procedure



CITY OF
ISSAQUAH
WASHINGTON

City Council Rules of Procedure

Approved by Resolution No. 2019-10

Amended by Resolution Nos. 2020-12, 2020-13, 2021-12, 2022-08, 2023-01, 2023-04, 2023-09, 2023-17

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Section 1. Purpose

1.01 Authority.

These Rules of Procedure together with Chapter 2.04 and 2.06 of the Issaquah Municipal Code (IMC) and applicable provisions of the Revised Code of Washington (RCW) constitute the official Rules of Procedure for the Issaquah City Council. Robert's Rules of Order shall govern the deliberations of the City Council except when in conflict with any of the rules set out in the Issaquah Municipal Code or these Rules of Procedure.

1.02 Effect.

These Rules shall be in effect upon adoption by the City Council and until such time as they are amended or new rules are adopted in the manner provided by these Rules.

Section 2. Council Organization

2.01 Swearing-In.

As provided for in Revised Code of Washington (RCW) 29A.60.280, 35A.12.040 and IMC 2.12.010, Councilmembers shall take an oath of office upon commencement of their term of office. The oath will be recorded with King County. Councilmembers may be given the oath by a municipal judge, Mayor or the City Clerk. The oath will include the wording provided in RCW 29A.04.133.

2.02 Election of Council President and Deputy Council President.

A. Timing.

Per IMC 2.06.070, the election of Council President and Deputy President is to take place at the first Regular meeting of each calendar year.

B. Process.

The nomination and election process will proceed as follows:

1. The Mayor calls for nominations for Council President.
2. When there are no further nominations, the Mayor announces that nominations are closed.
3. The nominees are then voted on in the order the nominations were made. The vote is taken by voice and show of hands.
4. The process continues until a nominee receives a majority of the votes. This method requires that a Councilmember wishing to vote for a candidate appearing later in the list of nominees withhold their vote from early nominees in order to reserve their vote for their favored nominee.

5. The first nominee receiving a majority vote is declared the new Council President. If there is a tie vote, the Mayor may choose whether or not to break the tie. If the Council fails to select an appointee from the nominees presented, the Council may:
 - a. Make a motion to revote on the nominees.
 - b. Make a motion to reopen the nominations and add to the initial slate. Once nominated, no candidate is removed from consideration unless they withdraw.
 - c. Make a motion to postpone the vote on nominees.
 - d. Solicit additional information from the nominees.
 - e. Make any other allowable motion under Robert's Rules of Order.

C. Deputy Council President.

The above procedure is then repeated for electing the Deputy Council President.

2.03 Council Vacancy.

A. Authority.

Per RCW 42.12.070, the remaining members of the Council are vested with the responsibility for appointing a qualified person to fill a vacant Council position within 90 days of the vacancy.

B. Schedule.

Upon receiving a notice of resignation, the City Clerk will prepare an interview and appointment schedule for filling the Council vacancy and provide it to the City Council for feedback and approval at an upcoming Council meeting.

C. Notice.

The City Clerk will then distribute and publish notice of the vacancy. The application will be made available on the City's website.

D. Applicants.

The names of the applicants received by the deadline date and time and who have met the minimum qualifications will be circulated to Councilmembers. Applications will be provided in the agenda packet of the Council meeting at which applicant presentations will be made.

E. Presentations.

Applicant presentations will be made at a Regular or Special Council meeting. Each applicant will be allocated ten-minutes to provide a verbal presentation to City Council. The order of the presentations will be determined by a random drawing by the City Clerk's Office.

F. Executive Session.

Upon completion of the presentations, the City Council may convene into executive session to evaluate the qualifications of the applicants. Nominations, voting and selection of an applicant to fill the vacancy will be conducted during an open public meeting.

G. Appointment Process.

At the determined Council meeting in open session, the nomination and election process will proceed as follows:

1. The Mayor calls for nominations.
2. When there are no further nominations, the Mayor announces that nominations are closed.
3. The nominees are then voted on in the order the nominations were made. The vote is taken by voice and show of hands.
4. The process continues until a nominee receives a majority of the votes. This method requires that a Councilmember wishing to vote for a candidate appearing later in the list of nominees withhold their vote from early nominees in order to reserve their vote for their favored nominee.
5. The first nominee receiving a majority vote is declared the new Councilmember. If there is a tie vote, the Mayor may choose whether or not to break the tie. If the Council fails to select an appointee from the nominees presented, the Council may:
 - a. Recess into Executive Session to discuss the qualifications of the applicants.
 - b. Make a motion to revote on the nominees.
 - c. Make a motion to reopen the nominations and add to the initial slate. Once nominated, no candidate is removed from consideration unless they withdraw.
 - d. Make a motion to postpone the vote on nominees.
 - e. Solicit additional information from the applicants/nominees.
 - f. Make any other allowable motion under Robert's Rules of Order.

H. Swearing-In

The new Councilmember will be sworn into office immediately after appointment or as soon thereafter as feasible. The Councilmember shall serve the term as provided in Chapter 29A.24 RCW.

2.04 Appointments.

A. Standing Committees.

The appointments to the standing committees of the City Council will be made annually by the Council President. The committees will consist of three Councilmembers each. The Council President will appoint one of the three members as a Chair. The Council President and Deputy Council President may not serve as committee chairs. Committee chairs may only serve on one standing committee at a time. Those Councilmembers who are not in a leadership position and are not committee chairs will serve on two committees. An exception to this policy may be approved by a majority vote of the City Council.

B. Regional Boards.

In order to best represent the interests of the City, as is described typically in the adopted Regional Agenda, Councilmembers are encouraged to participate in local, regional, state and national committees, agencies and organizations.

There are generally two types of Council representation:

1. Dedicated Seats are defined as seats on a board that is specifically reserved for an elected official of the Issaquah City Council. (Examples: Cascade Water Alliance Board, Eastside Fire & Rescue Board, Eastside Transportation Partnership, Lodging Tax Advisory Committee and Water Resource Inventory Area 8 (WRIA8) Salmon Recovery Council).
2. Optional Seats are defined as seats on regional boards to which the City may nominate or recommend an elected official to serve in, but whose appointment is ultimately made by the Sound Cities Association or other regional entity. (Examples: Eastside Human Services Forum, Puget Sound Regional Council Boards/Committees, various King County Boards/Committees and Sound Cities Association Boards/Committees.)

C. Survey.

Following the election of the Council President, the City Clerk's Office shall survey Councilmembers to determine their interest in serving on the standing committees of the City Council and regional boards, commissions and committees. The results will be shared with the Council President.

Councilmembers may also be asked to express interest in serving in these positions at other times throughout the year to accommodate vacancies or appointment deadlines

that do not align with the calendar year such as the Sound Cities Association appointments.

D. Appointment Authority for Dedicated and Optional Seats.

The Mayor has the opportunity to serve on seats that are dedicated to any elected official of the City and not specifically to a City Councilmember. Appointment to any remaining dedicated seats shall be made by the Council President. The Council President will make all efforts to accommodate the Councilmember preferences indicated in the survey when making the appointments.

Appointments to optional seats shall be made by the Mayor in coordination with the Council President. The Mayor's office will notify Councilmembers of upcoming application deadlines to fill seats on vacant positions. Councilmembers desiring to serve in one of these seats shall submit a notice of interest to the Mayor and Council President. All efforts shall be made to accommodate the Councilmember preferences. The Mayor and Council President shall review and discuss all applications and appointments in order to share their perspectives on how the City's interests can be best served.

E. Notification.

The Council President shall communicate their appointments to the City Council, Mayor, City Administrator and the City Clerk. The City Clerk will include the appointments in the agenda packet of the next Regular Council meeting. The Council President will announce the appointments under Committee/Regional Reports or Good of the Order at a Regular Council meeting.

The Executive Office will transmit all decisions (applications, nominations or appointments) to the appropriate entity.

F. Mid-Year Vacancy.

If a vacancy should occur during the year, the appointment opportunity shall be communicated to the City Council. Councilmembers interested in filling the vacant standing committee seats, dedicated seats and optional regional appointment position(s) shall notify the respective appointing authority of their interest by the stated deadline. The appointments shall be made as provided in Section 2.04(A)-(D) of these Rules.

Section 3. Council Protocols

3.01 Attendance.

A. Expectation.

Councilmembers shall attend all Regular and Special council meetings, Committee of the Whole meetings, standing committee meetings, and any ad hoc committees of which they are a member.

B. Excused Absences.

Councilmembers shall relay any scheduled travel or periods of absence to the Council President and City Clerk by email well in advance—at a minimum, five days—of known attendance conflicts. An exception to the advance notification will be made for emergency situations or unexpected situations that prevent attendance. When this notification is provided, the Councilmember shall be granted an excused absence from any meetings that occur during that timeframe.

Councilmembers shall also inform the presiding officer if they will knowingly be late to any meetings.

Any excused absences shall be announced by the presiding officer at the beginning of the meeting and noted in the minutes. Any absences that are not excused in advance will be noted as unexcused in the minutes.

C. Lack of Attendance.

Per RCW 35A.12.060, if a Councilmember has more than three consecutive unexcused absences from Regular Council meetings, their seat shall become vacant. In addition, excessive, continued or prolonged excused absences or tardiness may be addressed by the City Council on a case by case basis.

D. Absence - Mayor.

When the Mayor has a known absence extending over a Regular or Special Council meeting, a notification will be sent in advance of the meeting to the City Council notifying them that the Council President will serve as Mayor pro tem.

3.02 Participation.

A. Quorum.

A quorum of the full City Council consists of four Councilmembers. A quorum is required to convene and conduct business at any City Council or Committee of the Whole meeting.

B. Possible Quorum.

If a quorum of the Council is anticipated at a community or regional event or meeting, the City Clerk will evaluate the meeting/event circumstances to determine if Special meeting

noticing is needed to ensure compliance with the Open Public Meetings Act (OPMA). In the spirit of OPMA, Council shall make all efforts to follow the below protocol:

1. For events not related to City business: Four or more Councilmembers may attend, but may not aggregate in groups nor discuss City business.
2. For events related to City business where a Special meeting notice has not been issued, three Councilmembers may attend. A fourth arriving member will need to leave.
3. For events related to City business where a Special meeting has been noticed, four or more Councilmembers may attend.

3.03 Council Leadership Roles & Responsibilities.

A. Council President.

The Council President shall provide leadership to the Council by exercising the following duties:

1. Serve as the Mayor pro tem in the absence of the Mayor.
2. Approve agendas for Regular and Special Council meetings in coordination with the Mayor (IMC 2.06.090).
3. Serve as Chair of the Committee of the Whole meetings.
4. Make appointments to standing committees and dedicated seats as described in Section 2.04 of these Rules.
5. Coordinate with the Mayor and applying Councilmembers to facilitate the application process for optional seats on regional boards and commissions.
6. Set the accounts payables and payroll review schedule.
7. Sign certain official documents, such as minutes and resolutions.
8. Respond to correspondence to the City Council on behalf of the Council.
9. When needed, be the liaison between the Mayor and City Council to relay issues and concerns.
10. Review and decide on contested committee referrals as requested.
11. Provide input in the planning and coordination efforts for Council retreats/planning sessions.
12. Approve or disapprove of the remote attendance of City Councilmembers in certain circumstances as described in Section 3.10 of these Rules.
13. Represent the City Council at events or designate another Councilmember to do so.

B. Deputy Council President.

The Deputy Council President shall:

1. Serve as the Mayor pro tem in the absence of the Mayor and Council President.
2. Fill the duties of the Council President in their absence.

3.04 Councilmember Training.

A. Orientation.

The City Administration shall work to schedule orientations with each of the City's department directors upon appointment/election within 30 days.

B. Open Government Training.

Councilmembers shall receive the training required by the State of Washington on the fundamentals of the Open Public Meetings Act (OPMA), Public Records Act (PRA), and records retention requirements per RCW 42.56.150. The training may be provided by the City Clerk, Washington Cities Insurance Authority (WCIA), Association of Washington Cities (AWC), or any other appropriate entity.

C. General Training.

Councilmembers are also expected to review the AWC Mayor and Councilmember Handbook (see Appendix A) and participate in training on the role of a City Councilmember, such as that offered by the AWC.

3.05 Open Public Meetings Act.

Communication shared among four or more Councilmembers, either concurrently or serially, must be restricted to providing information. Responses to such communication should be limited to ensure that Council business is conducted only at its scheduled meetings. Discussion of City business by a majority of the Council must be conducted in an open meeting. Use of any electronic communication (email, text, social media, etc.) to form a collective decision of the Council is inappropriate and violates the Open Public Meetings Act, RCW 42.56 (see also Appendix B and C).

3.06 Leadership Meetings.

Weekly meetings will be held between the Mayor, City Administrator, Council President and Deputy Council President.

The purpose of the meetings is to:

- Review placement and timing of upcoming meeting agenda items and items on the Council planning calendar
- Share pertinent informational updates

These meetings are not subject to the Open Public Meetings Act as less than a quorum of the Council is in attendance.

3.07 Council Representation.

A. Guidelines.

When meeting with, speaking to, or appearing before a community group or another governmental agency or representative, Councilmembers shall:

1. State the official City position, when a position has been taken, on an issue when representing the City or attending meetings in an official capacity as a Councilmember. Councilmembers will consult with the City Administration, if needed, to ensure they are informed on the City's position on any topics that are anticipated to be addressed.
2. Clearly state whether their comments reflect the official stance of the City Council or their individual position.
3. Consult with the City Attorney or City Administration regarding any topics that relate to City liability or current litigation so that they have a clear understanding of what may be said prior to discussing.

B. Regional Boards.

Councilmembers participating in policy discussions at regional meetings will represent the consensus of the Council, when known, except where regional appointments require regional opinions. Personal positions, when given, will be identified and not represented as the position of the City. If a Councilmember desires to convey the position of the Council on a regional issue, they may solicit feedback under Committee/Regional Reports or Good of the Order at a Regular Council meeting. Information on the issue shall be provided to the Council in advance, when feasible, in order for Councilmembers to make an informed decision.

C. Media Alert.

Councilmembers shall send an email to the Council and City Administration (using the citycouncil@issaquahwa.gov email address) as soon as possible after they have spoken with the media on a City issue.

3.08 Correspondence.

A. Incoming Correspondence.

The following process shall be used for incoming correspondence:

1. E-mail: Messages to citycouncil@issaquahwa.gov or the City Council distribution list are automatically sent to each Councilmember and City Administration including the Mayor's Office and Communications team.
2. Physical mail: All physical correspondence, unless marked "personal" on the outside envelope, will be opened, date stamped and scanned and e-mailed to the City Council distribution list, or, if addressed to a specific Councilmember only, that Councilmember(s). The original is filed with the City Clerk's Office.

Any correspondence dealing with City business that is mailed or e-mailed to a Councilmember at a personal address shall be provided to the City Clerk's Office for normal processing, distribution and filing as noted above.

B. Response Process.

The Council President will respond to correspondence addressed to the full Council and "cc" citycouncil@issaquahwa.gov. The message will include a statement that indicates individual Councilmembers may also respond. If staff time or resources are needed to draft a response, the Council President may request assistance from the Mayor's Office.

For correspondence that includes the Mayor, a separate response will also be provided by the Mayor's Office.

For correspondence sent to a specific Councilmember, a response will be sent by that Councilmember.

C. Response Content.

In providing a response, Councilmembers shall:

1. Clearly state whether their statements reflect the official stance of the City Council or their individual position;
2. State the official City Council position on an issue if responding on behalf of the City Council;
3. Consult with the City Attorney or City Administration on any topics that relate to City liability or current litigation so that they have a clear understanding of what may be communicated prior to responding.

D. Quasi-Judicial Hearing Matters.

Councilmembers shall attempt to not read or reply to any correspondence received on a quasi-judicial matter.

Such correspondence shall be forwarded to the City Clerk or staff lead on the matter, who will provide a reply explaining that Councilmembers are unable to receive information on items that relate to a current or upcoming quasi-judicial decision outside of a public hearing on that matter.

The correspondence will be reviewed by the staff lead who will exclude information that is not contained in the record before submittal to Council.

If Councilmembers inadvertently read correspondence received outside of a public hearing on a quasi-judicial matter, they shall disclose the communication under the Appearance of Fairness Disclosure. Disclosure shall be made at the outset of the City Council taking up the matter on its agenda.

E. Exceptions.

This policy does not pertain to “junk” mail, invitations, meeting notices, newsletters, or materials from outside agencies that do not pertain to City business.

3.09 Council/Staff Interactions.

A. Guidelines.

The following shall guide interactions between Councilmembers and City staff:

1. There will be mutual courtesy and respect from both City staff and Councilmembers toward each other and of their respective roles and responsibilities.
2. City staff will acknowledge the Council as policy makers. Councilmembers will acknowledge City staff as subject matter experts who provide consultation to the Council and administer policies set by the Council.
3. Councilmembers shall not interfere with the operating rules or practices of any department other than by legislative action. Any personnel concerns shall be communicated to the City Administrator.
4. All Councilmember requests for information or staff action shall include or be directed through the Mayor or City Administrator.
5. Councilmembers seeking advice or an opinion from the City Attorney shall first discuss the request with the Mayor or City Administrator to ensure there is sharing of pertinent information and efforts are not duplicated. This is not intended to restrict Councilmembers from seeking legal advice directly from the City Attorney, particularly in cases related to conflicts of interest or appearance of fairness disclosures.
6. No individual Councilmember shall direct City staff.
7. Councilmembers shall not attempt to coerce or influence staff to engage in any act that is in conflict with, or creates an appearance of conflict with, the performance of official duties as cited in the City’s Code of Ethics (see Appendix D).

B. No Surprise Rule.

Councilmembers should use best efforts to:

- Contact the Mayor or City Administrator to advise of emerging issues.
- Provide staff advance notice of any questions or concerns they may have on agenda items prior to a public meeting, if possible, to allow for staff preparation. Staff responses to such requests will be provided to the full Council.
- Provide staff and City Council advance notice if planning to propose substantial amendments or revisions to any agenda item.

3.10 Virtual (Remote) Attendance.

A. Circumstances.

Individual Councilmembers may participate virtually in a Council meeting, Committee of the Whole meeting or committee meeting that have a virtual attendance option under limited circumstances, such as a medical issue, illness or quarantine, or travel on City business. If a member is unable to give their full attention to the meeting, they should request an excused absence. Virtual attendance in these circumstances does not require approval; however, the Councilmember must provide as much advance notice as possible to the Council President, the relevant Committee Chair if the virtual attendance will occur at a committee meeting, and City Clerk.

Councilmembers wishing to attend a meeting virtually for reasons other than those listed above must request permission from the Council President at least 48 hours in advance of the meeting. Virtual attendance granted for reasons other than those listed above (medical issue, illness or quarantine, or travel on City business) may not exceed a total of four meetings per year. A response to the Councilmember's request will be given in writing and provided to the City Clerk.

An exception to this policy will be made for an entirely virtual meeting held under certain circumstances as set forth in RCW 42.30.070.

B. Role.

Virtual participation will be considered attendance at the meeting and shall be counted toward determination of a quorum. Councilmembers attending virtually shall participate and vote during the meeting.

C. Equipment Requirements.

Virtual participation must occur using a City-approved virtual meeting platform.

At a minimum, Councilmembers must be able to be audible to all present and have access to any visual presentations being provided during the meeting. However, audio and video participation is recommended.

D. Presiding Officer.

The Mayor, Council President or Committee Chair may attend a meeting virtually but shall pass the presiding officer role to another Councilmember who is physically present at the meeting, except when an entirely virtual meeting is held as allowed under certain circumstances as set forth in RCW 42.30.070.

E. Meeting Requirements & Procedures.

During any meeting that a Councilmember is attending virtually, the presiding officer or staff shall:

- Confirm that the Councilmember is audible to all attendees, that the Councilmember can adequately hear all other attendees, and that the Councilmember has access to any visual presentations.
- State for the record that the Councilmember is attending virtually and the reasons for such attendance. The Councilmember's virtual participation will be noted in the minutes.

If an interruption to a Councilmember's audio or video connection occurs:

- If their attendance is required to maintain a quorum, the meeting will be recessed until their connection can be restored.
- If their attendance is NOT required to maintain a quorum, the meeting will proceed. They will be considered to have an excused absence for the remainder of the meeting.

Councilmembers participating virtually shall comply with all rules and procedures as if they were physically present at the meeting to the extent possible. In addition, the City Clerk's office will provide Councilmembers attending virtually any specific virtual meeting procedures to be followed.

Section 4. Council Meetings

4.01 General Meeting Guidelines.

All Council meetings shall comply with the requirements of the Open Public Meetings Act (RCW 42.30).

4.02 Meeting Types.

A. Regular Meetings.

Per IMC 2.06.020, the City Council will adopt an annual resolution setting forth the dates and times of regular meetings for the following year. In the absence of such an annual meeting resolution, the City Council shall hold Regular Council meetings at 7:00 p.m. on the first and third Mondays of each month in the Council Chambers of City Hall South, 135 E. Sunset Way. Regular meetings will also include a virtual attendance option using a virtual meeting software.

These Regular meetings will be the business meetings of the Council where formal Council action may be taken in the form of motions or the adoption of ordinances and resolutions.

If a Regular Council meeting falls on a legal or cultural or religious holiday on which the City Council has determined public meetings will not be held, the meeting will be held on the first business day following the holiday or another date as specified in the annual meeting resolution or as otherwise determined by a majority of the City Council.

To allow for a summer and winter break, the City Council shall not hold a Regular meeting on the third Monday in the months of August or December, but may schedule a Special meeting, if needed.

B. Special Meetings.

Any meeting scheduled outside of the regular date, time or location of a Regular Council meeting is considered a Special meeting. The provisions for calling and noticing Special meetings are provided in IMC 2.06.030 and RCW 42.30.080. Special meetings may be called for a variety of reasons, such as to conduct business between Regular meetings, devote time to a specific topic or issue, or to plan for the upcoming year. The Council may conduct business at Special Council meetings, including formal Council action in the form of motions or the adoption of ordinances and resolutions, when that business is included in the meeting notice and agenda per RCW 42.30.080. Special meetings may include a virtual attendance option. If a virtual attendance option is offered, it will be noted on the meeting agenda.

C. Community Listening Sessions.

The City Council will hold community listening sessions. The purpose of these meetings will be to provide a forum to hear from the community on a variety of topics. The community listening sessions will be held at various locations throughout the City. The frequency of these meetings will be determined by the City Council annually. These sessions will include one or more agenda items of community interest. The meetings will be chaired by the Mayor and considered Special meetings of the City Council.

D. Emergency Meetings.

An emergency meeting is a Special Council meeting called without the 24-hour notice. As provided in IMC 2.06.030, an emergency meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

E. Cancellations and Adjournment (Continuation).

Any Council meeting may be cancelled by the City Council by consensus or a majority vote, or by the Mayor for reasons including, but not limited to, a lack of agenda items, adverse weather conditions or an emergency. Notice of the cancellation will be provided by the City Clerk. In the event of a lack of quorum, adverse weather conditions or any other prohibition to conducting a scheduled Council meeting as planned, the City

Administration will attempt to determine an alternate meeting date and time in coordination with Council Leadership. The City Clerk may then adjourn (continue) the agenda of the meeting to the established date and time. The date, time and location of the adjourned meeting shall be posted on the door of the meeting room and on the City's website as soon as is possible.

4.03 Presiding Officer.

A. Defined.

Per IMC 2.06.060, the Mayor shall be the presiding officer of all Regular and Special Council meetings. In the absence of the Mayor, the Council President shall serve as presiding officer. In the absence of the Mayor and Council President, the Deputy Council President shall serve as presiding officer.

B. Duties.

The presiding officer shall:

1. Preserve order and decorum.
2. Observe and enforce all rules adopted by the Council.
3. Open the meetings on time and call them to order.
4. Announce in proper sequence the business on the agenda.
5. Recognize members who are entitled to the floor.
6. Facilitate public comment at the appropriate times.
7. State and put to a vote all motions that arise during the meeting.
8. Protect the Council from frivolous or delaying motions.
9. Enforce the rules regarding debate and keep order.
10. Expedite business in a way compatible with the rights of the members.
11. Make a ruling on any points of order that are raised (see Section 4.24).
12. Respond to inquiries of members, or direct others to provide a response, related to parliamentary procedure or certain factual information on current business before the Council (point of information).
13. Declare the meeting adjourned.
14. Carry out any other duties as provided under Robert's Rules of Order.

4.04 Agenda Preparation.

A. Agenda Items.

An item may be placed on a Council meeting agenda by the Mayor, City Administrator or by Councilmembers using the methods identified in Section 4.14.

B. Preparation.

The City Clerk shall prepare a draft agenda for each Council meeting specifying the time and place of the meeting and setting the title and any proposed Council action for each item on the agenda.

Per IMC 2.06.090, the Mayor and/or Council President shall approve the placement (timing and order) of items on the draft agenda.

Following approval, a final agenda will be prepared by the City Clerk, distributed to Councilmembers and made publicly available. This will serve as the official agenda of the meeting.

4.05 Order of Business.

Per IMC 2.06.110, the order of business shall be as follows:

- A. Call to order
- B. Pledge of Allegiance
- C. Special business*
- D. Audience comments
- E. Consent calendar
- F. Public hearings*
- G. Regular business
- H. New business*
- I. Committee/regional reports
- J. Mayor's report
- K. Informational updates*
- L. Good of the order
- M. Executive session

* Listed on the agenda only when needed.

Per IMC 2.06.110, the Mayor may move items up in the order of business. The agenda may be amended by a majority vote of the City Council.

4.06 Call to Order.

The presiding officer will call the meeting to order and indicate any Councilmember who has an excused absence. The presiding officer will then lead the City Council in the Pledge of Allegiance.

4.07 Special Business.

Items include the presentation of proclamations, awards, and certificates of appreciation as well as remarks or reports by special guests.

4.08 Audience Comments.

A. When Accepted.

Public testimony shall be taken at all Regular Council meetings under the Audience Comments section of the agenda, and during any public hearing when City facilities are open to the public. The ability to make comments virtually may not be available for all Special meetings of the City Council.

B. Topic.

During Audience Comments, members of the public are invited to address the Council regarding matters that are directly related to City programs, projects, services, or events, except:

- Public hearing items
- Quasi-judicial items
- Campaign-related matters, unless on the agenda (see RCW 42.17A.555)

C. Guidelines for Public Participation.

The following guidelines shall apply to any public comment before the City Council:

1. **Protocol:** Each person addressing Council shall unmute their microphone (virtual attendees) or step to the lectern (in person attendees). Speakers are asked to provide their name and address or relationship to the City for the record. Comments are limited to 5 minutes each. The presiding officer shall have the discretion to make exceptions to the time restrictions.
2. **Conduct:** Personal attacks, obscene language, derogatory remarks or other conduct (i.e., shouting, booing, clapping, or stomping feet) that causes a disruption in the meeting will not be permitted. If a speaker is out of order, the presiding officer will direct the speaker to return to his or her seat or, for virtual attendees, may direct staff to mute their microphone. If a speaker does not comply, the presiding officer may take a recess to restore order. If a disruption to the meeting occurs and order cannot be restored, the Mayor may proceed to use one of the options provided for in RCW 42.30.050 to ensure orderly continuation of the meeting.
3. **Large Groups:** For any groups in attendance that may be intending to speak on the same topic, the presiding officer will request:
 - that the group consider identifying a spokesperson
 - that all those who would like to indicate support of a stated position raise their hand
4. **Visual Presentations:** Visual presentations must be provided in advance to the City Clerk's Office. Presentations will be accepted up to two hours prior to the start of the meeting. If a visual presentation cannot be accommodated due to timing, technical or logistical issues, the City Clerk's Office will work with the individual to ensure that the City Council receives the content of the presentation.

5. Written Comments: Any written comments or documents provided under Audience Comments shall be submitted to the City Clerk. The City Clerk will provide the documents electronically to the City Council distribution list and copy any relevant City staff. The originals will be filed with the City Clerk's Office.
6. Format: Traditionally, Council does not respond to comments made at the meeting; however, the Mayor or City Administrator may direct staff to follow up with the speaker as appropriate.
7. Availability: These guidelines for public participation shall be included in the Council meeting agendas.

4.09 Consent Calendar.

A. Purpose.

IMC 2.06.090 provides for a Consent Calendar at City Council Regular meetings. The Consent Calendar is an effective time management tool that authorizes action on multiple items by one motion. This allows Council to focus on items that are controversial, have a high level of public interest, require significant financial or policy decisions or require a public hearing and have therefore been placed elsewhere on the agenda (e.g. Special Business, Regular Business, Public Hearings).

B. Placement.

Per IMC 2.06.090, the Mayor and/or the City Council President shall approve the placement of items on the Consent Calendar.

Items will be placed on the Consent Calendar based on whether they are: an exercise of existing City policy, routine, procedural, required by a regulatory change, have limited or no policy options, have minimal or budgeted financial impact or have been reviewed by an advisory body (board, commission, ad hoc committee, etc.) or by Council at a prior meeting(s).

Examples of routine items that may be placed on the Consent Calendar include, but are not limited to:

- Approval of accounts payables & payroll
- Approval of minutes
- Capital project bid awards & acceptance
- Items setting a public hearing date & time
- Mayor's boards & commissions appointments
- Grant application submittal & acceptance
- Authorization to enter into contracts, leases and agreements
- Written informational updates

Items may also be placed on the Consent Calendar upon the recommendation of a City Council Committee.

C. Committee Reports on Consent Calendar Items.

If a City Council Committee has made a recommendation on an item being considered under the Consent Calendar and the verbal report on the item has not yet been made, the Committee Chair may choose to make the report prior to the motion to approve the Consent Calendar.

Pertinent informational announcements on Consent Calendar items may also be made by the Mayor prior to the motion to approve the Consent Calendar.

If other discussion on Consent Calendar items is desired, an individual Councilmember may remove the item from the Consent Calendar as provided in Subsection D.

D. Removal.

Any Councilmember may remove an item from the Consent Calendar for separate discussion and action. If removed, the Mayor shall have discretion to place the item at an appropriate place on the agenda for deliberation at the current Council meeting.

4.10 Accounts Payables/Payroll Review.

A. Approval.

The accounts payables and payroll reports shall be included on the Consent Calendar for approval.

B. Review Schedule.

Two councilmembers shall be designated to review the reports for each Council meeting. In January, the City Clerk's Office shall survey Councilmembers to determine their availability to serve as designated reviewers of the accounts payables for the upcoming year. The schedule will be circulated to the City Council. If circumstances prevent the designated reviewer from participating in a scheduled review, Councilmembers shall make arrangements with another Councilmember to replace them.

C. Role of Reviewers.

The role of Councilmembers in conducting their review is to understand where City funds are expended and to provide an additional layer of fraud detection and prevention. The reviewer should ask "Does it seem reasonable that the City has expended for this purpose and for this amount?"

Each transaction listed in the accounts payables report has gone through multiple layers of review. Starting with the individual staff person responsible for such payment, to supervisor, and, if appropriate, to the department director and executive office depending on dollar threshold. Each transaction is then reviewed by designated employees within the Finance Department for final authorization and issuance. In accordance with state law, the City's auditing officer, the Finance Director, then certifies the report for inclusion in the Regular Council meeting agenda packet. As part of their review, Councilmembers shall confirm the attestation of the auditing officer on the summary report.

A Councilmember may request background information or clarification from the Finance Director at any time during their review.

D. Attestation.

The Mayor shall ask the designated Councilmembers to verbally attest to their review prior to approval of the Consent Calendar at the Council meetings occurring in their review months.

E. Meeting Cancellation.

When a Regular Council meeting is cancelled, the accounts payables and payroll for that period shall be approved at the next Regular Council meeting. The designated reviewers shall be asked to attest to their review at that time.

4.11 Public Hearings.

A. Defined.

A public hearing is a formal proceeding for the City Council to receive public testimony on a specific topic. Public hearings shall be held at either a Regular or Special Council meeting.

B. Guidelines for Public Participation.

The guidelines for participation under Audience Comments (see Section 4.08(C)) also apply to public hearings, except that comments are limited to the subject of the public hearing.

C. Procedure.

The following procedures shall be used for public hearing items:

1. Introduction by presiding officer
2. Presentation by City staff
3. Public hearing:
 - a. Formally opened by presiding officer

- b. Public testimony taken
- c. Formally closed by presiding office (or continued, see Subsection D)
- 4. Council Q&A with City staff
- 5. Council motion: moved and seconded
- 6. Deliberation and call for vote

This section does not preclude Council from making any other allowable motions under Robert’s Rules of Order.

D. Continuation.

Prior to closing the public hearing, it may be continued to a specific date and time by a majority vote of the City Council.

4.12 Quasi-Judicial Decisions and Appeals.

A. Description.

Per RCW 42.36.010, quasi-judicial decisions are those that determine the legal rights, duties, or privileges of specific parties based on a hearing or other contested case proceeding, such as preliminary plats, site-specific rezones and appeals. Quasi-judicial decisions do not include legislative decisions adopting, revising, or amending comprehensive, community, or neighborhood plans or other planning documents, or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance. Quasi-judicial decisions require a decision be made by Council using a specific process.

B. Record.

The Council’s decision on a quasi-judicial matter shall be based upon and supported by the “record” in the matter. The “record” consists of all testimony or comment presented at the public hearing before the Development Commission, Planning Policy Commission, Hearing Examiner, or City Council and all documents and exhibits that have been submitted. Quasi-judicial decisions may be either:

- 1. Open Record: An open record hearing is one in which all appropriate testimony, information, evidence, and documents may be admitted and considered in the hearing before the City Council.
- 2. Closed Record: In closed record proceedings, City Council is required to take action based on the factual record established at a prior open record public hearing and on the relevant decision criteria in the IMC. For an appeal, the decision is restricted to the facts presented in the proceedings that resulted in the appeal being filed, including any findings or minutes prepared. No new or arguments or issues may be presented.

C. Appearance of Fairness.

In quasi-judicial open record public hearings and closed record proceedings, Councilmembers shall comply with all applicable laws including the appearance of fairness doctrine (Chapter 42.36 RCW). The appearance of fairness doctrine:

1. Prohibits ex parte (outside of the hearing) communications with limited exceptions requiring disclosure on the record.
2. Prohibits a Councilmember from making a determination on the matter in advance of the hearing.
3. Requires the hearing to be fair and impartial.
4. Prohibits the participation of any Councilmember who has a conflict of interest or financial or other personal interest in the outcome of the hearing or proceedings.

A Councilmember shall consult with the City Attorney to determine whether they should recuse themselves from the quasi-judicial discussion and decision. If a member is recused on the advice of the City Attorney, they shall announce their intent under the Appearance of Fairness Disclosures and shall leave the Chamber. They will be considered absent when voting occurs.

D. Closed Record Appeal Procedures.

The following process shall be used for closed record appeal proceedings before the City Council:

1. Announcement of Project & Description of Process
2. Staff Presentation (approx. 5 min.)
The staff will present a description of the project, and a brief history of the project review, based upon the record. No opinions or issues are to be expressed or discussed at this time. Information shall be entirely factual and unbiased in order to set the state for subsequent presentation of opposing views.
3. Appellant Argument (approx. 10 min.)
The appellant will discuss the issues of the appeal and present an argument. Argument shall be made directly by the speakers without questioning from any party. Appellant may reserve rebuttal time.
4. Applicant Argument (approx. 10 min.)
Speakers representing the decision being appealed will discuss the issues of the appeal and present the reasons for positions taken that resulted in the appeal
5. Appellant Rebuttal Argument (if time reserved)
6. Questions from Council
The Council may ask any questions of the staff, appellant, or any person who has previously given testimony.
7. Closing of Argument Portion
8. Council Decision
Per IMC 1.32.020, Council may decide to:
 - a. Affirm the decision of the responsible official or group. The decision of the official group shall be affirmed unless the decision was not supported by

substantial evidence or any portion was clearly erroneous. “Substantial evidence” is evidence that would persuade a fair-minded person of the truth of the statement asserted. “Clearly erroneous” means that after reviewing all the evidence the City Council is left with the definite and firm conviction the decision was in error. The City Council shall give substantial weight to the decision of the previous decision maker.

- b. Remand to the responsible official or group, provided that remand would not result in more than one open record hearing on the matter.
- c. Reverse or modify the decision of the responsible official or group based on the record.

Written findings and conclusions will be prepared for adoption in accordance with the Council’s decision.

E. Open Record Appeal Procedures.

In the rare event an open record quasi-judicial appeal or hearing comes before the City Council, the City Attorney and staff lead shall work in coordination to establish the hearing procedures. The City Council decision options shall be the same as those under the Closed Record Appeal in subsection (D) of this section.

F. State Environmental Protection Action (SEPA) Appeal Procedures.

SEPA appeal procedures are established by RCW 43.21C.075 and IMC 18.10.270, 18.04.250, and 18.04.260. Under these regulations, a SEPA appeal must be consolidated with the open record hearing or appeal on the underlying permit. If a SEPA appeal is heard by the City Council consolidated with an appeal of the underlying permit, the procedures for the appeal of the underlying permit shall apply. The City Council shall give substantial weight to the decision of the SEPA responsible official.

4.13 Regular Business.

A. Defined.

Regular business consists of items requiring Council action or direction in the form of agenda bills or staff memos.

B. Procedure.

The following procedures shall be used for Regular Business items requiring Council action:

1. Introduction by presiding officer
2. Presentation by City staff
3. Summary of committee recommendation by Chair or designee (if item had a committee recommendation)
4. Council Q&A with City staff

5. Council motion: moved and seconded
6. Deliberation and call for vote

This section does not preclude Council from making any other allowable motions under Robert's Rules of Order.

Agenda items may be postponed to a future meeting by a majority of those present, provided the returning meeting date or time frame is included in the motion to postpone.

While motions are the preferred method for directing the Administration, there are situations when direction may be provided by consensus. This is limited to items that do not require formal Council action, and in situations when there is clear consensus (see Section 4.23(C)).

4.14 New Business Request.

A. New Business Process.

The City Council may wish to bring forward items for discussion and action outside of the established annual work plan.

There are multiple ways that an additional work plan item may be brought forward, including:

- Coordination with the Mayor or City Administrator
- Direction provided by a majority of the Council at a meeting by:
 - Amending a meeting agenda (IMC 2.06.110 and Section 4.05)
 - Providing direction under consideration of a current work plan item

As another method, one or more Councilmembers may request that the City Council consider additional work plan items under New Business using the process described in Subsections B-D.

This section is not intended to preclude any other process available under Robert's Rules of Order, the Issaquah Municipal Code, state law or these Rules of Procedure.

B. New Business Request Form.

To use the New Business process, the requesting Councilmember(s) must submit a New Business Request Form provided by the City Clerk's Office. The form will include basic information about the proposal and guiding questions for the Councilmember(s) to address.

The New Business Request Form must be submitted to the City Clerk's Office one full week in advance of the Regular Council meeting at which it is to be presented. If the form

is submitted after the deadline, the request will be considered at the next Regular Council meeting.

C. Step 1: Introduction.

When a New Business Request is submitted, the proposal will be added as an agenda item under New Business at a Regular Council meeting. This first step is considered the Introduction phase and allows the advocating Councilmember(s) to provide a verbal presentation. Following the presentation, the City Council will decide whether to pursue the proposal further.

Approval by a majority of the City Council is required to continue consideration of the item and direct the Administration to gather additional information. Upon approval, this item will be scheduled at a future Council meeting under New Business for a preliminary staff response as outlined in section D.

If majority approval is not received, the item will not proceed. Staff will not invest efforts to develop the item further.

D. Step 2: Returning Proposal.

New Business Request proposals that have received majority approval from Council will return under New Business at a Regular Council meeting. A staff memo providing a preliminary response will be provided with the item. At that time, Council will determine if there remains majority support to add the item to its' work plan and move through the Council referral and agenda bill process.

This second step may be waived for time sensitive items if approved by a majority of the City Council at the meeting at which the item is introduced. If the return under New Business is waived, the item will proceed directly from Introduction to being scheduled at a City Council meeting, Committee of the Whole meeting or committee meeting.

4.15 Committee/Regional Reports.

This is an opportunity for Councilmembers to verbally report on the following:

- **Standing Committees:** The committee chair or their designee shall report on the preceding committee meeting(s). The report should include a list of topics considered and a brief summary of the committee recommendations.
 - If the committee made a recommendation on an item being considered under the Consent Calendar and the verbal report on the item has not yet been made, the Committee Chair may choose to make the report prior to the motion to approve the Consent Calendar (see Section 4.09).
 - If the committee made a recommendation on an item being considered under Regular Business, the Committee Chair is to report on that item following the staff presentation under Regular Business.

- **Ad Hoc Committees:** A designated Councilmember may report on the status of the Ad Hoc Committee's progress on assigned tasks. Final Committee findings shall be reported as identified in Section 6.01(E) of these Rules.
- **Regional Board & Committees:** Councilmembers may provide reports and updates of activities and discussions from each of the regional boards and committees to which they are appointed. If additional discussion or consensus is required on a regional issue, the topic may be brought up under Good of the Order.

Councilmembers shall avoid duplicate reporting and make best efforts to be concise.

4.16 Mayor's Report.

The Mayor's report will be provided to the City Council in writing and will be delivered verbally at the Council meeting.

4.17 Informational Updates.

Updates will consist of informational staff presentations regarding projects, work plan items and other items of relevance that do not require Council action or direction. Written informational updates will be included on the Consent Calendar.

4.18 Good of the Order.

A. General Purpose.

The purpose of the Good of the Order is to allow the Mayor and City Council the opportunity to offer comments or observations, make announcements, or receive informal feedback.

B. Standing Committee Related Actions.

The Council President's decision on a contested committee referral is to be announced under Good of the Order at a Regular Council meeting (see Subsection 6.01(B)).

A Councilmember shall provide notice of their intent to make a motion to require a standing committee to report out an item by a certain time or make a motion to discharge the item from that committee at the preceding Regular Council meeting under Good of the Order (see Subsection 6.01(I)). The proposed motion will be placed on the next Regular Council meeting agenda.

4.19 Executive Session.

A. Defined.

An executive session is a portion of a Council meeting that is closed except to the Mayor, Council, City Administrator, City Attorney, and others authorized by the presiding officer. The public is restricted from attendance.

B. Procedure.

Executive sessions may be held during Regular or Special Council meetings and will be announced by the presiding officer. Executive sessions may be held for limited purposes as provided by state law as referenced in IMC 2.06.130. Before convening an executive session, the presiding officer shall announce:

1. Purpose of the executive session
2. Anticipated duration of the executive session
3. Whether action will be taken in open session following the executive session

C. Confidentiality.

Per RCW 42.23.070(4), Councilmembers shall maintain the confidentiality of all written materials and verbal information provided during executive sessions to ensure that the City's position is not compromised. If a Councilmember unintentionally discloses executive session material with another party, the Councilmember shall promptly inform the City Administrator and the City Council of the disclosure.

4.20 Minutes/Recording.

A. Responsibility With.

The City Clerk or designee shall attend all Regular and Special Council meetings and keep an account of all proceedings of the Council in accordance with RCW 35.23.151 and 42.32.030. The draft meeting minutes shall be provided in the agenda packet of the meeting at which they are to be approved.

B. Action Minutes.

The minutes shall include the content specified in Robert's Rules of Order, except they shall not include verbatim oral committee reports. In keeping with action minutes, debate and discussion will not be included.

C. Corrections.

Corrections to the minutes shall be made as follows:

1. Before meeting: Provide any corrections/edits to the City Clerk's Office in writing. The changes will be provided to the Council in advance of the meeting and an announcement will be made acknowledging the proposed changes. If there is no request to remove the revised minutes from the Consent Calendar, they will be

considered approved with the proposed changes. The draft minutes shall be revised to include any amendments approved by a majority of the Council.

2. At meeting: Request to have the minutes removed from the Consent Calendar. A motion will be made to amend the minutes to incorporate any corrections/edits. The draft minutes shall be revised to include any amendments approved by a majority of the Council.
3. After meeting: If a correction/edit is desired after approval of the minutes, a Councilmember must make a motion to “amend something previously adopted” per Robert’s Rules of Order. If the amendments are approved by a majority of the full Council (four votes), the approved minutes shall be revised to reference the amendments/corrections in the margin of the minutes.

4.21 Seating.

The Mayor shall sit at the left end of the dais. The Council President and Deputy Council President shall sit next to the Mayor. The remaining Council seats will be arranged in order of seniority, and then alphabetically by last name, with the Councilmember with the most seniority sitting next to the Deputy Council President and so on. If a Councilmember’s service on the City Council is interrupted (break in service), the prior years of service are not counted in determining seniority.

4.22 Rules of Debate.

A. Recognition.

When desiring to speak on an issue, a Councilmember shall signal the presiding officer and wait to be recognized.

B. Rules.

IMC 2.06.140 and Robert’s Rules of Order shall govern the rules of debate. Debate shall:

- Be addressed to the presiding officer
- Be concise and avoid repetitive arguments or discussion
- Be relevant to topic/motion at hand
- Be courteous and not include personal attacks

All Councilmembers shall have the opportunity to speak once on an issue before any Councilmember speaks a second time.

C. Participation of Non-members.

Although not voting members, the right to address Council during debate shall also be extended to the Mayor, City Administrator and City Attorney to ensure that timely information or clarification relevant to the debate is provided.

4.23 Motion Procedures.

A. Authority.

Robert's Rules of Order shall govern the making of motions.

B. Format.

The Mayor or any Councilmember may request that a motion be provided in writing.

C. Second.

Motions are required to have a second to be considered. A second is not required for motions made in standing or ad hoc committees.

C. Consensus.

When the Council reaches a consensus on an item that does not require a formal motion, the presiding officer will summarize Council's consensus at the conclusion of the discussion.

4.24 Voting Procedures.

A. Procedure.

The default method for taking votes shall be voice vote, unless the meeting format makes a voice vote impractical. The presiding officer, Councilmember or City Clerk may request an alternate voting format, such as a roll call vote or voice vote with show of hands.

The procedures for voting shall be those outlined in Robert's Rules of Order, except that for roll call votes conducted at virtual meetings of the City Council, the order in which Councilmembers shall be called upon to vote shall be alternated. The City Clerk shall maintain a record of the voting order.

The outcome of each vote will be announced by the presiding officer and recorded in the minutes.

B. Vote Requirements.

Per RCW 35A.12.120, "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" (four votes).

Per RCW 35A.34.140, an ordinance granting emergency expenditures for nondebatable emergencies without notice or hearing shall require a vote of one more than the majority of all members of the Council (five votes).

Per RCW 35A.12.130, the Mayor may veto an ordinance, but the Mayor's veto can be overruled by a majority plus one of the entire Council (five votes).

For all other votes, the vote requirement is as specified by any applicable state or City law or Robert's Rules of Order. In the absence of a specific requirement, the vote requirement shall be a majority of those present.

C. Tie Vote.

Per IMC 2.06.120 and RCW 35A.12.100, the Mayor may vote in the case of a tie on certain items. If the tie is not broken, the motion fails.

D. Abstentions.

It is the responsibility of each Councilmember to vote when requested on a matter before the full Council. Per IMC 2.06.120, a Councilmember who fails to vote on an issue, when that member has not been excused from voting due to a conflict of interest or appearance of fairness question, will have been determined to vote "yes" on the issue. If a Councilmember intends to abstain from voting, they shall announce this intention prior to the vote on the issue to ensure their abstention is recognized by the presiding officer and City Clerk. The word "abstention" will not be included in the minutes; abstentions will be recorded as a "yes" vote.

E. Conflicts of Interest.

Councilmembers are subject to the conflict of interest laws in Chapters 42.20 and 42.23 of the RCW. If a Councilmember believes they may have a conflict of interest, they are encouraged to discuss the law and any potential conflicts with the City Attorney prior to the meeting(s) at which the item will be addressed.

Councilmembers shall declare a conflict of interest prior to voting on the issue on which they have a conflict. After the conflict of interest is stated, the Council may then, by a majority vote, excuse a member from voting on the issue. If a Councilmember is excused from voting, they shall leave the Chamber. They will be considered absent when voting occurs.

F. Reconsideration.

After the vote on a question has occurred, any Councilmember who voted in the majority may move for reconsideration of the motion. The motion for reconsideration shall be made at the same or next Regular Council meeting, providing that the act voted on has not yet been executed. Reconsideration is not available for all motions. See Robert's Rules of Order for a list of motions that are not eligible for reconsideration.

4.25 Points of Order.

A Point of Order may be made by any Councilmember or the City Attorney or City Clerk if they believe the rules of the Council are being violated. A Point of Order stops business temporarily. In response, the presiding officer must rule/advise on the item. A ruling may be made in consultation with the parliamentarian or other staff and may also be submitted to the Council for decision.

4.26 Parliamentary Procedure.

A. Parliamentarian.

The City Attorney, in consultation with the City Clerk, shall act as parliamentarian and advise the presiding officer on inquiries concerning parliamentary procedure, including interpretations of these Rules of Procedure.

B. Parliamentary Authority.

All cases not provided for in these Rules shall be governed by the current edition of Robert's Rules of Order, Revised. In the event of a conflict, these Council Rules of Procedure shall prevail.

C. Suspension of Rules.

A Council vote or other action that is taken that is not in compliance with Robert's Rules of Order or these Rules of Procedure and to which no objection is taken shall be deemed action taken following a suspension of the parliamentary rules, even if no formal suspension of the rules occurs first.

4.27 Staffing at Meetings.

Per IMC 2.06.100, the Mayor designates which City staff are to attend City Council meetings. Typical staffing will include the City Administrator, City Clerk, and City Attorney, or their designees, and any other relevant staff needed to present or respond to anticipated Council questions on scheduled agenda items.

4.28 Rules of Conduct.

A. General.

To honor those speaking and minimize disturbances to others, while a meeting is in session:

1. Cell phones and other electronic devices shall be silenced.
2. Side conversations shall be avoided.
3. Councilmembers should limit the use of electronic devices to access agenda materials and other agenda-related information during meetings. Councilmembers shall not communicate with each other electronically during meetings on agenda

items in order to maintain transparency and to ensure that all discussion and deliberation occurs publicly on the record.

B. Use of Dais.

The dais shall be reserved for the City Council and Mayor (or other designated personnel or officials) whether or not it is in use for that particular meeting.

C. Obstructions.

Individuals may be asked to remove any banners, signs, or other objects or materials that are obstructing the view of those in attendance or are restricting movement through the aisles or exits.

D. Disruptions.

If a disruption to the meeting occurs and order cannot be restored, the presiding officer may proceed to use one of the options provided for in RCW 42.30.050 to ensure orderly continuation of the meeting.

Section 5. Committee of the Whole

5.01 Committee of the Whole.

A. Establishment.

The Committee of the Whole is established to allow the City Council to consider significant policy issues in an informal committee setting prior to formal Council action at a Regular or Special meeting.

B. Referrals.

The Committee of the Whole will automatically be referred policy items that are broad and overarching including: the budget; racial equity framework; workplan; strategic plan updates and performance measures; and discussions aiding in the development of items that will ultimately require Council action. A schedule of upcoming items being referred to Committee of the Whole shall be distributed to the City Council.

Committee of the Whole agenda items are intended to be substantive and do not include day-to-day operational issues or routine, procedural items. Any non-substantive items requiring Council action (i.e., accepting grant, authorizing contract bid award, etc.) shall go directly to a Regular or Special Council meeting for action (also see Section 4.09).

The City Council may choose to refer or re-refer any items to the Committee of the Whole by a majority vote at a Regular or Special Council meeting.

C. Meetings.

Per IMC 2.06.040, the City Council will adopt an annual resolution setting forth the dates and times of regular meetings for the following year. In the absence of such an annual meeting resolution, the City Council shall hold Regular Committee of the Whole meetings at 6:30 p.m. on the second Monday of each month in the Council Chambers of City Hall South, 135 E. Sunset Way. Regular Committee of the Whole meetings will also include a virtual attendance option using a virtual meeting software. Special Committee of the Whole meetings may include a virtual attendance option. If a virtual attendance option is offered, it will be noted on the meeting agenda.

If a Committee of the Whole falls on a legal or cultural or religious holiday on which the City Council has determined public meetings will not be held, the meeting will be held on the first business day following the holiday or another date as specified in the annual meeting resolution or as otherwise determined by a majority of the City Council.

Any meeting scheduled outside of the Regular date, time or location of a Regular Committee of the Whole meeting is considered a Special meeting. The provisions for calling and noticing Special meetings are provided in RCW 42.30.080.

D. Membership.

The Committee of the Whole shall consist of all members of the City Council.

E. Presiding Officer (Chair).

The Committee of the Whole shall be presided over by the Council President

A Councilmember's role as presiding officer shall not affect their right to participate in the meeting to the extent afforded all Councilmembers. The presiding officer should facilitate the conversation in a neutral manner and maintain as much impartiality as possible. In this spirit, the presiding officer is encouraged to speak and vote last on an issue and refrain from making motions.

The duties of the presiding officer are identified in Section 4.03(B) of these Rules.

F. Recommendation.

No final action will be taken. The Committee of the Whole's recommendation may be determined by informal consensus or a formal vote. The presiding officer will summarize consensus or feedback reached at the meeting, or request City staff to provide a summary.

The recommendation will be summarized in the subsequent staff report or agenda bill; this summary will be considered the Committee's report.

G. Agenda Preparation.

The City Clerk shall prepare a draft agenda for each Committee of the Whole meeting specifying the time and place of the meeting and setting the agenda items requiring the Committee of the Whole's recommendation.

The Council President shall approve the placement (timing and order) of items on the draft agenda.

Following approval, a final agenda will be prepared by the City Clerk, distributed to Councilmembers and made publicly available. This will serve as the official agenda of the meeting.

The process for placing items on a Council meeting agenda established in Section 4.04(A) of these Rules shall also apply to placement of items on a Committee of the Whole agenda.

H. Public Comments.

Unless otherwise noted or announced by the presiding officer, public comment will be allowed at the beginning of each meeting and on each agenda item following the staff presentation and Council question and answer period.

The Guidelines for Public Participation in Section 4.08(C) of these Rules apply to public comment provided at Committee of the Whole meetings.

I. Good of the Order.

Each Regular Council Committee of the Whole agenda shall include Good of the Order as the last item of business. The purpose of the Good of the Order is to allow the City Council the opportunity to offer comments or observations, make announcements, or receive informal feedback as provided in Section 4.18.

If a Councilmember wishes to solicit informal feedback under Good of the Order at a Special Committee of the Whole meeting, advance notice must be provided to the City Clerk a minimum of five days prior to the meeting to allow the item to be listed on the agenda in compliance with RCW 42.30.080.

Section 6. Standing Committees

6.01 Standing Committees.

A. Establishment.

The following standing committees are established. The committees shall review policy matters within their areas of purview and make recommendations to the full City Council. The committees are advisory only and will not take action.

<i>Committees</i>	<i>Purview</i>	<i>Corresponding Boards & Commissions</i>
<i>Mobility and Infrastructure</i>	Asset Management, Capital Improvement Plan (CIP), Mobility, Solid Waste, Streets, Transportation Improvement Program (TIP), Water	Transportation Advisory Board
<i>Planning, Development and Environment</i>	Climate, Comprehensive Plan, Development Projects, Storm and Surface Water, Sustainability	Development Commission Environmental Board Planning Policy Commission
<i>Services, Safety and Parks</i>	City Attorney, City Clerk, Communications, Emergency Preparedness, Economic Development, Equity, Facilities, Finance, Fire, Fleet, Human Services, Information Technology, Open Space, Parks, Personnel Policies, Police, Municipal Court, Surplus Property	Arts Commission Cable TV Commission Cemetery Board Civil Service Commission Economic Vitality Equity Board Human Services Commission Lodging Tax Advisory Committee Park Board Sister Cities Commission

B. Referrals.

The City’s work plan items requiring policy review will be automatically referred by the City Administration to the standing committees based on the subject matter indicated in subsection A above. A schedule of upcoming items being referred to committee shall be distributed to the City Council.

The following items will be considered by the Committee of the Whole or the City Council at a Regular or Special meeting and will not be automatically referred to committees:

- Informational updates
- Policy items that are broad and overarching including: the budget; racial equity framework; workplan; and strategic plan updates and performance measures

- Any non-substantive items requiring Council action shall go directly to a Regular or Special Council meeting for action (i.e., accepting grant, authorizing contract bid award, etc.) (see Section 4.09)

Items may be referred to more than one committee if the item significantly impacts the purview of more than one committee and can reasonably be divided and considered separately, such as the Capital Improvement Plan.

If a Councilmember disagrees with the referral of an item, they may request that the Council President review the rationale of the referral. The Council President shall announce the outcome of their decision as to whether to uphold the initial referral or make a different referral under Good of the Order at the next Regular Council meeting.

The City Council may choose to refer any items to the standing committees by a majority vote at a Regular or Special Council meeting.

C. Meetings.

~~Regular committee meetings will be~~ The City Council will adopt an annual resolution setting forth the dates and times of regular committee meetings for the following year. In the absence of such an annual meeting resolution, scheduled monthly. The Regular meetings of the committees will be held at 6:30 PM in the Council Chambers, 135 E. Sunset Way as follows:

Mobility and Infrastructure	The second Tuesday of each month
Planning, Development and Environment	The first Tuesday of each month
Services, Safety and Parks	The third Tuesday of each month

Regular committee meetings will also include a virtual attendance option using a virtual meeting software. Special committee meetings may include a virtual attendance option. If a virtual attendance option is offered, it will be noted on the meeting agenda.

If a Regular committee meeting falls on a legal or cultural or religious holiday on which the City Council has determined public meetings will not be held, the meeting will be held on the first business day following the holiday or as specified in the annual meeting resolution or as otherwise rescheduled to another date that allows for a quorum of the committee members to attend.

To allow for a summer and winter break, the City Council shall not hold committee meetings in the last two weeks of August or December, but may schedule Special meetings, if needed.

Any meeting scheduled outside of the regular date, time or location of a Regular committee meeting is considered a Special meeting. The provisions for calling and noticing Special meetings are provided in RCW 42.30.080.

Meetings may be canceled by City staff in consultation with the Committee Chair due to a lack of referred items.

D. Membership.

Three Councilmembers will serve on each committee. No substitutions are allowed.

In order to ensure a quorum of the Council is not in attendance at a committee meeting, Councilmembers who are not on a standing committee are not to attend those committee meetings. Councilmembers wishing to observe a meeting of a committee of which they are not a member are encouraged to view the video recording of the meeting.

Committee appointments will be made in accordance with Section 2.04 of these Rules. Committee members will continue to serve until their successors are appointed.

E. Presiding Officer (Chair).

Committee meetings shall be presided over by a Committee Chair whose role includes:

- a. Preside over meetings (for a specific list of responsibilities, see Section 4.03(B) of these Rules)
 - a. Facilitate public comment
 - b. Facilitate discussion
 - c. Clarify committee recommendations
- b. Review and approve committee agendas
- c. Coordinate with staff to schedule/cancel meetings
- d. Make reports at Council meetings
- e. Serve as liaison for items that received a recommendation from the Committee

A Councilmember's role as presiding officer shall not affect their right to participate in the meeting to the extent afforded all Councilmembers.

F. Agenda Preparation.

The City Clerk shall prepare a draft agenda for each committee meeting specifying the time and place of the meeting and setting the agenda items requiring the committee's recommendation.

The Committee Chair shall approve the placement (timing and order) of items on the draft agenda.

Following approval, a final agenda will be prepared by the City Clerk, distributed to Councilmembers and made publicly available. This will serve as the official agenda of the meeting.

The process for placing items on a Council meeting agenda established in Section 4.04(A) of these Rules shall also apply to placement of items on a standing committee agenda.

G. Public Comments.

Unless otherwise noted or announced by the presiding officer, public comment will be allowed at the beginning of each committee meeting and on each agenda item following the staff presentation and committee question and answer period.

The Guidelines for Public Participation in Section 4.08(C) of these Rules apply to public comment provided at committees.

H. Recommendation.

The Committee shall make recommendations on all City work plan items referred to it. The recommendation shall include any proposed changes to the proposal, timing and a recommendation for placement on the subsequent City Council meeting agenda for action. The recommendation may include a referral to the Committee of the Whole for further deliberation.

The Committee's recommendation may be determined by informal consensus or a formal vote. The Chair will summarize the recommendation reached at the meeting.

The Committee's recommendation will be summarized in the subsequent staff report or agenda bill and provided by the Chair at the relevant Council meeting as provided for in Section 4.15.

I. Discharge from Committee or Require Report.

If a Councilmember wishes to ensure an item being considered by a standing committee returns to the City Council for discussion or action, either through a motion to require a report by a certain time or a motion to discharge the item from that committee, the Councilmember shall provide notice of their intent to make such a motion at the preceding Council meeting under Good of the Order. The proposed motion will be placed on the next Regular Council meeting agenda.

J. Open Public Meetings Act.

Given that the committees take public comment, per RCW 42.30.020, committee meetings will be held in compliance with the Open Public Meetings Act.

Communication shared among two or more Councilmembers who serve on the same committee, either concurrently or serially, must be restricted to providing information. Responses to such communication should be limited to ensure that committee business is conducted only at its scheduled meetings. Discussion of City business by a majority of the committee must be conducted in an open meeting. Use of any electronic communication (email, text, social media, etc.) to form a collective decision of the committee is inappropriate and violates the Open Public Meetings Act, RCW 42.56 (see also Appendix B and C).

In order to avoid a serial meeting of the Council, committee members should refrain from discussing the committee's conversations and recommendations with a fourth member of the City Council outside of an informational written update or open public meeting.

Section 7. Council Ad Hoc Committees

7.01 Council Ad Hoc Committees.

A. Establishment.

A majority of the City Council may establish ad hoc committees as an advisory committee to make a recommendation to the City Council.

Ad hoc committees shall be convened to address work plan items that require special approach or emphasis that cannot be accommodated by the three standing committees. As part of the establishment of the committee, a specific scope must be provided, including the role of the committee in relation to the City Council and any relevant boards and commissions.

B. Timing.

Ad hoc committees shall be called for a specific time frame and duration. If the timeframe of the committee spans over three or more months, the action to establish the committee shall include specific time frames that the committee must intermittently report to the City Council.

C. Format.

Ad hoc committees may be established for a wide variety of purposes requiring different levels of transparency and access. As part of the establishment of the committee, the City Council shall specify what level of transparency is required. For example, a committee convened to discuss more internal issues, such as amendments to the Council Rules, may only be required to document their recommendations. An ad hoc committee considering

an item of high community interest may be required to record their meetings or conduct them with advance notice in an open, public space.

C. Membership.

Membership may be composed entirely of Councilmembers or a combination of Councilmembers, consultants, staff and members of the public. A staff member may also be appointed by City Administration to serve as a staff liaison to the Committee.

No more than three Councilmembers may serve on an ad hoc committee. Substitutions will not be allowed.

D. Appointment.

Appointments may be made by a majority vote of the City Council or Council President. Councilmembers will be provided an opportunity to express interest in serving on the committee.

If an ad hoc committee includes individuals who are not on the City Council, those members shall be appointed by a majority vote of the City Council in accordance with Robert's Rules of Procedure.

E. Reporting.

The ad hoc committee Chair, as designated by the Council President or by consensus of the committee, shall report to the City Council the findings of the committee as indicated in the authorizing motion, ordinance or resolution. The committee will automatically sunset upon delivering its final report.

F. Open Public Meetings Act.

If public comment is taken by an ad hoc committee, the Open Public Meetings Act will apply per RCW 42.30.020.

Section 8. Boards and Commissions

8.01. General.

The City's boards and commissions are established in the Issaquah Municipal Code. These citizen advisory bodies provide an invaluable role to the City by making recommendations to the Mayor and City Council in their respective areas of focus.

8.02. Confirmation of Appointments.

The City Council is responsible to confirm the Mayor's appointments to the City's boards and commissions annually as provided in [Resolution No. 2006-01](#).

8.03. City Council Interactions.

The City's boards and commissions provide recommendations to the Mayor and City Council on budgetary and policy issues coming to the City Council for action.

While the Mayor provides ultimate oversight to these boards and commissions, the City Council may direct specific work plan items to them through the budget process or separate legislative action.

The City Council encourages the City Administration to continue fostering strong lines of communication between the City Council and advisory boards/commissions to ensure the maximum review and input is received on all items coming to the City Council for action.

If City Councilmembers wish to pose specific questions to boards and commissions as they review existing work plan items which will ultimately come to the City Council for action, they are encouraged to use the following methods:

1. Individual Councilmembers may monitor board and commission work plan items of interest by viewing the board and commission meeting recordings or meeting materials.
2. Individual Councilmembers may communicate directly with the board or commission staff liaison to pose specific questions in advance of the meeting(s) at which the items are to be discussed. The City Administrator shall be copied on such communications.
3. In cases where the item is being considered at a meeting of the City Council prior to returning to a board or commission for review, the City Council may relay specific questions at the meeting to be relayed back to the board/commission. However, the Council should be mindful of questions that may influence the board/commission and thus interfere with the established role of the advisory boards in the public policy-making process.

8.04 Board and Commission Recommendations.

The City Administration will relay informal feedback and recommendations received from boards and commissions on items proceeding to the City Council for action. This input will be included in the City Council agenda materials for the relevant item.

Section 9. Suspension or Amendment of Rules

9.01 Suspending Rules.

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

9.02 Amending Rules.

These rules may be amended or new rules adopted by a vote of two-thirds of the members present.

Appendix

- A. [AWC|MRSC Mayor and Councilmember Handbook](#)
- B. [MRSC|STATE AUDITOR Electronic Communication Tips](#)
- C. [Information Technology Policy](#)
- D. [Code of Ethics](#)

RESOLUTION NO. 1452

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, REVISING THE CITY COUNCIL PROTOCOL MANUAL, AMENDING RESOLUTION NO. 1099 (2000), AS AMENDED BY RESOLUTION NO. 1140 (2002), RESOLUTION NO. 1184 (2006), RESOLUTION NO. 1200 (2007), RESOLUTION NO. 1201 (2007), RESOLUTION NO. 1230 (2009), RESOLUTION NO. 1255 (2010), RESOLUTION NO. 1295 (2013), RESOLUTION NO. 1296 (2013), RESOLUTION NO. 1298 (2013), RESOLUTION NO. 1360 (2017), AND RESOLUTION 1394 (2019) AND RESOLUTION NO. 1423 (2022)

WHEREAS, the City Council adopted the City Council Protocol Manual on June 12, 2000, and amended same on July 22, 2002, March 13, 2006, March 20, 2007, April 17, 2007, March 17, 2009, May 4, 2010, March 19, 2013, April 2, 2013, July 9, 2013, April 18, 2017 and December 17, 2019; and February 1, 2022; and

WHEREAS, the City Council has reviewed the Protocol Manual and has determined there are certain revisions that should be made.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Resolution No. 1099, as amended by Resolution Nos. 1140, 1184, 1200, 1201, 1230, 1255, 1295, 1296, 1298, 1360, 1394 and 1423 is hereby amended by certain revisions to the City of Bothell City Council Protocol Manual, those revisions summarized and specified in **Exhibit A** to this resolution, which is incorporated and hereby made a part of this resolution.

Section 2. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerkal errors, references, resolution numbering, section/subsection numbers and any references thereto.

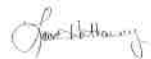
PASSED this 21st Day of November, 2023.

APPROVED:


Mason Thompson (Nov 21, 2023 21:24 PST)

MASON THOMPSON
MAYOR

ATTEST/AUTHENTICATED:



LAURA HATHAWAY
CITY CLERK

FILED WITH THE CITY CLERK: 11/16/2023
PASSED BY THE CITY COUNCIL: 11/21/2023
RESOLUTION NO.: 1452 (2023)

Exhibit A

CITY OF BOTHELL

CITY COUNCIL PROTOCOL MANUAL



City of Bothell

Adopted: June 12, 2000
Resolution No. 1099 (2000)

Revised: July 22, 2002
Resolution No. 1140 (2002)

Revised: March 13, 2006
Resolution No. 1184 (2006)

Revised: March 20, 2007
Resolution No. 1200 (2007)

Revised: April 17, 2007
Resolution No. 1201 (2007)

Revised: March 17, 2009
Resolution No. 1230 (2009)

Revised: May 4, 2010
Resolution No. 1255 (2010)

Revised: March 19, 2013
Resolution No. 1295 (2013)

Revised: April 2, 2013
Resolution No. 1296 (2013)

Revised: July 9, 2013
Resolution No. 1298 (2013)

Revised: April 18, 2017
Resolution No. 1360 (2017)

Revised: December 17, 2019
Resolution No. 1394 (2019)

Revised: February 1, 2022
Resolution No. 1423 (2022)

Revised: November 21, 2023
Resolution No. 1452 (2023)

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Foreword

In the course of serving as a public official, there are myriad of issues with which you will become involved. This protocol manual attempts to centralize information on common issues related to local government and your role as a member of the Bothell City Council.

The issues that are addressed in this publication are often complex and subjective. This manual is intended to be a guide and is not a substitute for the counsel, guidance, or opinion of the City Attorney.

The protocols included in this reference document have been formally adopted by the City Council. Provisions contained herein will be reviewed as needed or every two years.

Chapter 1

Introduction and Overview

As a City Councilmember, you not only establish important and often critical policies for the community, you are also a board member of a public corporation having an annual budget of several million dollars. The scope of services and issues addressed by the city organization go well beyond those frequently reported in the newspaper or discussed at City Council meetings.

1.01 Council-Manager Form of Government

The City of Bothell is a Council-Manager form of government. As described in the Municipal Code and Revised Code of Washington, certain responsibilities are vested in the City Council and the City Manager. Basically, this form of government prescribes that a City Council's role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner.

1.02 Association of Washington Cities and Municipal Research & Services Center of Washington

[The Code City Handbook, Report No. 37](#), published by the Municipal Research & Services Center (MRSC), provides a wealth of general information on the major functions of a Councilmember's job as a locally elected official. Another publication from MRSC that goes hand in hand with the handbook is, [Knowing the Territory](#): This report discusses basic powers; basic duties, liabilities, and immunities of officers; conflict of interest and appearance of fairness; prohibited uses of public funds, property, or credit; competitive bidding requirements; the Open Public Meetings Act; Open Government-Public Records-Freedom of Information; and immunities from tort liability.

1.03 Purpose of City Council Protocol Manual

The City of Bothell has prepared its own protocol manual to assist the City Council by documenting accepted practices and clarifying expectations. Administration of City Council affairs is greatly enhanced by the agreement of the City Council and staff to be bound by these practices. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Councilmembers in their actions.

1.04 Overview of Basic City Documents

This protocol manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council direction.

A. Vision/Mission Statement

B. Bothell Municipal Code

The municipal code contains local laws and regulations adopted by ordinances. Title 2 of the code addresses the role of the City Council, describes the organization of City Council meetings and responsibilities and appointment of certain city staff positions and advisory boards and commissions. Titles 13 and 22 also address advisory boards and commissions. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

C. Personnel Policies

It is the policy of the City of Bothell to uphold, promote, and demand the highest standards of ethics from all of its elected and appointed officials. Accordingly, all members of the City Council, members of all appointed boards, commissions, committees, City employees, consultants and professional service providers are expected to maintain the utmost standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties; avoid any improprieties in their roles as public servants; and never use their City position or powers for personal gain. Section 2 and 10 of the City of Bothell Personnel Policies and Procedures address general rules of conduct and provides guidelines for City officials to be worthy of the public trust and abide by their Oath of Office.

D. Revised Code of Washington

The state laws contain many requirements for the operation of city government and administration of meetings of city councils throughout the state. Bothell is an “optional code city,” which means it operates under the general laws of the state. As an optional code city of the State of Washington, Bothell is vested with all the powers of incorporated cities as set forth in the Revised Code of Washington (RCW), Constitution of the State of Washington, and Bothell Municipal Code. Conversely, there are a number of cities within Washington that are “charter cities” and have adopted local provisions that establish basic governing procedures for local government. There are also 1st, 2nd, 3rd, and 4th Class cities that have variable statutory authority based on population. (Please see RCW Titles 35 and 35 A in general, and RCW 35.18 and 35A.13 for more specific information relating to the Council-Manager Plan of Government.

E. Biennial Budget

The biennial budget is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the biennial budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.

F. Comprehensive Annual Financial Report (CAFR)

The annual financial report includes the financial statements of the City for a calendar year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial report includes statements for the various groups of funds and a consolidated group of statements for the City as a whole.

G. Comprehensive Plan

A state-mandated comprehensive plan addresses the City's long-range planning needs relative to land use, transportation, economic development, and other planning elements. The City's comprehensive plan, *Imagine Bothell...* is reviewed on an ongoing basis, but may only be revised once a year, except as provided by State law.

H. Seven-year Capital Improvement Program

The Seven-year Capital Improvement Program serves as a guide for determining priorities, planning, financing, and constructing capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of city services.

I. Disaster Preparedness Plan

The City maintains a disaster preparedness plan that outlines actions to be taken during times of extreme emergency. The Mayor is called upon to declare the emergency, and then the Fire Chief or other incident commander directs all disaster response activities. The City Council may be called upon during an emergency to establish policies related to a specific incident.

1.05 Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As a new member of the City Council, the City Manager and City Clerk will host an orientation program that provides an opportunity to tour municipal facilities and meet with key staff within the first quarter of taking office. Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected officials' orientation. At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.

Chapter 2

Bothell City Council: General Powers and Responsibilities

2.01 City Council Generally

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. The City Council is the policy making and law-making body of the City. State law and local ordinances grant the powers and responsibilities of the Council.

It is important to note that the Council acts as a body and speaks with one “corporate voice.” No member has any extraordinary powers beyond those of other members. While the Mayor has some additional ceremonial and presiding officer responsibilities as described below, when it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. Councilmembers should respect adopted Council policy. In turn, it is staff’s responsibility to ensure the policy of the Council is upheld.

Actions of staff to pursue the policy direction established by a majority of Council do not reflect any bias against Councilmembers who held a minority opinion on an issue.

A. Council Non-Participation in Administration

In order to uphold the integrity of the council-manager form of government, and to provide proper checks and balances, members of the City Council shall refrain from becoming directly involved in the administrative affairs of the City. As the Council is the policy making body and the maker of local laws, its involvement in enforcement of ordinances would only damage the credibility of the system. [RCW 35A.13.120](#) specifically prohibits interference by Councilmembers in the city’s administrative service, including the hiring, firing, and work of city staff, with the exception of the City Manager.

Except for the purpose of inquiry, the Council and its members will deal with the administrative service solely through the City Manager or designee, and neither the Council nor any committee or member of a committee shall give orders to any subordinate of the City Manager.

2.02 Role of Councilmembers

Members of the Bothell City Council are collectively responsible for establishing policy, adopting a biennial budget, and providing vision and goals to the City Manager. The following outline is a brief description of the various duties of Councilmembers. The description is not intended to be comprehensive, but rather is an effort to summarize the primary responsibilities of the Council.

A. Summary of Council Duties and Responsibilities as Provided in, but not Limited to, the Washington Administrative Code and Revised Code of Washington

1. Establish Policy
 - a. Adopt goals and objectives
 - b. Establish priorities for public services
 - c. Approve/amend the operating and capital budgets
 - d. Approve contracts over \$100,000
 - e. Adopt resolutions
2. Enact Local Laws
 - a. Adopt ordinances
3. Supervise Appointed Officials
 - a. Appoint City Manager
 - b. Evaluate performance of City Manager
 - c. Establish advisory boards and commissions
 - d. Make appointments to advisory bodies
 - e. Provide direction to advisory bodies
4. Provide Public Leadership
 - a. Relate wishes of constituents to promote representative governance
 - b. Mediate conflicting interests while building a consensus
 - c. Call special elections as necessary
 - d. Communicate the City's vision and goals to constituents
 - e. Represent the City's interest at regional, county, state, and federal levels
5. Decision-Making
 - a. Study problems
 - b. Review alternatives
 - c. Determine best course of public policy

2.03 Role of Mayor

A. Presiding Officer

The Mayor serves as the presiding officer and acts as chair at all meetings of the City Council. The Mayor may participate in all deliberations of the Council in the same manner as any other member and is expected to vote in all proceedings, unless a conflict of interest exists. The Mayor does not possess any power of veto. The Mayor may not move an action, but may second a motion.

B. Ceremonial Representative

Responsibility to act as the City Council's ceremonial representative at public events and functions has been assigned to the Mayor. The Mayor is vested with the authority to initiate and execute proclamations. In the Mayor's absence, the Deputy Mayor assumes this responsibility. Should both the Mayor and Deputy Mayor be absent, the Mayor will appoint another Councilmember to assume this responsibility.

2.04 Absence of Mayor and Councilmembers

In the absence of the Mayor, the Deputy Mayor shall perform the duties of the Mayor. When both the Mayor and Deputy Mayor are absent, the Council may choose from among its members a person to serve as acting mayor, who shall, for the term of such absence, have the powers of the Mayor.

If the Mayor or other Councilmembers are absent from the City for more than 15 days, they shall notify the other Councilmembers and the City Manager of such absence.

2.05 Election of Officers

Procedures for electing officers are as follows:

A. Biennial Election of Mayor and Deputy Mayor

Biennially, at the first meeting of the new Council, councilmembers will choose a presiding officer from their number who will have the title of Mayor. In addition to the powers conferred upon them as Mayor, they will continue to have all the rights, privileges and immunities of a member of the Council. If a permanent vacancy occurs in the Office of Mayor, the members of the Council at their next regular meeting will select a Mayor from their number for the unexpired term. Following the election of the Mayor, there will be an election for Deputy Mayor. The term of the Deputy Mayor will run concurrently with that of the Mayor.

B. Nominations

The City Clerk will conduct the election for Mayor. The City Clerk will call for nominations. Each member of the City Council will be permitted to nominate one (1) person, and nominations will not require a second. A nominee who wishes to decline the nomination will do so at this time. Nominations are then closed. The Mayor-elect will conduct the election for Deputy Mayor, and nominations will be made in the same manner described for the election of the Mayor.

C. Casting Ballots

Except when there is only one nominee, election will be by written ballot. Each ballot will contain the name of the Councilmember who cast it. The City Clerk will publicly announce the results of the election by reading each ballot into the record, stating the name of each voting Councilmember and the manner in which the Councilmember voted. Thereafter, the City Clerk will record in the minutes of the meeting the manner in which each voting member of the Council cast their ballot. To be elected, a nominee must receive a majority vote of the members present.

D. Ties

Should there be a tie, there will be another round of voting. Rounds will continue as necessary until a nominee receives the majority vote of members present.

E. Resignation of Mayor or Deputy Mayor

If the Mayor or Deputy Mayor resign, the City Council will appoint a new Mayor or Deputy Mayor using the procedure outlined above.

2.06 Emergency Response

The Mayor shall sign any declaration of emergency.

2.07 Appointment of Officer

The City Council is responsible for appointing one position within the city organization--the City Manager. The City Manager serves at the pleasure of the Council. The City Manager is responsible for all personnel within the city organization, including the City Attorney, Municipal Court Judge, Municipal Prosecutor, and Public Defender. The City Manager's appointment of the Municipal Court Judge is subject to confirmation by the City Council.

2.08 Advisory Bodies

A. Appointments Made by the Council

Advisory boards, commissions, and committees provide a great deal of assistance to the Bothell City Council when formulating public policy and transforming policy decisions into action. The City has several standing boards and commissions. In addition, special purpose (ad hoc) committees and task forces are often appointed by the City Council to address issues of interest or to conduct background work on technical or politically sensitive issues. Special or ad hoc committees will be dissolved upon completion of the intended task.

The procedures established in this manual reflect the policy of the City Council regarding the appointment of volunteers to the various advisory bodies of the City. The establishment of these procedures ensures that well-qualified, responsible, and willing members of the public are given the opportunity to serve the City and participate in the governing of their community.

The City Council is specifically empowered to create all advisory boards and commissions pursuant to the provisions of Chapter 35A (Optional Municipal Code), or such advisory boards or commissions not specifically enumerated, as the Council deems necessary or advisable. In the exercise of this power, it is the desire of the City Council to establish a consistent policy in its decision-making role to fairly and equitably evaluate community members who demonstrate desire to serve on such boards or commissions.

1. For full-term vacancies, the filing period is the third week of January through the third week of February. The City Clerk will:
 - a. Publicly announce the position vacancy and filing period by publication on the city's website.
 - b. Post notices of the position vacancy and filing period on/in the places established in Section 8.02 (b) of this manual.
 - c. Notify by email the Chairpersons of advisory boards and commissions and the associated staff liaison of the vacancy.
 - d. Notify incumbents by email whose terms are expiring.
2. For partial-term vacancies, a minimum 30-day filing period applies, with dates to be determined by the City Clerk. Partial-term vacancies will be filled as outlined in Section 2.08(A) (1a-c), above.

B. Qualifications, Terms of Service, Forms

Persons wishing to be considered for appointment or reappointment will submit to the City Clerk's Office an application on a form provided by that office. The Council will review applications and make appointments.

It is the policy of the City Council to evaluate each applicant on an objective basis, utilizing the following criteria:

1. Residency - Residency requirements for advisory boards and commissions are noted in applicable sections of the Bothell Municipal Code, and summarized on the Membership and Qualification Matrix appended hereto. Appointees must retain their residency requirement for the entire duration of their term.
2. Sectional Composition - Normally, consideration should be given toward maintaining an equitable balance of community representation on all boards and commissions.

The City Council will not appoint multiple members from the same family or household to a single board or commission, in order to avoid the reality or appearance of improper influence or favor.

The City Council will not appoint members of Councilmembers' families or households to boards or commissions to avoid the appearance of favor and to increase community representation.

3. Occupation - The Council will attempt to maintain a broad mix of occupational backgrounds on all boards and commissions.
4. Knowledge of Municipal and Planning Process - When ranking equally qualified applicants, the Council will consider background experience and knowledge of the municipal process as appropriate to the position, in reaching its decisions.
5. Contributive Potential - The Council will evaluate the potential contribution that each applicant may make if appointed to a board or commission. Criteria to guide the Council in its evaluation may include:
 - Ability to communicate
 - Desire to perform public service
 - Ability to express ideas, concepts, or philosophies
 - Desire to participate in decision-making process
6. Leadership Potential - Since each appointee may be called upon to serve as a Chair, the Council will evaluate leadership abilities, such as:
 - Past or present leadership experience (current employment, special interests, etc.)
 - Past or present participation in community services
 - Expressed interest in a leadership role
7. The City Council will not appoint persons to serve as members of more than one board or commission at the same time; however, persons serving on a board or commission who have requested appointment to another board or commission position may be appointed to such position if they, concurrent with the appointment, resign from the board or commission position they are holding at the time of the new appointment.

C. Reappointment Criteria

A staff liaison shall be appointed to each board and commission at such time as reappointment is considered (or at any time during their term of service), the staff liaison shall notify the City Manager regarding the following:

1. Regularity of Attendance
2. Understanding of board or commission function
3. Demonstrated leadership
4. Effectiveness
5. Demonstrated contribution during past term of office on issues, programs, policies, etc., of the advisory board or commission
6. Objectivity

D. Council Action

1. Council Interview Period - It shall be the privilege of the Council to personally interview each applicant individually, at a time and place to be designated by the Council.
2. Council Evaluation & Selection - After each applicant or member is evaluated, the Council will deliberate and reach a decision at its earliest convenience, using the following procedure:

A ballot sheet will be provided by the City Clerk. Council will cast their votes and submit their ballots to the Clerk and take a brief recess while staff tally's the votes. Applicants must receive a majority vote of councilmembers present for appointment. Council will then ratify the results.

All written ballots used to select board and commission members will be retained with the agenda packet materials for that Council meeting.

3. Decision & Announcement - Each applicant will be notified by email of the decision of the Council. The City Clerk will also notify the associated chairperson and staff liaison regarding Council appointments.
4. Reports to Council - In order to better engage with Boards and Commissions, Council may meet with them in joint sessions up to twice annually (suggested half of the Boards at one session and half at another session). Boards and Commissions may also present updates at Council meetings under Board & Commission Reports. This is an opportunity to review workplans, update Council on Board & Commission activities, and seek guidance or support from Council. Council will also receive Board & Commission workplans annually to be included in a Council agenda packet.

E. Resignations

In the interest of timely noticing of vacancies, and to minimize the impact of such vacancies on boards and commissions, the City Council delegates to the Mayor the authority to accept resignations. Following the Mayor's acceptance of the resignation, the City Clerk is authorized to advertise such vacancies according to the process set forth in Section 2.08(A).

F. Cause for Dismissal

Board and Commission Members may be dismissed from service for failure to attend meetings (3 unexcused absences), or failure to complete OPMA/PRA training pursuant to RCW42.30 and 42.56 within 90 days of appointment. Members may also be dismissed for using personal email accounts to conduct city business and/or failure to use city email accounts.

G. Rules of Conduct

By accepting appointment to any City board or commission, members thereby agree to conduct themselves in accordance with the following rules of conduct.

1. All members of City boards and commissions will abide by all applicable state laws, City ordinances, and other doctrines relating to the conduct of board or commission members, including, but not limited to, the Appearance of Fairness Doctrine, conflict of interest statutes, and the State Open Public Meetings Act.

2. Members of City boards and commissions will not testify in their capacity as a board or commission member, before any other board, commission, administrative officer or agency of the federal government, the State of Washington, or of any county or other municipal corporation, including cities and towns, except as hereinafter provided. Exceptions to the policy set forth above shall be as follows:
 - a. If the member is testifying in such a capacity pursuant to a lawfully issued subpoena; or
 - b. In the event the board or commission has designated the member or members to act as a spokesperson for the board or commission to explain the majority vote and recommendation of that board or commission; or
 - c. In the event the City Council appoints the member or members to represent the City before another tribunal.
3. Notwithstanding the foregoing, nothing contained herein is intended to preclude a board or commission member from speaking as an individual, so long as the following conditions are met:
 - a. The individual clearly identifies that they are speaking only as an individual and is not in any manner representing or speaking on behalf of the board or commission of which they are a member; and
 - b. No board or commission member testifies orally or in writing as to any quasi-judicial matter being heard, or having the possibility of being heard, by the board or commission of which the person is a member.

Councilmembers' Role and Relationship with City Advisory Bodies

4. In accordance with the provisions of state law, Councilmembers shall not be appointed to City advisory bodies concurrent with their term of office as Councilmember.
5. Unless specifically authorized by majority vote of a quorum of the Council, no Councilmember shall be authorized to state or testify to the policy or position of the Council before any advisory board or commission of the City.
6. Limitations on the conduct of Councilmembers before the City's advisory boards and commissions should be voluntarily undertaken in order to assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence. Toward this purpose, the following protocol should be observed:
 - a. Councilmembers shall not testify in quasi-judicial matters pending before any advisory board or commission that will receive, or could potentially receive, future appeal or review before the City Council. Violation of this protocol may require the Councilmember to disqualify themselves from participating in any appeal or review proceedings before the City Council.

- b. Councilmembers, in their capacity as private individuals, should refrain from providing testimony in legislative or administrative matters pending before any advisory board that will receive, or could potentially receive, future review or other action before the Council. Where a Councilmember elects to provide such testimony, the following rules shall apply:
 - (i) The Councilmember shall declare at the outset and upon the record that they are present in their private capacity as an interested individual, and not on behalf or at the request of the City Council.
 - (ii) The Councilmember shall refrain from stating or implying that their position or opinion is that of the City Council.
 - (iii) The Councilmember shall refrain from directing City staff or the advisory body to take any action on their behalf.
 - (iv) The Councilmember shall observe any rules of procedure or protocol that apply to any other private individual testifying before the advisory board.

2.09 Incompatibility of Offices

There is no single statutory provision governing dual office holding. Statutory law is usually silent on that question except where the legislature has deemed it best either to prohibit or permit particular offices to be held by the same person regardless of whether they may or may not be compatible under common law principles. Chapters 35.24 and 35A.12 RCW expressly permit the offices of clerk and treasurer to be combined in certain cases. However, RCW 35A.12.030 and 35A.13.020 prohibit a mayor or Councilmember in a code city from holding any other public office, or employment within Bothell's government "except as permitted under the provisions of Chapter 42.23 RCW." A statute expressly permits Councilmembers to hold the position of volunteer fire fighter (but not chief or other officer). RCW 35A.13.060 expressly authorizes a city manager to serve two or more cities in that capacity at the same time, but also provides that a city council may require the city manager to devote their full time to the affairs of that code city.

For additional information or clarification, please refer to Knowing the Territory, published by the Municipal Research & Services Center.

2.10 Representation by Councilmembers on Outside/Regional Boards, Commissions or Committees:

Councilmembers are often asked to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies. The City Council appoints members to some of these groups on an as-needed or as-requested basis.

Membership appointment to these groups shall be made by consensus of the Council for a 2-year period. Council will make appointments in early January of even numbered years. If more than one Councilmember desires to serve as a member of a particular outside group, the member for that group will be appointed by a majority vote of the Council.

Where applicable, Council will appoint an alternate to attend outside boards, councils, commissions, or committees. The main delegate will notify the alternate as soon as possible after they realize they will be unable to attend an upcoming meeting of the outside group.

Based on existing policy. Personal positions, when given, will be identified and not represented as the position of the City. Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

Chapter 3

Support Provided to City Council

3.01 Staff Liaison

Staff support to members of the City Council is provided through the City Clerk's Office. Support includes updating Council webpages, registration to various conferences and meetings and forwarding information to all councilmembers in order that Council does not violate the OPMA. Councilmembers keep their own calendars and make their own appointments. Should Council requests of staff require significant time commitments or deviation from regular work activities, Councilmembers will consult with the City Manager prior to making requests.

3.02 Electronic Devices

To enhance Councilmembers' service to the community and their ability to communicate with staff and the public, the City provides meeting facilities and office equipment for City business.

The Employee and Technology Services Department (ETS) will provide electronic devices at the request of Councilmembers, for official City use. ETS will ensure that all appropriate software is installed and will also provide an orientation in the use of computers and related software. While staff will maintain those computer applications related to City affairs, staff cannot provide assistance for personal computer applications. Personal media and programs cannot be stored on City computers. Councilmembers must adhere to all policies under the City of Bothell Information Services Security Policies.

Throughout Councilmember terms, City equipment is subject to audit. Virus protection software must not be disabled at any time on City equipment and non-city programs or media found during audits will be removed. When individual Councilmembers have completed their term of office, ETS staff will retrieve City computers, software, and modems.

The complete policy can be viewed here: [Personnel Policy 10.05 - Electronic Communication](#)

3.03 Meeting Rooms

Council has a shared office at City Hall. A schedule of office hours has been established which is published on the website and with the City Clerk. Council may reserve this room during non-office hours by contacting the City Clerk. There are also numerous Town Hall meeting rooms on the first floor of City Hall which Council may reserve by contacting City Hall.

3.04 Mail, Deliveries

Members of the City Council receive a large volume of mail and other materials that are delivered primarily through the use of mailboxes located in the Council office. Councilmembers are encouraged to check mailboxes often. In addition, City staff will email or personally deliver materials that are time-sensitive to a member's home or office, if appropriate correspondence addressed to one Councilmember will be copied for all Councilmembers.

Chapter 4

Financial Matters

4.01 Council Compensation

The municipal code provides for payment of a salary to members of the City Council. A seated City Council may not increase or decrease its own compensation. Councils may only pass an ordinance to adjust the compensation of an incoming City Council (Constitutional Article 2, Section 25 and Article 30, Section 1). Currently, Council Salaries are set by a Salary Commission as provided in [BMC Chapter 2.92](#) and [RCW 35.21.015](#).

4.02 Budget

The City [Biennial Budget](#) includes appropriations for expenses necessary for members to undertake official City business. Funding provided includes membership in professional organizations, attendance at conferences or educational seminars, purchase of publications and office supplies. Reference is made to the attached City Manager's [budget](#) instructions.

4.03 Financial Disclosure

Candidates for the office of Councilmember shall file a financial disclosure statement with the State Public Disclosure Commission within two weeks of filing a nomination paper. When appointed to fill a vacancy on the Council, the appointee shall file a financial disclosure statement with the Commission, covering the preceding 12-month period, within two weeks of being so appointed. Councilmembers are required to file a financial disclosure statement with the Commission on an annual basis after January 1 and before April 15 of each year covering the previous calendar year. Councilmembers whose terms expire on December 31 shall file the statement for the year that ended on that December 31. Statements filed in any of the above cases will be available for public inspection.

Failure to file or filing a false or incomplete financial disclosure statement, if done knowingly, is a Class 1 Misdemeanor. There are also civil penalties for violations.

4.04 Travel Policy

Members of the City Council and City boards and commissions are subject to the City's Travel Policy. [Personnel Policy 8.5 – Travel](#)

Chapter 5 Communications

5.01 Overview

Perhaps the most fundamental role of a Councilmember is communication:

- Communication with the public to assess community opinions and needs, and to share the vision and goals of the City with constituents;
- Communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives.

Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

5.02 Correspondence from Councilmembers

Members of the City Council will often be called upon to write letters to community members, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. Individual members of Council will often prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

On occasion, members may wish to correspond on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, members should clearly indicate that they are not speaking for the City Council as a whole, but for themselves as one member of Council. City letterhead and office support may be utilized in these circumstances.

Councilmembers may occasionally be asked to prepare letters of recommendation for students or others seeking employment or appointment. It is appropriate for Councilmembers to utilize City letterhead and their Council titles for such letters.

City letterhead and staff support cannot be utilized for personal or political purposes.

5.03 Local Ballot Measures

At times, initiatives may be placed on the ballots that affect City Council policy. State statute and caselaw prohibit the City from using its personnel, equipment, materials, buildings, or other resources to influence the outcome of elections. RCW 42.17A.555). What the City can do is distribute informational reports or pamphlets for the purpose of informing the public of the facts of an issue.

One of the exceptions to this broad provision is the ability for City Council to take an action to approve a motion or a Resolution expressing support for or opposition to a local ballot proposition. To do so, the City must provide Council members and members of the public an equal opportunity to express either support for or opposition to the ballot proposition. If the City Council wishes to take such action, interest should be communicated to the City Manager in sufficient time to bring the request before Council and provide public notice.

5.04 Proclamations

Proclamations are issued by the Mayor as a ceremonial commemoration of an event or issue. Proclamations are not statements of policy, and do not require the approval or action of the Council. Proclamations are a manner in which the City can make special recognition of an individual, event, or issue. Proclamation requests require three weeks' notice prior to the event being honored and will be submitted through the City Clerk's Office and forwarded to the Mayor for approval.

5.05 State Public Disclosure Act/Open Public Meetings Act

To ensure that business communications submitted to and by elected and appointed officials comply with the State Public Disclosure Act, [RCW 42.17](#), and the [State Open Public Meetings Act, RCW 42.30](#), the following is set forth:

A. Communications - Generally

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 few exceptions as stated by the Public Disclosure Act, are public records. Copies of such letters, memoranda, and interactive computer communication may not be provided to the public or news media unless a public disclosure request has first been filed with the City Clerk.

B. Written Communications

Written letters and memoranda received by the City, addressed to a Councilmember or the Council as a body, will be provided to all City Councilmembers, and a copy kept according to the City's Records Retention Schedule.

C. 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.
 - If a community member sends an email to a Councilmember and requests that it be included in the record of a particular public hearing, the

Councilmember will forward said email to: CityClerk@bothellwa.gov who will forward it to the full council.

- If a Councilmember wishes that an email be distributed to a City staff member, the Councilmember will forward said email to the City Manager.
 - Staff will not review email unless a public records request is received.
3. Email communications that are intended to be shared among four or more Councilmembers, whether concurrently or serially must be considered in light of the Open Public Meetings Act. If the intended purpose of the email is to have a discussion that should be held at an open meeting, the electronic discussion should not occur. Further, the use of email communication to form a collective decision of the Council is inappropriate.
 4. Email should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other “confidential” City business. In general, email is discoverable in litigation, and even deleted email is not necessarily removed from the system. Confidential email 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. Email between Councilmembers and Councilmembers and staff shall not be transmitted to the public or news media unless a public disclosure request has first been filed with the City Clerk.
 6. Email will not be used for personal use, since Councilmembers’ conventional e-mail addresses include the City’s “return address.”

5.06 Council Corner / Community Updates

Each quarter, an individual Councilmember will be scheduled to write an update to the community(Council Corner). This is an opportunity for Councilmembers to write brief articles on topics of interest to them and the Bothell community. The procedure of scheduling, writing and submittal is set forth below:

1. The Public Information Officer will provide a yearly schedule that shows the column rotation and which Councilmember may write for each edition.
2. The Councilmember column rotation will support equal writing opportunities for all 7 Councilmembers over the course of a 4-year term
3. Councilmembers will not be eligible to publish a column if they are actively campaigning for public office at the time of publication.
4. Columns may consist of 150 to 200 words and are submitted to the Public Information Officer according to the provided rotation schedule.
5. Staff will review columns for grammar, punctuation, phrasing etc., but will not edit Councilmembers’ columns.
6. Content will be published to the City’s website and promoted using existing channels (e.g. social media, electronic newsletter, , etc.).

Chapter 6

Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials

6.01 Conflicts of Interest

The conflict of interest law is one of the most complicated laws on the books. To understand its effect on a Councilmember's actions, it is suggested that members discuss the law and potential conflicts with a private attorney or the City Attorney. It is imperative that Councilmembers identify in advance what their conflicts are.

It is illegal to fail to declare a conflict of interest, or to participate or otherwise be involved in discussions on issues or contracts where such an interest exists. Violations of the conflict of interest law may result in significant penalties, including criminal prosecution.

In circumstances where only a "remote interest" (see below) exists, after disclosure of the interest to other Councilmembers and in the meeting minutes, the Council may approve the contract to which a Councilmember has a remote interest, absent participation in the voting by the Councilmember with the remote interest, but only if the Councilmember refrains from any attempt to influence other members to approve the contract.

A. Applicability

All City officers, elected and appointed, are subject to the conflict of interest law in RCW 42.23. This includes Councilmembers.

B. Definition

Remote Interests are so minor that they do not constitute illegal conflicts of interest.

Remote interests exist when a City official is:

- a non-salaried officer or member of a nonprofit corporation doing business or requesting money from the City. Therefore, being such an officer or member would not constitute a conflict
- the landlord or tenant of a contracting party. For instance, a Councilmember may lease office space to a party which has a private interest in a public matter without it resulting in a conflict of interest
- the owner of less than 1 percent of the shares of a corporation or a cooperative doing business with the City
- being reimbursed only for actual and necessary expenses incurred in performance of official duties

C. Acts not Constituting a Conflict of Interest

- receiving municipal services on the same terms and conditions as if not a City official. Thus, when a Councilmember who owns a business within the City votes for or against an increase in the business license fees, a conflict would not exist because this action would apply to all businesses in the corporate limits
- an officer or employee of another political subdivision or public agency unless it is the same governmental entity being served who is voting on a contract or decision which

would not confer a direct economic benefit or detriment upon the officer. Therefore, a Councilmember who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the Councilmember

- a member of a trade, business, occupation, profession, or class of persons and has no greater interest than the other members of that trade, business, occupation, or class of persons. A class must consist of at least ten members to qualify the interest as remote.

A City official may sell equipment, material, supplies, or services to the City if this is done through an award or contract let after public competitive bidding. An exception to this law permits the City Council to approve a policy on an annual basis to allow the City to purchase supplies, materials, and equipment from a member of the Council without going to public competitive bid as long as the single transaction does not exceed \$300 and the annual total of such transactions does not exceed \$1,000.

D. Declaration of a Conflict

When a substantial interest exists, the City official must:

1. Refrain from voting or in any way influencing a decision of the City Council; and
2. Declare that a conflict of interest exists and make it known in the official records of the City.

Should a situation arise wherein a majority of Councilmembers or a majority of a quorum of those present at a Council meeting have a substantial conflict of interest, state law provides that if the conflict of interest statutes prevent the City Council from acting as required by law in its official capacity, such action shall be allowed if the members of the Council with the apparent conflicts of interest make them known.

E. City Attorney Opinions

A Councilmember's request for an opinion from the City Attorney concerning conflict of interest is confidential. However, formal final opinions are a matter of public record and must be filed with the City Clerk. This filing requirement does not apply to verbal communications between Councilmembers and the City Attorney.

Councilmembers may seek advice from a private attorney, at their own expense, concerning potential conflicts. In such cases, no disclosure policy would apply.

F. Filing of Disclosures

The City Clerk maintains a file for all disclosures and legal opinions of conflicts of interest.

G. Apparent Conflict of Interest in Litigation Matters

A Councilmember who actively supports a position contrary to an official City of Bothell action or position, as adopted or ratified by a majority of the City Council, should recuse themselves and not participate in any vote, deliberation, executive session, or distribution of confidential information regarding further consideration or action in that matter once litigation has been served or filed regarding the matter. Litigation shall include but is not limited to legal action or appeals of any type including Growth Management Hearings Board appeals.

- The fact that a Councilmember voted in opposition or expressed an opinion in opposition to the official action or position prior to the filing or service of litigation shall not, by itself, be sufficient to trigger the need for recusal or non-participation.
- Once litigation has been served or filed, communication regarding the case with anyone other than City staff or legal counsel involved in the litigation of the case is discouraged during the pendency of the litigation.
- Councilmembers shall voluntarily recuse themselves and choose not to participate under the conditions listed above; however, if Councilmembers fail to voluntarily recuse themselves or withdraw from participation, any other Councilmember may challenge the ongoing participation and request the challenged Councilmember to disclose any communication and participation with regard to the pending litigation.
- If the apparent conflict still cannot be resolved voluntarily after such challenge, a majority plus one of the Council as a whole may vote to sanction and remove the challenged Councilmember from further participation with regard to the pending litigation on the basis of an apparent conflict of interest.
- Later legislative participation by a previously recused or sanctioned Councilmember, related to the same issue, is not prevented by the provisions of this subsection once the conflict no longer exists or the litigation has terminated.

6.02 Liability

The City must always approach its responsibilities in a manner that reduces risk to all involved. Nevertheless, with such a wide variety of high profile services (i.e., police, parks, roads, land use), risk cannot be eliminated. To better manage insurance and risk, the City participates in risk- and loss-control activities.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in the member being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment, or fraud.

Chapter 2.25 of the Bothell Municipal Code addresses indemnification of employees and officers.

Elected and appointed officials will participate in risk management training to reduce liability due to actions taken, especially in the areas of land use.

Chapter 7

Interaction with City Staff/Officials

7.01 Overview

City Council policy is implemented through dedicated and professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

The City Council also supports and acknowledges that Council and the City Manager are most effective when working as a team and as such the Council endeavors to support mutual respect between the City Council and City staff by creating the organizational teamwork necessary for successful implementation of the Council's policies and programs.

7.02 Council-Manager Plan of Government

Bothell has a Council-Manager plan of government. Basically, with this structure, the City Council's role is to establish city policies and priorities. The Council appoints a City Manager to implement those policies and undertake the administration of the organization.

The City Manager is appointed by the City Council to enforce its laws, to direct the daily operations of city government, to prepare and monitor the principal budget, and to implement the policies and programs initiated by the City Council. The City Manager is responsible to the City Council, rather than to individual Councilmembers, and directs and coordinates the various departments. The City Manager is responsible for appointing all department directors and authorizing all other personnel positions. The City Council authorizes positions through the budget process; based upon that authorization, the City Manager makes the appointments. The City Manager appoints members to the Civil Service Commission.

The Council-Manager plan of government is outlined in [RCW Chapter 35A.13](#). The powers and duties of the City Manager include:

- General supervision over the administrative affairs of the city
- Appoint and remove at any time all department directors and employees
- Attend all meetings of the Council at which the manager's attendance may be required by that body
- See that all laws and ordinances are faithfully executed, subject to the authority which the Council may grant the Mayor to maintain law and order in times of emergency
- Recommend for adoption by the Council such measures as the manager may deem necessary or expedient
- Prepare and submit to the Council such reports as may be required by that body, or as deemed advisable to submit
- Keep the Council fully advised of the financial condition of the City and its future needs
- Prepare and submit to the Council a proposed budget for the fiscal year, and to be responsible for its administration upon adoption
- Perform such other duties as the Council may determine by ordinance or resolution
- Implements and administers City Council policy

7.03 City Council Non-interference

The City Council is to work through the City Manager when dealing with administrative services of the City.

In no manner, either directly or indirectly, shall a Councilmember become involved in, or attempt to influence, personnel matters that are under the direction of the City Manager. Nor shall the City Council be involved in, or influence, the purchase of any supplies beyond the requirements of the City procurement code/procedures.

7.04 City Council/City Manager Relationship

The employment relationship between the City Council and City Manager honors the fact that the City Manager is the chief executive of the City. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the City Manager.

The City Manager respects and is sensitive to the policy responsibilities of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council.

A. Performance Evaluation

The City Council is to evaluate the City Manager on an annual basis to ensure that both the City Council and City Manager agree about performance and goals based upon mutual trust and common objectives. The City Manager's performance is evaluated based upon a mutually agreed upon work plan.

7.05 City Council/City Staff Relationship

City Councilmember contact with City staff members, inclusive of the City Manager, will be during regular business hours, except in the case of an emergency.

7.06 Code of Ethics

The City Manager is subject to a professional code of ethics as a member of the International City/County Management Association (ICMA). It should be noted that this code binds the City Manager to certain practices that are designed to ensure actions are in support of the City's best interests. Violations of such principles can result in censure by ICMA. This code is posted in the City Manager's office. [ICMA Code of Ethics](#).

7.07 City Council/City Attorney Relationship

The City Attorney, similar to other Department Director positions, is appointed by the City Manager. Legal professional services performed under contract or agreement shall be consistent with the City's adopted Procurement Policy. The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees

with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

1. provide legal assistance necessary for formulation and implementation of legislative policies and projects;
2. represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
3. prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
4. keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the City.

It is important to note that the City Attorney does not represent individual members of Council, but rather the City Council as a whole.

7.08 Roles and Information Flow

A. Council Roles

The full City Council retains the authority to accept, reject, or amend the staff recommendation on policy matters.

Members of the City Council must avoid intrusion into those areas that are the responsibility of staff. Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal. If a Councilmember wishes to influence the actions, decisions, recommendations, workloads, work schedule, or priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy. All Councilmembers with concerns affecting the community of Bothell should bring those concerns to the full Council before contacting an outside agency.

B. Access to Information

The City Manager is the information liaison between Council and City staff. Requests for information from Councilmembers are to be directed to the City Manager and will be responded to promptly. The information requested will be copied to all members of Council so that each member may be equally informed. The sharing of information with City Council is one of the City Manager's highest priorities.

There are limited restrictions when information cannot be provided. The City is legally bound not to release certain confidential personnel information. Likewise, certain aspects of police department affairs (i.e., access to restricted or confidential information related to crimes) may not be available to members of the City Council.

C. Staff Roles

The Council recognizes the primary functions of staff as executing Council policy and actions taken by the Council and in keeping the Council informed. Staff is obligated to take guidance and direction only from the City Manager or Department Director. This direction follows the policy guidance of the City Council as a whole. Staff is directed to reject any attempts of individual Councilmembers to unduly direct or otherwise pressure them into making, changing, or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Councilmembers; provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council.

D. Significant Requests

No Councilmember shall request or direct the City Manager or Department Directors to initiate any action or prepare any report that is significant in nature, or initiate any significant project or study without the consent of a majority of the Council. The City Manager shall determine whether or not a matter is significant.

7.09 Dissemination of Information

In addition to regular, comprehensive memoranda written by the City Manager directly to City Council concerning all aspects of City operations (exclusive of confidential personnel issues), all Councilmembers receive copies of all correspondence received by the City Manager that will assist in them in their policy-making role. The City Manager also provides other documents to Council on a regular basis, such as status reports and executive summaries,

A variety of methods are used to share information with Council. Workshops and study sessions are held to provide detailed presentations of matters. Council/staff retreats serve to focus on topics and enhance information exchange. The City Manager's open-door policy allows individual Councilmembers to meet with the Manager on an impromptu or one-on-one basis.

7.10 Magnitude of Information Request

Any information, service-related needs, or policy positions perceived as necessary by individual Councilmembers that cannot be fulfilled based upon the above guidelines should be considered as an item for the agenda of a City Council meeting. If so directed by action of the Council, staff will proceed to complete the work within a Council-established timeline.

7.11 Staff Relationship to Advisory Bodies

Staff support and assistance may be provided to advisory boards, commissions, and task forces. Advisory bodies, however, do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the City Manager. The members of the commissions, boards, or committees are responsible for the functions of the advisory body. The chairperson is responsible for committee compliance with the municipal code and/or committee bylaws. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

Staff support includes: (1) preparation of a summary agenda after approval by the chairperson; (2) preparation of reports providing a brief background of the issues, a list of alternatives, recommendations, and appropriate backup materials, if necessary; and (3) preparation of minutes of advisory body meetings. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues.

Advisory bodies wishing to communicate recommendations to the City Council shall do so through adopted Council agenda procedures. In addition, when an advisory body wishes to correspond with an outside agency, correspondence shall be reviewed and approved by the City Council.

7.12 Restrictions on Political Involvement by Staff

Bothell is a nonpartisan local government. Professional staff formulates recommendations in compliance with Council policy for the good of the community, not influenced by political factors. For this reason, it is very important to understand the restrictions of political involvement of staff.

By working for the City, staff members do not surrender rights to be involved in political activities. Employees may privately express their personal opinions. They may register to vote, sign nominating or recall petitions, and they may vote in any election.

7.13 Council Attendance Policy

[RCW 35A.13.020](#) (Council-Manager Plan of Government) directs us to [RCW 35A.12.060](#) (Mayor-Council Plan of Government) - Vacancy for Nonattendance. A council position shall become vacant if the Councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.

At the start of each City Council meeting, the Mayor or City Clerk, or designee, will call the roll. Any absent Councilmember who has called the Mayor or City Manager's Office prior to 5:00 p.m. on the day of the meeting to advise of such absence will be deemed excused.

7.14 Remote Attendance

It is preferable that Councilmembers attend meetings in person whenever possible; however, remote attendance is allowed. Council will endeavor to give 24-hour advance notice of remote attendance to the Mayor, City Manager or City Clerk. If attending remotely for a specific item, Councilmembers agree to be present for the entirety of the item, not just the vote.

Chapter 8

City Council Meetings

The City Council's collective policy and law-making powers are put into action at the council meetings. It is here that the Council conducts its business. The opportunity for community members to be heard, the availability of local officials to the public, and the openness of council meetings all lend themselves to the essential democratic nature of local government.

8.01 Meeting Schedule

Regular meetings are held the first, second, and third Tuesdays of each month at 6:00 p.m., in the Bothell Council Chambers, 18415-101st Ave. NE, Bothell. Should these days happen to be designated as a legal holiday, the Council meeting will be held the fourth Tuesday of the month.

8.02 Public Notice of Meetings and Hearings

Pursuant to [RCW 35.22.288](#), cities are charged with establishing a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by the City of Bothell is as follows:

A. Notices

Except where a specific means of notifying the public of a public hearing is otherwise provided by law or ordinance, notice of upcoming public hearings before the City Council or the City's Boards and Commissions shall be given one publication notice containing the time, place, date, subject, and body before whom the hearing is to be held, in the City's official newspaper at least ten (10) days before the date set for the hearing.

B. Preliminary Agenda of Council Meeting

The public shall be notified of the preliminary agenda for the forthcoming regular City Council meeting by posting a copy of the agenda in the following public places in the City at least 24 hours in advance of the meeting:

- Bothell City Hall – Elevator Vestibule
18415 - 101st Avenue NE
Bothell, WA 98011
- The City's Official Website: www.bothellwa.gov

C. Duties of City Clerk

The City Clerk is directed to publish notices and post agendas as required by Section 8.02 of the Bothell City Council Protocol Manual

[RCW 42.30.080](#) addresses the subject of special meetings. For special meetings, only those items specifically listed on the agenda may be discussed, considered, or decided.

8.03 Special Meetings

Special meetings may be called by either the Mayor or Deputy Mayor, or by the written request of four Councilmembers. Notice of a special meeting will be made by the City Clerk by delivering personally (emergencies only), or by email to each member of the Council and to each local newspaper of general circulation of all special meetings at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical, and increase the likelihood of such injury or damage.

At all regular and special meetings, public comments are invited during a public hearing before or during consideration of any item on the agenda. Public comment is appropriate on any matter within the jurisdiction of the City Council.

8.04 Placing Items on the Agenda

All members of City Council may request adding an item to the Council Agenda for discussion. Such requests will be added to the Council Agenda within the section, Projected Agenda Discussion. Requested items should be raised with staff in advance of discussion at a meeting so that written material may be published to alert the community as well as all members of Council of the requested item. Advanced discussion with the City Manager is encouraged so that staff can do preliminary research and be prepared to speak to the request and identify necessary resources and timelines.

Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disasters, and other severe emergencies. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting.

8.05 Development of the Agenda

Given the rigorous time frame for agenda development, it is extremely difficult for staff to compile or prepare information requested at a Tuesday night meeting in time for the next deadline. The Council will receive follow-up information at the second Council meeting following the date it is requested. This would allow staff sufficient time to prepare reports that require additional investigative research and/or additional time due to complexity of subject matter.

8.06 Audio Recording of Meetings

The City Clerk, or designee, shall make and keep audio recordings of all meetings of the Bothell City Council, except those meetings or portions of meetings conducted in Executive Session, or unless a motion is passed to suspend audio recording of a meeting. Council typically suspends the Rules of Recording for Board & Commission interviews and Council Retreats. Recordings and related records of all City Council meetings, except as referenced above, shall be retained by the City in accordance with the Washington State Records Retention Schedule.

8.07 Order of Business – Regular Meetings

The City Council, by adoption of this manual, establishes the general order of meetings. This section summarizes each meeting component. The Mayor or City Manager may, rearrange the agenda order to allow for better flow given the items being discussed. The Council may, during the meeting under meeting agenda approval, make changes to the agenda. Any such change is subject to consensus of the Council.

Call to Order/Flag Salute/Roll Call

1. Meeting Agenda Approval

This is the time when Councilmembers or the City Manager may withdraw or move items on the agenda.

2. Public Engagement Opportunities

3. Proclamations

4. Public Comment

Persons addressing the Council, who are not specifically scheduled on the agenda will be invited by the Mayor to the podium. Speakers will limit their remarks to 3 minutes . . . No speaker may convey or donate their time for speaking to another speaker. Speakers are asked to sign up online by 3:00 PM day of meeting.

Written comments will be submitted into the record. A copy of the document will be provided to each Councilmember; the document will not be read aloud.

The following language will be added to the published agenda under Public Comment: During this item, the Mayor will invite public comment. Those testifying or providing comment will be limited to 3 minutes. Virtual attendees will be muted and not audible to the Council except during times they are designated to speak.

Public comment during this portion of the meeting shall be limited to the topic concerning current, future, or requested City projects, actions, programs, plans and regulations. Comments not pertaining to these subject matters are not germane and may result in your comments being suspended. The Mayor has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct and to enforce the rules. The Mayor may command assistance of any peace officer of the City to enforce all lawful orders of the Mayor to restore order at any meeting.

Community members with complaints, concerns, or questions, will be encouraged to refer the matter to the City Manager,.

- i. *Addressing the Council – Generally - Written Communications.* All persons may address the Council by written communication, including email. Such written communication pertaining to items subject to public hearing procedures will be made a part of the public record, but will not be read aloud.

Written comments may be submitted to the Council at any time by email or mailing or otherwise delivering to the City Clerk, 18415 – 101st Avenue NE, Bothell, WA 98011. The Clerk will distribute a copy of the correspondence to each Councilmember.

Oral Communications. All persons may address the Council verbally, either:

- a) During the Public Comment portion of the Agenda
- b) During public hearings, following staff (and applicant, if applicable) comments.

Addressing the Council -- Manner -- Limits. Each person addressing the Council will give their name in an audible tone of voice for the record, and shall limit the address to three (3) minutes.

Addressing the Council-- Signs in meetings-- Limits. General public comment is invited and encouraged during the public comment section of the Agenda only. All other comment is limited to specific items and issues as noted in the Agenda or otherwise allowed by Council with regard to specific items of business. During the public comment portion of the meeting, the Mayor will invite members of the public to speak to Council about topics that are not scheduled for public testimony. Comments on any non-agenda items will not be allowed other than during the public comment section of the Agenda. Signs will be allowed in the meeting by the presiding officer so long as they are limited in size to 11 x 17 inches and are not displayed or otherwise employed in a manner that disturbs or threatens others as determined by the presiding officer. All signs, placards or other forms of public display type written comment must be composed of soft, collapsible materials with no protrusions or hard mountings. Any person bearing a sign or other form of public display type written comment that violates the provisions of this section will be required to remove such sign from the meeting chambers and may themselves be barred from the meeting if they become disruptive by refusing to remove such signs.

- ii. *Addressing the Council -- After a Motion is made*
After the Council makes a motion, no person will address the Council without first securing the permission of the Mayor or presiding officer to do so.

5. Reports

a. City Manager Report

- Outside Presentations – Outside agencies attending meetings to give updates on regional issues that affect Bothell or may be presented to recognize a group/individual or program.
- Staff briefings - Staff briefings allow staff to update the Council and public on issues/items they are working on which might not otherwise come before the City Council but are of interest regarding the goings-on of the city. As the name implies, these shall be brief.

- b. Board & Commission Reports – This is an opportunity for Board and Commission members to update Council on activities, workplans and other items of interest.
- c. Council Committee Reports, Community Reports & Conversations - This is an opportunity for Councilmembers to update each other and the public on regional committee activities, community updates, and other topics of interest

6. Projected Agenda Discussion

7. Consent Agenda

Those matters of business that require action by the Council which are considered to be of a routine and non-controversial nature are placed on the consent agenda. The individual items on the consent agenda shall be approved, adopted, or enacted by one motion of the Council. Examples of such items include:

- Approval of all Council minutes;
- Approval of vouchers;
- Final approval of leases and agreements;
- Final acceptance of grants, deeds, or easements;
- Setting dates for public hearings/meetings;
- Passage of resolutions and/or ordinances which the Council has given direction to place on the consent agenda;
- Final acceptance of public works construction projects.

*No discussion shall take place regarding any item on the consent agenda beyond asking questions for simple clarification.

8. Public Meetings, Public Hearings, Open Record Reviews, and Closed Record Reviews

Public meetings, public hearings, open record reviews, and closed record reviews shall be held at 6:00 p.m. or later, unless otherwise noticed in accordance with law.

Individuals desiring to speak during a public hearing are encouraged to sign up beforehand and address the Council from the speaker podium or virtually after giving their name. Comments are limited to the specific matter for which the public hearing is held. Comments not pertaining to these subject matters are not germane and may result in your comments being suspended. Comments are limited to three (3) minutes. No speaker may convey their time for speaking to another speaker. Written comments are encouraged during the public hearings. When materials are presented during public hearings, they should be submitted to the City Clerk before the public hearing is closed on the item.

In the event of single subject group comment, at the discretion of the presiding officer, single time allocation for a spokesperson greater than three (3) minutes can be allowed. Groups that qualify for this special treatment shall submit to the presiding officer, prior to comment, a list of present group constituents or others in agreement so that duplication will not occur.

After a public hearing is closed, no member of the public shall be permitted to address the Council or the staff. In fairness to members of the public, the City Council shall be considered to be in deliberations from that point forward. Continuance of the item shall place it on a forthcoming agenda. Additional public testimony either that evening or at a future meeting would be precluded until public hearing notification procedures required by the Bothell Municipal Code are concluded.

9. Ordinances & Resolutions

All ordinances and resolutions shall, before presentation to the Council, have been approved as to form and legality by the City Attorney, the applicable Department Head and the City Manager. No ordinance shall contain more than one subject that shall be fully and clearly expressed in its title.

10. Contracts/Agreements

All contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall further have been presented to the City Manager or authorized representative for review.

11. Appointments

Appointments to Outside/Regional Council Committees, Board and Commission Appointments or Pro/Con Committees for ballot measures.

12. Other

Items that do not fit into any other category.

13. Study Sessions

The study session is the forum used by Council to review forthcoming programs of the City, to receive progress reports on current issues, or to receive similar information from the City Manager and others. Further, the purpose of Study Sessions is to allow Councilmembers to do concentrated preliminary work with administration on single subjects of time consuming, complex matters (i.e., budget, complex legislation or reports, etc.)

14. Executive Session & Closed Session

At the call of the presiding officer, or with a majority vote, the City Council may recess to Executive Session to privately discuss and consider matters of confidential concern to the well-being of the City. The purposes for which an Executive Session or Closed Session may be held are identified in RCW 42.30.110 and RCW 42.30.140. The City Council may also hold an Executive Session to receive confidential advice from the City Attorney under the attorney-client privilege.

Before convening in Executive Session or Closed Session, the presiding officer shall publicly announce the purpose for excluding the public from the meeting place, and the time when the Executive Session/Closed Session will be concluded. An Executive Session/Closed Session may be extended to a stated later time by announcement of the presiding officer.

15. Adjournment

Council meetings are scheduled to conclude no later than 9:00 PM but will continue until business is concluded with no motion necessary to extend. In the event the Council cannot conclude the agenda at the current meeting, the meeting will be recessed to a definite time and place, and notice of such continued meeting will be given as provided by statute.

8.08 General Procedures

A. Seating Arrangement of the Council

While the Deputy Mayor is customarily seated immediately next to the Mayor, they may choose to sit anywhere at the dais. The Mayor, with the approval of Councilmembers, shall establish other seating arrangements for regular council meetings.

B. Signing of City Documents

The Mayor, unless unavailable, shall sign all ordinances, resolutions and other documents which have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Deputy Mayor may sign such documents.

C. Quorum

Four members of the Council shall constitute a quorum and are necessary for the transaction of City business. In the absence of a quorum, the Mayor shall, at the request of any two members present, compel the attendance of absent members.

D. Minutes

The City Clerk or designee shall take minutes at all meetings of the City Council. The minutes shall be made available for public inspection.

E. How Many Votes are Required for Passage?

For all resolutions, and motions, a simple majority of the Councilmembers present (assuming a quorum) is sufficient for passage.

The passage of any ordinance, grant or revocation of a franchise or license, and any resolution for the payment of money, requires an affirmative vote of at least a majority of the whole membership of the Council.

Public emergency ordinances, necessary for the protection of public health, public safety, public property, or public peace, may take effect immediately upon final passage (instead of after a 30-day delay), if passed by a majority plus one of the whole membership of the Council.

F. Voting

When seated at the dais for regular Council meetings, votes will be taken by voice vote.

8.10 Open Public Meetings Act

A. Applicability

The open meeting law applies to the City Council, all quasi-judicial bodies, and all standing, special or advisory boards, commissions, committees or subcommittees of, or appointed by, the City Council.

B. Meetings

All meetings of the Council shall be open to the public, except in the special instances as provided in RCW 42.30.110 and RCW 42.30.140 as hereafter amended. A meeting takes place when a quorum (a majority of the total number of Councilmembers currently seated on the Council) is present and information concerning City business is received, discussed, and/or acted upon.

C. ADA Requirements

The City of Bothell strives to provide accessible meetings for people with disabilities. Assisted-listening devices are available for use in the Council Chambers. If these or other accommodations are required, please contact the Americans with Disabilities Act Coordinator at (425) 806-6201 at least three days prior to the meeting.

D. Actions

No legal action can be taken by the Council except in a public meeting. At a *Special Meeting*, action can be taken only on those items appearing on the posted agenda, except for emergency items as defined in Section 8.08(E). At a Regular Meeting of the City Council, the Council is free to take action on non-agenda items, subject to applicable notice requirements in state statutes or local ordinances for the subject matter being considered.

E. Correspondence

All writings distributed for discussion or consideration at a public meeting are public records. To that end, Councilmembers shall not communicate using text, Microsoft Teams chat, Zoom chat, Instagram, Twitter, Facebook or other social media during a council meeting. Councilmembers shall refrain from making or receiving personal, private phone calls or emails while at the Council dais. Councilmembers shall not communicate in any electronic format with another councilmember during a council meeting.

Written material protected by attorney-client privilege must not be cited or quoted.

Chapter 9 Protocol Administration

9.01 Biennial Review

The City Council will review and revise the City Council Protocol Manual every two years, or as needed.

9.02 Adherence to Protocol

- A. Each Councilmember shall have the duty and obligation to review this Protocol Manual and be familiar with its provisions.
- B. During City Council discussions, deliberations, and proceedings, the Mayor will be primarily responsible to ensure that the City Council, staff, and members of the public adhere to the Council's adopted Protocol Manual.
- C. Knowing and/or willful failure to adhere to the provisions of this Protocol Manual may subject a Councilmember to enforcement and sanctions as follows:
 - (1) Upon determining that there is credible evidence that a Councilmember has, or may have, engaged in knowing and/or willful action or omission that constitutes failure to adhere to the provisions of this Protocol Manual, the Mayor or the Deputy Mayor, in the event that the Mayor is the Councilmember alleged to have engaged in such action or omission, may call upon the Council to determine whether such knowing and/or willful action or omission has occurred, and the sanctions, if any, to be imposed.
 - (2) Prior to conducting any hearing on an alleged failure to adhere to the provisions of this Protocol Manual, the Mayor or Deputy Mayor shall provide written notice to the Councilmember alleged to have engaged in such failure to adhere at least ten (10) calendar days prior to calling for such hearing. The written notice shall identify the specific provisions of this Protocol Manual with which the Councilmember is alleged to have failed to adhere and the facts supporting such allegation.
 - (3) Upon call by the Mayor or Deputy Mayor, a majority of a quorum of the Council shall vote on whether to hold a hearing to determine the existence of an act or omission constituting a failure to adhere and the sanctions, if any, to be imposed. If such hearing is approved by the Council, the hearing shall be held at a time and place specified in the motion approving such hearing.

- (4) At such hearing, the Council shall determine whether there is a preponderance of credible and substantial evidence indicating that a Councilmember has knowingly and/or willfully acted or failed to act in a manner constituting a failure to adhere to the provisions of this Protocol Manual. The Councilmember alleged to have failed to adhere to the provisions of this Protocol Manual shall have the right to present evidence and testimony. The finding of the existence of such knowing and/or willful failure to adhere shall be determined by motion approved by a majority of the Council plus one.
- (5) Upon finding that a knowing and/or willful failure to adhere to the provisions of this Protocol Manual has occurred, the Council shall proceed to determine whether the sanctions, if any, should be imposed. Appropriate sanctions may include, but are not limited to, the following:
 - (i) public censure
 - (ii) removal of appointment to extra-territorial boards, committees, or commissions; and
 - (iii) removal of appointment to Council boards or committees

9.03 City Attorney as Protocol Advisor

The City Attorney shall assist the Mayor and serve as an advisor for interpreting the City Council's adopted Protocol Manual.

9.04 Adherence to Non-interference Ordinance

The City Council delegates to the City Manager the responsibility to discuss with any Councilmember, on behalf of the full Council, any perceived or inappropriate interference or encroachment of administrative services. The City Manager will discuss with the Councilmember the action and suggest a more appropriate process or procedure to follow. After this discussion, if inappropriate action continues, the City Manager will report the concern to the full Council.

9.05 Applicability of Protocol Manual

The City Council Protocol Manual shall also apply when the Council is sitting as another entity or agency. The role of Mayor and Deputy Mayor shall be interchangeable with the Chair and Vice Chair, or President or Vice President, when sitting as another entity.

Chapter 10 Leaving Office

10.01 Return of Materials and Equipment

During their service on the City Council, members may have acquired or been provided with equipment such as computers or other items entailing a significant expense, as well as copies of the Bothell Municipal Code, *Imagine Bothell...*, Comprehensive Plan, mailbox key, etc. These items are to be returned to the City at the conclusion of a member's term.

10.02 Filling Council Vacancies

A. Purpose

The purpose of this section is to provide guidance to the City Council when a Bothell Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.

B. References

[RCW 42.30.110 \(H\)](#) – Executive Session Allowed to Consider Qualifications of a Candidate for Appointment to Elective office.

[RCW 42.30.060](#) – Prohibition on Secret Ballots.

[RCW 42.12](#) – Vacant Position.

[RCW 35A.13.020](#) – Vacancies – Filling of Vacancies in Council/Manager Form of Government.

C. Appointment Process

(1) A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in [RCW 42.12.010](#), including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The Councilmember who is vacating their position cannot participate in the appointment process.

(2) The City Council shall direct staff to begin the Councilmember appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity.

(3) The City Clerk's Office shall prepare and submit a display advertisement to the City's official newspaper, with courtesy copies to all other local media outlets, which announces the vacancy consistent with the requirements necessary to hold public office: that the applicant (a) be a registered voter of the City of Bothell, and (b) have a one (1) year residency in the City of Bothell. This display advertisement shall be published once each week for two (2) consecutive weeks. This display advertisement shall contain other information, including but not limited to, time to be served in the vacant position, election information, salary information, Councilmember powers and duties, the deadline date and time for submitting applications, interview and appointment schedules, and such other information that the City Council deems appropriate.

(4) The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. Applications will be available at City of Bothell offices and on the City's official website. Copies of the display advertisement will be provided to current members of the City of Bothell commissions, committees, task forces and other City-sponsored community groups.

(5) Applications received by the deadline date and time will be copied and circulated, by the City Clerk's Office, to the Mayor and City Council. Packets may also contain additional information received such as endorsements, letters of reference and other pertinent materials.

(6) The City Clerk's Office shall publish the required public notice(s) for the meeting scheduled for interviewing applicants for consideration to the vacant position. This meeting may be a regularly scheduled City Council meeting, or a special City Council meeting.

(7) The City Clerk's Office shall notify applicants of the location, date and time of City Council interviews.

(8) Prior to the date and time of the interview meeting, the Mayor shall accept one interview question from each Councilmember.

D. Interview Meeting

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

(1) The applicant shall present their credentials to the City Council. (5 minutes)

(2) The City Council shall ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and will answer the same set of questions, and will have 2 minutes to answer each question. (14 minutes)

- (3) An informal question and answer period in which Councilmembers may ask and receive answers to miscellaneous questions. (10 minutes)
- (4) The applicants' order of appearance will be determined by a random lot drawing performed by the City Clerk.
- (5) The Council may reduce the 30-minute interview time if the number of applicants exceeds six (6) candidates, or alternatively, the Council may elect not to interview all of the applicants if the number exceeds six (6) candidates. The decision as to which applicants to interview will be based on the information contained in the application forms.

E. Voting

Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, deliberations, nominations and votes taken by the Council shall be in open public session.

- (1) The Mayor shall ask for nominations from the Councilmembers for the purpose of creating a group of candidates to consider. No second is needed.
- (2) Nominations are closed by a motion, second and majority vote of the Council.
- (3) Councilmembers may deliberate on such matters as criteria for selection and the nominated group of candidates.
- (4) The Mayor shall poll Councilmembers to ascertain that Councilmembers are prepared to vote.
- (5) The City Clerk shall proceed with a roll-call vote.
- (6) Elections will continue until a nominee receives a majority vote of the remaining Councilmembers.
- (7) At any time during the election process, the City Council may postpone elections until a date certain or regular meeting if a majority vote has not been received.
- (8) Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the applicant/candidate qualifications.
- (9) The Mayor shall declare the nominee receiving the majority vote as the new Councilmember and shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled City Council meeting.
- (10) If the City Council does not appoint a qualified person to fill the vacancy within 90 days of the declared vacancy, pursuant to RCW 42.12.070(4), the county in which all or the largest geographic portion of the city is located shall appoint a qualified person to fill the vacancy.

Chapter 11

Additional Training and Resource Materials

11.01 Association of Washington Cities [(800) 562-8981]

<https://wacities.org/> The Association is a voluntary, nonpartisan, nonprofit association comprised of all incorporated cities and towns in Washington.

11.02 National League of Cities [(202) 626-3000]

www.nlc.org A non-partisan organization serving municipal governments, the NLC works to establish unified policy positions, advocates those policies forcefully, and shares information that strengthens municipal government throughout the nation.

11.03 International City/County Management Association [(202) 289-4262]

<https://icma.org/> ICMA is a professional and educational association of local government administrators that serves to enhance the quality of local government through professional management and to support and assist professional local government administration. The Association's *Elected Officials Handbook* series can be of great value to Councilmembers. Publications are also available through ICMA concerning every basic city service.

11.04 Government Finance Officers Association [(312) 977-9700]

www.gfoa.org GFOA is a professional association of state and local finance officers. The Association administers a broad range of services and programs related to government financial management:

11.05 Municipal Research & Services Center of Washington [(206) 625-1300]

www.mrsc.org MRSC is a nonprofit, independent organization created in 1969 to continue programs established in 1934 under the Bureau of Governmental Research at the University of Washington. One of the principal services of MRSC is to respond to inquiries on virtually every facet of local government.

11.06 Appendix

Reference materials are provided in the Appendix of this manual. Materials include:

- A. Glossary of Terms
- B. Parliamentary Procedure

11.06 A - Glossary of Terms

Adjourn: to end the meeting

Agenda: summarization of items scheduled to be heard and acted upon at a public meeting

Amend: to change a motion

Conflict of interest exists when a Councilmember may have a personal interest in the outcome of a Council action. When a substantial conflict of interest exists, a City official must declare such and refrain from participating in or influencing the discussion or vote on the item

Consent agenda: a listing of non-controversial items presented to Council for their collective approval

Council packet: a compilation of Council Communications with reports and supporting documentation for items to be considered by Council

Debate: discussion about a motion

Decorum: behavior that is conducive to carrying on debate in a smooth and orderly manner. To maintain proper decorum and order, the following practices and customs are observed by members of the assembly: (1) confining remarks to the merits of the pending question; (2) refraining from attacking a member's motives; (3) addressing all remarks through the chair; (4) avoiding the use of members' names; (5) refraining from speaking adversely on a prior action not pending; (6) reading from reports, quotations, etc., only with permission; and, (7) refraining from disturbing the assembly

Emergency clause: a clause added to ordinances or resolutions declaring them to be of more than ordinary public need and necessity and putting them into effect immediately upon adoption. Ordinances and resolutions adopted without the emergency clause go into effect 30 days from the date of adoption.

Formal action: an act or direction of the City Council directing things to be done or recorded, but not requiring an ordinance or resolution

Germane: closely related to, or having bearing on, the subject

In order: relevant to the business at hand

Incidental motion: is a question of procedure that arises out of other motions. An incidental motion must be considered before the other motion. Incidental motions yield to privileged motions and to the motion to table. They are not debatable, except “appeal” and in this case, the presiding officer may submit to the assembly for a decision. Motions of this classification include (listed in order of precedence): (1) point of order; (2) appeal the decision of the chair; (3) suspension of rules; and, (4) parliamentary inquiry

Main motion: introduces an item of business to the Council for its consideration. A main motion cannot be made when another motion is before the Council. A main motion yields to privileged, subsidiary and incidental motions

Majority: more than one-half of the members present

Miscellaneous motions: not conveniently classified as subsidiary, incidental, or privileged, but which are in common use. These include: (1) take from the table; (2) reconsider; and (3) rescind

Motion: a formal proposal by a member, put to the Council for a decision by vote

Municipal code: the codification of general ordinances adopted by Council.

Ordinance: an action that has the effect of making or amending or repealing substantive city law

Parliamentary procedure: a set of rules for conduct at meetings. It allows everyone to be heard and to make decisions without confusion

Point of order: to raise a question of order. Point of order is pronounced when a member thinks that the rules of the assembly are being violated, thereby calling upon the chair for a ruling and an enforcement of the regular rules

Privileged motions: concern special or important matters not related to pending business. Privileged motions are most urgent and are of highest importance. Such a motion takes precedence over any pending question. Privileged motions are not debatable. They must be concerned with the rights of the assembly as a whole and the rights of each member in relation to the assembly. Privileged motions include the following and are listed in order of precedence: 1) adjourn; (2) recess; (3) question of privilege

Protocol: a code prescribing strict adherence to correct etiquette and precedence

Quasi-judicial proceedings: those proceedings in which the City Council is required to make findings based on an evidentiary record. In quasi-judicial proceedings, the City Council sits as the judge and jury, and is required to make findings based on the evidence and records presented. Examples of quasi-judicial proceedings heard by the City Council include open record reviews, closed record reviews, and subdivision map approvals.

Quorum: the number of members that must be present for the meeting to be called to order and to conduct business legally. A quorum of the Bothell City Council consists of four members, when all seven Council seats are filled.

Resolution: a formal, permanent, or long-standing expression of intent or public policy of the City

Second: a verbal signal from a member that they wish Council to consider the proposed motion

Special meeting: an unscheduled public meeting of the City Council held to act on an item(s) requiring immediate consideration. Special meetings must be posted 24 hours prior to the time of the meeting in order to be held

Subsidiary motion: changes or affects how the main motion is handled. This motion is voted on before the main motion. Subsidiary motions yield to all privileged and incidental motions and subsidiary motions above it in order of rank: (1) lay on the table (postpone temporarily); (2) the previous question (close debate); (3) limit or extend limits of debate; (4) postpone definitely or to a time certain; (5) commit, refer, or recommit to committee; (6) amend (change or modify a motion); (7) postpone indefinitely (kill a motion)

Title: the lead-in paragraph of an ordinance or resolution declaring its purpose. The title appears on the meeting agenda

Voting: the means by which motions are accepted or rejected by the Council

11.06 B- Parliamentary Procedure

By approval of the Council Protocol Manual, the City Council has adopted a modified version of *Robert's Rules of Order*. The abridged rules of order that will be entertained by the Bothell City Council can be found in the Appendix.

Customs of Formality

The presentation and disposition of motions at a City Council meeting involves significant interaction between the presiding officer and the members of the Council. Therefore, members should understand the customs of formality that are followed by the presiding officer and members in conformance with parliamentary procedure.

A Customs Observed by Members

The regular presiding officer of the Council is addressed as "Mayor _____" or Mr. (or Madam) Mayor." Even at meetings where no members of the public are present, the presiding officer is called by the individual's proper title and is never addressed or referred to by their first name or the personal pronoun "you."

As a general rule, the presiding officer is addressed as "the chair" when additional reference is required. For example, "Mr. Mayor, do I understand the chair to state..." The presiding officer's place or station in the chambers is also called "the chair." Therefore, the term "the chair" applies to both the presiding officer and to that person's station in the council chambers.

Members address only the chair, or address each other through the chair, and generally refer to each other by title. For example, "Mr. Mayor, may I ask Councilwoman A to explain..."

B Customs Observed by the Presiding Officer

The presiding officer refers to themselves as the chair and never uses the personal pronoun "I." For example, "The chair rules that..." The presiding officer also does not address an individual member as "you," but refers to members by their proper title.

Meeting Decorum and Order

The presiding officer shall preserve decorum and decide all questions of order, subject to appeal by the Council. During Council meetings, Councilmembers shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the orders of the chair or the rules of protocol.

Any Councilmember may request the presiding officer to enforce the rules of protocol. Upon motion and majority vote, the presiding officer shall be required to do so.

Order of Discussion

The presiding officer should follow the prepared agenda as much as possible. However, for those occasions when deviations are necessary or convenient, the presiding officer will clearly announce that the Council has decided to rearrange the agenda. When changing the order of discussion, it must be done so as not to prevent or deny any member of the public the opportunity to listen to the discussion of any agenda item.

Obtaining the Floor

A Councilmember shall address the presiding officer and gain recognition prior to making a motion or engaging in debate. The presiding officer will recognize Councilmembers by their last name, such as "Councilmember Jones." Councilmembers will address each other as Councilmember, followed by last name, such as "Councilmember Jones." Cross-exchange between Councilmembers and the public should be avoided. This is to prevent general conversation and to keep the order necessary to maintain decorum and accomplish the business of the Council.

After a member has concluded comments and yielded the floor, if two or more members are trying to obtain the floor at the same time, the general rule is that the person who addresses the chair first is entitled to be recognized. When a motion is open to debate, however, there are three instances in which the presiding officer should assign the floor to a person who may not have been the first to address the chair. These are:

1. The Councilmember who made the motion currently under debate is entitled to be recognized in preference to other members if that individual is claiming the floor and has not already spoken on the question.
2. No member is entitled to the floor a second time in the meeting on the same motion as long as another member who has not spoken on the motion desires the floor.
3. In instances where the person to be recognized is not determined by (1) or (2) above, and where the presiding officer knows that members who are seeking the floor have opposite opinions on the motion, the chair should let the floor alternate as much as possible between those favoring and those opposing the motion.

Questions to Staff

A Councilmember may, after recognition by the presiding officer, address questions to staff members.

Interruptions

Once recognized, a Councilmember should not be interrupted while speaking, except to make a point of order or personal privilege. If a Councilmember is called to order while speaking, the individual shall cease speaking until the question order is determined.

Upon being recognized by the presiding officer, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

Discussion Limit

A Councilmember should not speak more than once on a particular subject until every other Councilmember has had the opportunity to speak. Councilmembers are encouraged to discuss items during the decision-making process.

Basic Steps to Conducting Business

Specific requests or proposals that are presented to Council for consideration and possible action must be introduced in the form of a motion. For the proper presentation and disposition of most motions, 13 separate steps are required. The basic steps to conducting business include:

The Presiding Officer (chair):

- Introduces the item to be considered as presented on the agenda
- Opens a public hearing
- Closes the public hearing after receiving comments (if any) from the public
- Calls for discussion

A member of the Council:

- Addresses the chair
- Is recognized by the chair
- Proposes the motion

A second member of the Council:

- Seconds the motion

The Presiding Officer (chair):

- States the motion
- Calls for any further discussion or debate
- Restates the motion and puts the motion to a vote

The City Clerk:

- Takes the vote
- Announces the results

Making a Motion

Under parliamentary procedure, there are three steps required to bring a motion before the Council for its consideration:

1. A Councilmember makes a motion;
2. Another Councilmember seconds the motion, and
3. The chair states the motion.

Unless the motion can interrupt a speaker as explained in *Robert's Rules of Order*, a member must obtain the floor to make a motion. Once the chair has recognized a Councilmember, the individual makes the motion by saying, "I move that..." or "I move to..." and announcing what is proposed.

Councilmembers should attempt as much as possible to state motions in the positive form---that is, "I move to..." rather than "I move not to..." Motions where one must vote "yes" to vote against a proposal are confusing not only for Councilmembers, but also for staff and the public.

If a proposal has only minimal support, a Councilmember might state "I make this motion in order to put it on the floor for discussion. I am not sure of my position on it at the present time."

Seconding a Motion

After a motion has been made, and if it requires a second, another Councilmember who wishes to see the motion considered says, without obtaining the floor, "I second the motion," or simply, "Second." A second merely implies that the member agrees the motion should come before the meeting, not necessarily that the member favors it. If another member of the Council does not second the motion, the chair normally asks, "Is there a second to the motion?" If there is no second, the chair should say, "Since there is no second, the motion is not before this meeting." If seconded, the maker of the motion should then be regarded as having the refusal of the floor in preference to all other members.

The purpose of a second is to prevent time being spent on motions that only one person wants to discuss. After the Council makes a motion, no person shall address the Council without first securing the permission of the Mayor or Council to do so.

Stating the Question

Under parliamentary procedure, making and seconding a motion does not put it before the Council for consideration. This can be done only by the chair when the presiding officer repeats the exact motion and indicates that the motion is open for debate by stating: "It has been moved and seconded that ... Is there any discussion?"

A. Right to Withdraw or Modify a Motion

Until the chair has stated the question, the maker has the right to modify or withdraw the motion. After the motion has been stated, however, it can be withdrawn only with the Council's consent. If any objection is made, it will be necessary to obtain leave to withdraw by a motion for that purpose. When a motion is withdrawn, the effect is the same as if it had never been made.

B. Pending Motions

When the chair has stated a motion, it is said to be *pending*. When several motions are pending, the last one stated by the chair, and the first to be disposed of, is called the *immediately pending question*. Thereafter, other pending motions are considered in descending order of rank.

Amendment of the Main Motion

When the main motion does not exactly suit the members of the Council, it may be changed by means of amendment *before* it is finally voted upon. Once recognized by the chair, a Councilmember may make the motion to amend by stating, "I move to amend the motion by..." ---adding, striking out, inserting, or substituting. An amendment to the main motion requires a second; it is debatable, requires a majority vote, and must be germane---that is, closely related to or having bearing on the subject of the motion to be amended.

If the motion on the amendment passes, the chair puts the main motion, as amended, to a vote. If the motion on the amendment fails, the chair puts the main motion, as originally presented, to a vote.

The member, who offers the motion, until it has been stated by the chair, can modify the motion, or withdraw it entirely; after it is stated, they can do neither without the consent of the body (majority). For example, the mover may state, "With the consent of the body I will modify my motion to state as

follows...” If no one objects, it shall be deemed that they have the consent of the body to modify their motion. When the mover modifies their motion, the one who seconds it can withdraw their second.

Postponement of Business

A. Postpone to a Time Certain

Council may delay action on a pending question by making a motion to postpone the item either indefinitely or to a time certain. This motion can be made regardless of how much debate has taken place. The question may be postponed either so that it may be considered at a more convenient time or because debate has shown reasons for delaying a decision.

B. Postpone Indefinitely

Council may decline to take a position on a pending question by moving to postpone the item indefinitely. Voting to postpone indefinitely kills the main motion and avoids a direct vote on the question. This motion is useful for disposing of a badly expressed main motion that cannot be either adopted or expressly rejected without possibly undesirable consequences.

C. Table

Commonly misused in place of a motion to postpone, Council may lay the pending question aside temporarily when some other issue of immediate urgency has arisen. *Lay on the Table* is out of order if the evident intent is to kill or avoid dealing with an item. This motion requires a majority vote and halts consideration of a question immediately and without debate. After a question has been laid on the table, it can be taken from the table by a majority vote as soon as the interrupting business is disposed of and when no other question is pending.

Debate

The term “debate” applies to the discussion of the merits of any pending question during a Council meeting. All main motions and certain other motions are entitled to debate.

Any member of the City Council may move to close debate by saying, “I move that debate on the motion be closed,” or “I move the previous question.” However, Councilmembers should refrain from using the term, “call the question,” as a means to end debate. The audience better understands, “Move that debate on the motion be closed,” rather than “calling the question.” The motion must be seconded. The presiding officer immediately requests a vote, to which a two-thirds vote is required to close debate.

A motion to close debate can neither be debated nor amended. The motion to close debate effects the immediately pending question, whether it is an amendment or the main motion. Should the motion fail, debate is reopened. If the motion passes, then the Council shall vote on the motion for which debate was closed.

Debate shall not be closed until every Councilmember present has had at least one opportunity to speak on the motion.

While debate on a main motion is under way, amendments and subsidiary, privileged and incidental motions may be introduced (if they are in order), debated (if debatable) and disposed of.

In addition to the customs of formality discussed in Section 9.01, observance of the following practices will make debate smooth and orderly. Members of the Council should:

- Confine their comments to the merits of the pending question;
- Refrain from speaking against their own motions;
- Refrain from reading reports, quotations, etc., without permission of the Council; and
- Speakers should yield the floor to the chair whenever the chair interrupts to give a ruling or information, or to otherwise speak

Voting Procedures

Each Councilmember shall vote on all questions put to the City Council, unless a conflict of interest under State law or appearance of fairness question is present. Unless a member of the Council states that they are not voting, their silence shall be recorded as an affirmative vote.

If a member asserts a conflict of interest under State law or appearance of fairness question, and it is not apparent to all Councilmembers present, the member shall be excused from voting on an issue only by majority vote of the Councilmembers present.

If it is determined by majority vote of the City Council as a whole, plus one, that a Councilmember has a conflict of interest under State law or would violate the appearance of fairness doctrine by participating in, and/or voting on, a matter coming before the Council, then the member determined to have the conflict of interest or appearance of fairness doctrine violation shall not participate in or vote on said matter. In the event a challenged member or members requests additional time prior to the challenge having been voted on by the City Council in order for the Councilmember to present further information to the Council, then the City Council's determination with respect to the challenge shall be continued to the next regularly scheduled meeting of the City Council, at which time the member or members requesting the additional time shall present such additional information. At the conclusion of the presentation, the City Council shall make its determination as provided hereinabove.

When the debate appears to be over and if no one indicates a desire to continue discussion, the chair puts the motion to a vote by stating, "If there is no further discussion, cast your votes."

Only those ordinances, resolutions, or motions that receive an affirmative vote by the majority of the present and voting members of the City Council who also constitute a quorum shall be passed or become effective unless other voting requirements are provided by Washington State law in which case Washington State law shall prevail. In order for an ordinance or resolution to become effective immediately, the City Council must declare that an emergency exists and approve the ordinance or resolution by the affirmative vote of the majority plus one of the whole membership of the Council (See Section 8.09E).

A conflict of interest shall be declared whenever appropriate and in compliance with state law. The affected Councilmember will not participate in the discussion and will abstain from the voting process by leaving the Council Chambers until such time as consideration of the item has been concluded.

A. Votes

Votes shall be cast in an audible tone of voice.

B. Abstention from Voting

Any member may abstain from voting on any question; provided, at the time of declaring their abstention, they shall state the reason.

C. Tie Vote

A tie vote results in the motion having failed. The presiding officer may publicly explain the effect of the tie vote for the audience.

D. Reconsideration

Reconsideration of an item will be considered by a majority vote of the Council. A member of the prevailing majority must make a motion for reconsideration when the previous vote was taken, and can be made no later than the next regular meeting after which the previous vote was taken.

Right of Protest

A Councilmember is never required to state reasons for a dissenting vote; provided, however, that any member of the City Council shall have the right to state the reasons for their dissent from, or protest against, any action of the Council. Such statement shall be noted in the minutes along with the record of the vote in the following format: "Councilmember XX verbally stated their reasons for voting in the minority on this matter." No other statement is proper or will be allowed to be recorded in the minutes of the meeting.

General Rules of Procedure

A. Standing to Question Procedures

These rules shall govern the parliamentary procedures of the members and by the members only. Procedures may be questioned only by members of the body, and then only in accordance with these rules. The decision of the chair will be final and conclusive as to all, subject only to a motion by a member of the body, duly and timely made, in which case the ruling of the body shall be final and conclusive. Nothing in these rules will be construed to prevent the chairman or a member from requesting aid in the interpretation of these rules or other matters from the City staff or officials.

B. Precedence

Motions having precedence on those that may be made while another motion is pending.

C. To Yield

Motions yield when they are pending and another matter can be considered while the yielding motion still pends.

D. Applied

Where a motion can have no subordinate motion applied to it, the fact is stated. For example, the motion to continue may not be applied to the motion to lay on the table.

E. Debate

Debate shall not take place until the chair has stated the question. Debate shall be limited to the immediately pending question, except that the main question is also open when the following motions are pending: postpone indefinitely, or reconsider a debatable question.

F. Putting the Question

When the debate appears to have closed, the chair will ask, "Are you ready for the question?" If no one asks for the floor, the chair shall put the question to a vote, making it clear what the question is.

G. Majority

A majority of those present shall constitute a majority of the body assuming a quorum is present. The chair has the tie-breaking vote and may second a motion.

Specific Rules of Procedure

The following motions are permissible in considering any matter on the agenda, and unless otherwise specified, shall rank in precedence and application as set forth below:

A. Undebatable Motions

1. Question of Order and Appeal.

A question of order takes precedence of the question giving rise to it, may be put when another member has the floor, needs no second, and must be decided by the chairman without debate. If a member objects he may appeal, which if seconded, will immediately be put to the body. An appeal is waived if not made immediately. On appeal, the decision of the chair is sustained on a tie vote.

2. Suspension of Rules.

This motion may not be amended, nor another motion be applied to it, nor a vote on it reconsidered. Rules of the body may not be suspended except for a definite and specific purpose and by a vote of one more than a majority present. Nothing else may be done under the suspension. It may not be renewed at the same meeting if once defeated. It shall be in order to change the order of the agenda. No rule can be suspended when the negative vote is as large as the minority protected by that rule.

3. To Lay on the Table

This motion may not be used for purposes of continuance of a matter that has been specially called for public hearing, which is done by a motion to continue. It may not be amended, nor an affirmative vote on it be reconsidered.

If carried, the subject tabled may not be considered again until the body votes to take it from the table, which motion is also undebatable.

The object of the motion is to postpone the subject in such a manner that it can be taken up at any time, either at the same or some future meeting. It may be used to suppress a question for that meeting, but not for a matter for which a public meeting has been specially set. The effect of the motion is to place on the table everything that adheres to the subject, so that if an amendment were ordered to lie on the table, the subject whom it is proposed to amend is also tabled. However, it may be limited to the particular pending matter and if so adopted the remaining matters shall still be before the body.

4. The Previous Question

This motion is not amendable and applies to any debatable question, but is not debatable itself. It requires the vote of one more than a majority of the members present for its adoption. When called and seconded, the chair shall immediately put the question. If the motion fails to carry by a majority plus one of the members present, the debate will continue as if the motion had not been made. If adopted, the chair shall immediately bring the body to vote upon the pending question.

If applied to an amendment to a pending question, it brings to a vote not only the motion to amend, but also the question to be amended. However, the motion for the previous question may be limited to the pending amendment and, if adopted, debate will be closed only to the motion to amend.

It shall be proper for a member to submit a motion and at the same time move the previous question thereon and thus cut off debate on the motion. In this case, the chair shall first put the motion for previous question to vote.

B. Debatable Motions

1. Continue to a Certain Day

This motion yields to all undebatable motions, and takes precedence of all other debatable motions, except that it may be amended by altering the time, and the previous question can be applied to it without affecting any other motions pending.

2. To Commit or Refer

This motion is to commit or refer a matter to a committee. It can be amended by altering the committee, or giving the committee instructions. The debate on the motion opens the debate on the main question it is proposed to commit.

3. To Amend

This motion takes precedence over nothing but the question that it is proposed to amend and yields to all questions except to postpone indefinitely. It can be applied to all but undebatable questions, an amendment of an amendment, to postpone indefinitely, or to reconsider. It can be amended itself, but an amendment of an amendment cannot be amended.

An amendment may be inconsistent with the one already adopted, or may be directly in conflict with the spirit of the original motion, but it must have a direct bearing upon the subject of that motion. A motion to amend by inserting new words once past may not be the subject matter of a new amendment to change the same words. The proper motion is the motion to reconsider the vote by which the words were inserted.

A motion to amend may be made to “divide the question” into two or more questions as the mover specifies, so as to get a separate vote on any particular point or points.

4. To Postpone Indefinitely

This motion takes precedence of nothing except the question to which it is applied and yields to all motions except to amend. It cannot be amended, and opens to debate the entire question which it is proposed to postpone.

Its effect is to entirely remove the question from the body for that session. The previous question, if ordered when this motion is pending, applies only to it without affecting the main question.

It cannot be applied to a matter that has been specifically set for public hearing. A negative vote on it cannot be reconsidered.

5. Principal Question

The main or principal question is a motion to bring before the body for its consideration any particular subject. No principal motion can be made when any other motion is before the body. It takes precedence over nothing and yields to all.

C. Miscellaneous Motions

1. To Rescind

This motion cannot be made for a matter that has been voted upon for which a matter has been specifically called for public hearing. However, for other matters to which it is appropriately addressed, as where it is too late to reconsider the vote, the motion is the course to pursue to rescind an objectionable policy, order or motion; it is debatable.

2. To Reconsider

This motion is not in order after the body has voted upon the principal question which is the subject matter of a specially called public hearing, unless made immediately after thereon and before the Council has moved to the next item of business. It is otherwise in order at any time, even when another member has the floor, but not after the Council has adjourned the meeting. Nothing herein shall be construed as preventing the council from considering the same item at a subsequent meeting as a new item of business.

A member who voted with the prevailing side must make the motion. It can be applied to the vote of every other question, except as noted above, and except to suspend the rules and an affirmative vote to lay on the table or to take from the table.

The motion may not be amended. Whether or not it is debatable depends upon whether the question to be reconsidered is debatable or undebatable. It may be laid on the table, in which case, the reconsider, like any other question, can be taken from the table.

3. Roll Call

Any member may demand a roll call vote any time before or after any question is put. The demand needs no second and the chair must ask for a roll call vote on demand. It is not debatable and may be applied to any question. It is waived if after the vote it is not immediately made and prior to the next matter being considered.

Suggested Forms

1. Undebatable Motions

a. Question of order

Member: "I raise a point of order."

Chair: "State your point of order."

Member: States their point of order

Chair: Ruling by the chair, which may give reasons.

Member: "I appeal from the decision of the chair."

Chair: (If seconded) "Shall the decision of the chair stand as the decision of the body?"

b. Suspension of rules (majority plus one)

Member: "I move to suspend the rules requiring..."

c. To lay on the table (majority plus one)

Member: "I move to lay the question (stating it) on the table."

Chair: (If seconded) "Shall the main question be now put?"

Member: "I call for the previous question on the amendment."

Chair: (If seconded) "Shall the question be now put on the amendment?"

2. Debatable Motions

a. Continue to a certain day (majority)

Member: "I move to continue the question of (stating it) to the next regular (or recessed) meeting of (date)." *NOTE: Confirm date of meeting with City Attorney in matters of land use to ensure compliance with the BMC.*

b. To commit or refer (majority)

Member: "I move to refer the subject to a committee."

c. To amend (majority)

Member: "I move to amend the motion to 'add', or 'insert', to 'strike', to 'strike out XYZ and insert ABC', to 'divide the question' (into two or more questions), etc."

d. To postpone indefinitely (majority)

Member: "I move to postpone the question indefinitely."

e. Principal question (majority)

Member: "I move that..."

3. Miscellaneous Motions

a. To rescind (majority)

Member: "I move to rescind that motion, policy, etc."

b. To reconsider (majority)

Member: "Having voted on the prevailing side, I move that we reconsider the vote on the motion to (stating it) and have such motion entered on the record."

c. Roll call (any member)

Member: "I demand a roll call vote." No second needed.

Chair: "The clerk will please call the roll."

Other Protocol

Councilmembers and staff shall:

- Work to preserve appropriate order and decorum during all meetings.
- Address Councilmembers as Councilmember, followed by last name, such as “Councilmember Jones,” and staff by staff member’s last name.
- Discourage side conversations, disruptions, interruptions or delaying efforts.
- Limit questions after motions and eliminate questions that are meant to merely support position.
- Focus on outcomes rather than the activities that create end result
- Inform the presiding officer when departing from a meeting.
- Limit disruptive behavior. The presiding officer will call persons demonstrating rude, boisterous, or profane behavior to order. If such conduct continues, the presiding officer may call a recess, request the removal of such person(s) from the Council Chambers, adjourn the meeting, or take such other appropriate action as permitted by the law. The City Council discourages applause, booing or other similar behaviors from the public during meetings.
- Recognize that only the City Council, staff, advisory body chairs or designated representatives, and those authorized by the presiding officer shall be permitted to sit at the Council or staff stations.

A Enforcement of Order

The Chief of Police (or designee) acts as the sergeant-at-arms. It shall be the duty of the sergeant-at-arms to carry out all instructions of the presiding officer to preserve the peace and maintain order and decorum at Council meetings.

A portion or all of the public may be removed from the meeting site if willful disruption makes conducting the meeting unfeasible. Upon instructions of the Mayor, it shall be the duty of the sergeant-at-arms, or any of them present, to place any person who violates the order and decorum of the meeting under arrest, and cause them to be prosecuted in accordance with law.

B Values of Respect

The City Council recognizes the importance of approaching the public’s business in an environment of personal respect that places emphasis on the consideration of policy and avoids personalization of comments. Some general guidelines utilized by the City Council include:

- Discussion should focus on policy matters.
- Personal criticism of members is inappropriate.
- Proper decorum should be displayed as other members express their views.

Parliamentarian

The Mayor, or in the absence of the Mayor, the Deputy Mayor, shall serve as parliamentarian for the City Council and as such shall decide all questions of parliamentary procedure in accordance with the parliamentary rules contained in *Robert’s Rules of Order*. Before deciding any question of parliamentary procedure, the Mayor may request advice from the City Attorney or City Clerk or designee. In cases where serious errors in procedure are being used or being contemplated, the City Attorney should give advice even when it has not been requested.

Reference Guide to Motions

		Interrupts action/speaker	Requires a second	Debatable	Amendable	Required vote	Can be reconsidered	Robert's Rules Section (9th Edition)
Action								
Main motion or question	16*	No	Yes	Yes	Yes	Majority	Yes	10
Move to adjourn	1*	No	Yes	No	No	Majority	No	21
Move to take a recess	1*	No	Yes	No	Yes	Majority	No	20
Question of privilege		Yes	No	No	No	No Vote	No	19
Move to lay the question on the table		No	Yes	No	No	Majority	No	17
Move to close debate		No	Yes	No	No	2/3	Yes	16
Move to limit debate	3*	No	Yes	No	Yes	2/3	Yes	15
Move to postpone	1*	No	Yes	Yes	Yes	Majority	Yes	14
Move to refer the matter	4*	No	Yes	Yes	Yes	Majority	Yes	13
Move to amend the motion	5*	No	Yes	10*	Yes	Majority	Yes	12
Move to postpone indefinitely		No	Yes	Yes	No	Majority	13*	11
Move to introduce business		No	Yes	Yes	Yes	Majority	Yes	10
The motions listed above are in order of precedence. Below there is no order.								
Point of order		Yes	No	No	No	15*	No	23
Appeal the decision of the chair		Yes	Yes	Yes	No	9*	Yes	24
Move to suspend the rules	2*	No	Yes	No	No	2/3	No	25
Parliamentary inquiry		12*	No	No	No	No Vote	No	32
Move to take from the table	6*	No	Yes	No	No	Majority	No	33
Move to reconsider	7*	12*	Yes	10*	No	Majority	No	36
Move to rescind	8*	No	Yes	Yes	Yes	11*	14*	34

1* To date and time. Not necessary with "Move to adjourn."

2* "... That interfere with _____." The motion must state its purpose or object

3* Specify what limitations: i.e., time, number of speeches, etc.

4* Specify to whom and for what reason

5* Specify amendment

6* During same meeting at which the item was tabled

7* Maker of motion must have been on prevailing side 8*

Specify action to be rescinded

9* The question is, "Shall the decision of the chair stand?" A majority negative vote is necessary to overrule the decision

10* Only if the motion in question is itself debatable

11* Whatever vote was required to pass the motion in question

12* Can only interrupt speaker with speaker's permission, but does interrupt proceedings

13* Affirmative votes may be reconsidered

14* Negative votes may be reconsidered

15* No vote unless the chair submits to the assembly for a decision

16* For circumstances where a greater than majority vote is required for approval, see Section 8.10E of this manual

17* Ruling on question of privilege is made by chair

Board & Commission Matrix

Board/Commission	Residency Requirements	Special Requirements
<p>Arts Commission (BMC 2.45) 9 members/4-year terms/ Youth 2 year terms Meets 3rd Thursday of each month, 6:00 PM City Hall – Conf. Rooms 107/108 Appointing Authority: City Council</p>	<p>A majority of the members shall be residents of the city. All members shall be residents of the City’s urban growth area. 2 youth members</p>	<p>Initial terms of office shall be staggered 3 years, not more than three of which shall expire each year</p>
<p>Landmark Preservation Board (BMC 22.12) 7 members / 4-year terms Meets 4th Tuesday of each month, 6:00 PM City Hall, Conf. Rooms 107/108 Appointing Authority: City Council</p>	<p>A majority of the board members shall be residents of the city. Members shall be residents of the city’s urban growth area; provided, however, the required professional members of said board may reside outside the city or the urban growth area or city planning area.</p>	<p>At least two of the members must be professionals selected from among the disciplines of engineering, history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography or American studies; there are no residency requirements for the members with professional qualifications.</p>
<p>Lodging Tax Advisory Committee (BMC 2.34) 7 members / 2-year terms Meets 3rd Tuesday of the month, 10:00 AM City Hall Appointing Authority: City Council</p>	<p>No residency requirements, except for the City Council representative, who must be a resident of the City</p>	<p>(a) 3 members must be persons involved in activities for the enhancement of tourism in the Bothell community which are funded by lodging tax revenues received under Chapter 67.28 RCW</p> <p>(b) 3 members must be representatives of businesses authorized to collect lodging tax under Chapter 67.28 RCW (hotel, rooming house, tourist court, motel, or trailer camp)</p>
<p>Parks & Recreation Board (BMC 2.44) 9 members / 4-year terms Youth 2 year terms Meets 2nd Thursday of the month, 6:00 PM City Hall Rooms 107/108 Appointing Authority: City Council</p>	<p>A majority of the members shall be residents of the city. All members shall be residents of the city’s urban growth area. 2 youth members</p>	<p style="text-align: center;">None</p>
<p>Planning Commission (BMC 2.52) 7 members / 4-year terms Meets 1st and 3rd Wednesday of the month, 6:00 PM City Hall Council Chambers Appointing Authority: City Council</p>	<p>Reside within City limits</p>	<p style="text-align: center;">None</p>

<p>Civil Service Commission (BMC 2.48) 3 members/6-year terms Meets 3rd Wednesday of the month, 5:30 PM as needed City Hall Appointing Authority: City Manager</p>	<p>Reside within City limits</p>	<p>Citizen of the United States, resident of the city for a least one year and registered voter in King or Snohomish County</p>
<p>LEOFF 1 Board (BMC 2.88) 5 members/2-year terms Meets 2nd Wednesday of the month, 5:00 PM as needed City Hall Conf. Room 127 Appointing Authority: LEOFF 1 Board</p>	<p>Public member must reside within City limits</p>	<p>Board made up of 2 Councilmembers 1 active or retired Police Officer 1 active or retired Fire Fighter 1 member at large to be appointed by the board</p>
<p>Ad-hoc Salary Commission (BMC 2.92) 3 members/ Meets every even calendar year for 90-day review period Appointing Authority: Mayor with approval of the City Council</p>	<p>Reside within City limits</p>	
<p>Shorelines Board (BMC 13.19) 7 members/5-year terms Meets as business demands Appointing Authority: City Council</p>	<p>Reside within City Limits</p>	