

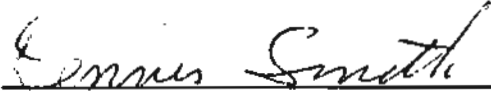


**CITY OF SEQUIM
RESOLUTION NO. R-2018-02**

**CITY COUNCIL RULES
OF PROCEDURE**

A Comprehensive Collection of Meeting Rules, Coordination Procedures, Public Hearing Procedures, and Applicable References from the Revised Code of Washington

Adopted May 14, 2018.



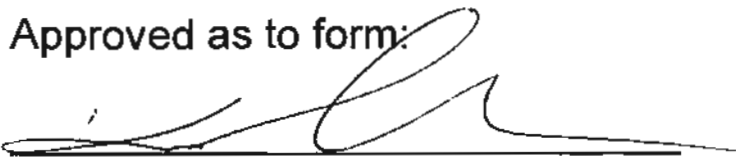
 Dennis Smith, Mayor

Attest:

Approved as to form:



 Karen Kuznek-Reese, MMC
 City Clerk



 Kristina Nelson-Gross
 City Attorney



INTRODUCTION

The City of Sequim operates under the Council/Manager form of government. Participating in the legislative process can be difficult as government itself becomes more complex. Standards and proven practices which can help guide a City Council do exist, but are generally scattered through many resources and references.

The City Council originally adopted Rules of Procedure with Resolution R95-9. These rules are periodically reviewed and updated as necessary.

The City of Sequim's Revised Council Rules of Procedure is a comprehensive collection of meeting rules, coordinating procedures, administrative references, and committee guidelines.

These rules are not to be construed to invalidate any action of the Council which is otherwise in compliance with applicable law.

It is our recommendation that every member of the City Council and administration be familiar with the contents and keep this booklet close at hand.

Council Rules of Procedure
R95-9
2001-03
2003-02
2006-15
2010-10
2014-15
2016-03

RESOLUTION NO. R-2018-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEQUIM, WASHINGTON, SETTING RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS, PUBLIC HEARINGS, LEGISLATIVE PROCESS AND PUBLIC COMMENTS OR COMPLAINTS AND REPEALING PREVIOUS VERSIONS OF COUNCIL RULES

WHEREAS, the City Council desires that all Council meetings be open and responsive to the public and that members of the Council and public be encouraged in the exercise of free expression; and

WHEREAS, such meetings should be carried out with efficiency and uniformity in the manner of Council and public participation; and

WHEREAS, written rules of procedures best assure an atmosphere conducive to said efficiency, uniformity, and free expression; and

WHEREAS, the City Council periodically reviews its Rules of Procedure to ensure that such rules still meet the Council's intent; and

WHEREAS, the procedures identified in previous versions of Council rules are insufficient to meet this intent; and

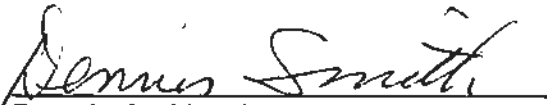
WHEREAS, the City Council desires that changes be made in the Rules of Procedure to better reflect its processes and to provide adequate guidance to the Councilors.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEQUIM DOES HEREBY RESOLVE:

SECTION 1. Resolutions R95-9, 2001-03, 2003-02, 2006-15, 2010-10, 2014-15 and 2016-03 are hereby repealed.

SECTION 2. There is hereby adopted by reference, City Council Rules of Procedure dated May 14, 2018 and attached hereto as Exhibit "A".

ADOPTED by the City Council of the City of Sequim, Washington at the regular meeting of the City Council on the 14th day of May 2018.


Dennis Smith, Mayor

Attest:

Approved as to form:


Karen Kuznek-Reese, MMC, City Clerk

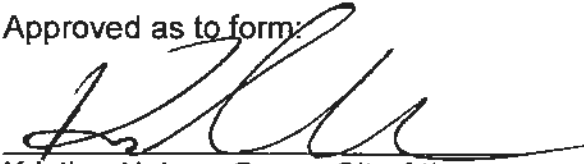

Kristina Nelson-Gross, City Attorney

EXHIBIT A

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ARTICLE 1 - COUNCIL MEETINGS

1.1 Council Meetings. Time and Location. All regular meetings will be held at the times and locations specified by applicable ordinances and resolutions of the Council.

1.2 Holidays. If a regular Council meeting falls upon a legal holiday, the meeting will be held the subsequent business day.

1.3 Council Meetings. Open to the Public. All City Council meetings and its committees thereof are open to the public, except as provided for in RCW 42.30.110 or RCW 42.30.140.

1.4 Presiding Officer. The Mayor will preside at Council meetings and be recognized as the head of the City for all ceremonial purposes. The Mayor has no regular administrative or executive duties. In case of the Mayor's absence or temporary disability, the Deputy Mayor will act as Mayor during the continuance of the absence. In case of the absence or temporary inability of the Mayor and Deputy Mayor, an acting Deputy Mayor selected by members of the Council present will act as Mayor during the continuance of the absences. The Mayor or Deputy Mayor is referred to as "Presiding Officer" from time-to-time in these Rules of Procedure.

1.5 Quorum and Adjournment. At all City Council meetings, a majority of the Council members who hold office constitute a quorum for the transaction of business. If a quorum is not present at a regular City Council meeting or at a properly noticed Special Meeting, the remaining members must adjourn and written notice of said adjournment must be posted on the exterior Council Chamber doors per RCW 42.30.090. (RCW 35A.13.170, 35A.12.120).

1.6 Attendance, Excused Absences. RCW 35A.12.060 (as authorized by RCW 35A.13.020) provides that a Council member must forfeit his/her office by failing to attend three consecutive City Council regular meetings without being excused by the Council. City Council members may be excused by complying with this section. The member must contact the Presiding Officer, City Clerk, or City Manager prior to the meeting and state the reason for his/her inability to attend the meeting. If the member is unable to contact the Presiding Officer, the member must contact the City Manager or City Clerk, who will convey the message to the Presiding Officer. During roll call, the City Clerk will inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion is non-debatable. Upon passage of such motion by a majority of members present, the absent member is considered excused and the City Clerk will make an appropriate notation in the minutes.

1.7 Participation in Absentia. Participation in absentia means participation in a Council meeting without being physically present. A Council member wishing to participate in absentia must request accommodation to attend via telephone or other electronic communications by contacting the Mayor no later than 24 hours prior to the

meeting, unless the meeting is a special meeting where the Council member must request participation in absentia as soon as reasonably possible. The Council member participating in absentia must be able to hear the entire proceedings including all participants, and all participants at the meeting must be able to hear the Council member(s) appearing by telephone or other electronic means. No Council member may participate in absentia more than twice in any calendar year. The City Clerk must note in the meeting minutes the participation of an absent Council member.

1.8 City Manager Participation. The City Manager, as the chief executive officer and head of the administrative branch of city government or his/her designee, will attend all meetings of the City Council, unless excused by the Presiding Officer or Council. The City Manager is responsible to the Council for the proper administration of all affairs of the City. The City Manager, or designee, recommends for adoption by the Council such measures as he/she may deem necessary or expedient; prepares and submits to the Council such reports as may be required by the body or as the City Manager deems it advisable to submit; keeps the Council fully advised as to the business of the City; and takes part in the Council's discussion on all matters concerning the welfare of the City. If the City Manager is unable to attend a Council meeting, the City Manager will appoint a staff member to attend the meeting in his/her absence. (RCW 35A.13.080).

1.9 Special Council Meetings. Procedures for setting a special meeting are as follows:

(a) A special meeting may be called by the Mayor or any three (3) members of the Council. (RCW 35A.12.110 as authorized by RCW 35A.13.170). The City Clerk, or designee, will contact each Council member notifying them of the need for a special meeting and determine their availability.

(b) Notice of the special meeting will be prepared in writing by the City Clerk pursuant to RCW 42.30.080. The notice will contain information about the meeting: date, time, place, and business to be transacted.

(c) The notice will be delivered by regular mail, placed in the Council member's mailbox at the Civic Center, or sent electronically to each Council member, City staff and those who have registered for E-Notifications on the City's website, or as authorized by state law. The notice must be delivered at least twenty-four (24) hours prior to the meeting.

(d) The notices provided in this section may be dispensed with as provided by RCW 42.30.080, that is: (1) As to any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice, (2) As to any member who was actually present at the meeting at the time it convenes, and (3) 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, or as otherwise provided by law.

1.10 Council Material. Council members and affected staff should read the agenda material in preparation for the Council meeting. If a Councilor needs clarification on an issue, the Councilor should contact the City Manager or appropriate department head, with a copy to the City Manager if contact is made through email, and ask clarification questions prior to the Council meeting when possible.

1.11 Council Packets. Council members may personally pick up their agenda packets from the individual mailboxes located at City Hall or access the packet online, unless otherwise arranged by the member or further directed by Council.

1.12 Council Meeting Agenda. The City Clerk, under the direction of the City Manager, will arrange a list of proposed matters according to the order of business and prepare an agenda for the Council. After the proposed agenda has been approved by the Presiding Officer and Deputy Mayor, a copy of the agenda and supporting materials will be prepared for Council members and any staff member who has requested a packet, on or before 4:00 p.m., four (4) calendar days before a regular Council meeting. The Presiding Officer has the option of deleting any item from such agenda until the next regular Council meeting when the full Council will vote on whether to introduce the item on the agenda or for a subsequent Council meeting. The Presiding Officer, three (3) Council members, a majority of the Council members present, or the City Manager may introduce a new item to the agenda at a meeting.

1.13 Consent Agenda. The City Manager, in consultation with the Presiding Officer, may place matters on the consent agenda which: (1) have been previously discussed by the Council; or (2) based on the information delivered to members of the Council by administration can be reviewed by a Council member without further explanation; or (3) are so routine, technical or "housekeeping" in nature that passage without discussion is likely.

1.14 Work Sessions. Work sessions are open to the public. They may be called as Special Meetings following the procedures in Section 1.9 of this document. Work Sessions, if necessary, are typically held prior to a Regular Meeting and are a part of the Regular Meeting agenda. The purpose of Work Session discussions is to allow Council members to be made aware of impending business, allow informal discussion of upcoming issues, or to do concentrated preliminary work with the administration on single, but time-consuming, subjects or complex matters. All business able to be transacted at a regular Council meeting may be transacted at a Work Session.

1.15 Executive Sessions. Executive Sessions may be held pursuant to RCW 42.30.110 and are closed except to the Council, the Mayor, the City Manager, City Attorney and staff members or others authorized to attend, such as City special counsel or the City's Risk Pool representative. In accordance with RCW 42.30.030 and .110, other persons and members of the public are prohibited from attending Executive Sessions.

Executive Sessions may be held at any time during a regular Council meeting, Special Council meeting, or Council Work Session. The Council may retire to hold an Executive Session during one of these meetings and such sessions will be noticed to the extent practicable. Prior to convening an Executive Session, the Presiding Officer will make an announcement that an Executive Session is being held and inform the public when the Executive Session will end and whether any action is anticipated. The Presiding Officer will generally state the purpose for the Executive Session and cite the specific applicable provision authorizing the Executive Session. The ending time of an Executive Session may be extended by publicly announcing the extension that is required.

Written materials and verbal information provided in an Executive Session must be kept confidential. Such information may not be provided to persons not present during an Executive Session unless, after consultation with the City Attorney, such provision will not violate the confidentiality of an Executive Session or will not violate a legal exemption or legal privilege.

End of Article 1 - Council Meetings

ARTICLE 2 - COUNCIL MEETING PROCEDURES

2.1 Motions and Discussion. All items of business placed before the Council that requires the expenditure of Council and/or administration resources must be in the form of an affirmative motion. Affirmative motions prevent "approval by default" of a failed negative motion.

When possible, Council members should direct questions primarily to the City Manager or the staff member who has been designated to provide information.

2.2 Order of Business. The agenda should be arranged to best serve the needs and/or convenience of the Council and the public. The Presiding Officer may, during a Council meeting, rearrange items on the agenda to conduct the business before the Council more expeditiously. The business of all regular meetings of the Council may include the following:

Call to order by the Presiding Officer

Pledge of Allegiance (Presiding Officer's discretion)

Roll Call (see Section 1.6 for procedure to excuse an absence)

Changes to the Agenda

Ceremonial

Comments from the public - limit 3 minutes each, unless modified by the Presiding Officer or additional time is requested and authorized in advance

- **Rules.** Any member of the public who wishes to address the Council must sign in on the sign-in sheet. Once the names have been called from the list, additional speakers may address the Council upon recognition by the Presiding Officer. The City Attorney will rule on the appropriateness of public comments, if necessary, and on a specific individual or group time limit for public comment.
- The Presiding Officer may change the order of speakers so that comment is heard in the most logical groupings. (See Article 7 Public Participation for further details.)
- **Acknowledgment of public comments.** Following public comments, the Presiding Officer will acknowledge the comments. If action is required or has been requested, the Presiding Officer may place the matter on the current agenda or a future agenda or refer the matter to staff for further action and report at a future meeting.
- **Public Hearing Testimony.** Public comments and testimony on Public Hearing items, such as for the adoption of Ordinances, Land Use Controls and Quasi-judicial matters must be made at the public hearing so that a proper record can be made for the hearing.

Public Hearings (see Article 6 for procedural details)

Action Items

- **Consent Agenda**
 - The City Clerk will read the consent agenda titles.

Since adoption of any item on the Consent Agenda implies unanimous consent, any member of the Council has the right to remove any item from the Consent Agenda. If a member of the Council wishes to remove an item from the Consent Agenda, the request should be made following the reading of the Consent Agenda. If any matter is withdrawn, the Presiding Officer will place the item at an appropriate place on the agenda for the current or a future meeting.

The proper Council motion on the Consent Agenda is as follows: "I move to adopt the Consent Agenda". This motion is non-debatable and will have the effect of moving to adopt all items on the Consent Agenda.

- **Other:**

Information

- **Committee, Board and Liaison Summary Reports**
- **Student Liaison Report**
- **Presiding Officer's Report**
- **City Manager's Report**

Good of the Order

Executive Session (as may be required)

Adjournment

2.3 Adjournment Due to Emergency or Disruption. In the event of an emergency, such as a fire, threatened violence, or inability to regain good order, the Mayor will declare the meeting adjourned and the City Council will immediately leave the premises.

2.4 Permission Required to Address the Council. Persons other than Council members and staff are permitted to address the Council upon recognition and/or introduction by the Presiding Officer or the chair of the appropriate Council committee. The Presiding Officer will acknowledge speakers at the appropriate time during the meeting.

2.5 Voting. The votes during all meetings of the Council will be transacted as follows:

(a) Unless otherwise provided for by statute, ordinance, or resolution, all votes will be taken by voice, except that at the request of any Council member, a roll call vote will be taken by the City Clerk. The order of the roll call vote is determined by the Presiding Officer.

(b) In case of a tie vote on any proposal, the motion is considered lost.

(c) Every member who was in the Council chambers or participating in absentia when the question was asked will give his/her vote or abstention. The Mayor will ask for abstentions.

(d) The passage of the following requires the affirmative vote of at least a majority of the whole membership of the Council:

- ordinance;
- grant or revocation of franchise or license;
- resolution;
- payment of money over the City Manager's signing authority;
- any resolution for the removal of the City Manager.

(e) The passage of the following requires the affirmative vote of at least a majority plus one (1) of the whole membership of the Council (RCW 35A.13.190):

- public emergency ordinance (an ordinance that takes effect immediately);
- expenditures for any calamity or violence of nature or riot or insurrection or war;
- provisions for a lesser emergency, such as a budget amendment.

In the event calamitous conditions prevent assembly of such majority through death or injuries, the provisions of RCW 35A.13.035 may be invoked.

2.6 City Clerk - Minutes - Public Information Access. The City Clerk is Clerk-of-the-Council and will keep minutes and records as required by law (RCW 35.23.121).

End of Article 2 - Council Meeting Procedures

ARTICLE 3 – ADMINISTRATION AND HOUSEKEEPING

3.1 Three Touch Rule

(a) Defined. The Three Touch Rule is designed to prevent surprises to the City Council, staff and citizens as much as possible. The Three Touch Rule is followed when the subject brought before the Council has been touched three separate times by the person or groups who will eventually approve a final action. A touch can be oral, written, or any combination thereof. Decision makers at all levels of the City should have adequate time to thoughtfully consider the issues prior to final decisions.

Recognizing that it is best to provide as much time as possible for decision-making, there may be items that are routine in nature or are minor issues for which the City Council may decide not to utilize the Three Touch Rule.

On occasion, unknown or emergency circumstances may arise making utilization of the Three Touch Rule impossible. The hands of decision makers should not be tied unnecessarily. However, when unusual circumstances or emergency conditions arise which justify an expedited decision, the persons requesting the expedited decision should explain the circumstances.

(b) Qualifying Conditions. Any subject or proposal for adopting or changing public policy, ordinances, resolutions or City Council directives which will eventually result in a decision of the City Council, may utilize the Three Touch Rule. Quasi-judicial matters and any subject discussed in Executive Sessions are excluded from the Three Touch Rule.

(c) Three Touch Rule Elements:

1. First Touch. A specific oral or written notification that a given subject is being considered or developed for future consideration along with a preliminary estimate of the timelines involved.

2. Second Touch. A more detailed review/discussion of the proposal with adequate preparation made or personnel available to answer most questions and receive preliminary feedback.

3. Third Touch. A presentation (oral or written as appropriate) of final details of the proposal in the appropriate draft proposal form which could be adopted as amended or referred to further process before final action.

3.2 Reconsideration. Except as outlined below, any Council action, including final action on applications for legislative changes in land use status, is subject to a motion to reconsider. Such motions can only be made if there is new information which may reverse a decision. Such motion may be made by any member who has new information that may affect a prior decision.

Items exempt from reconsideration include, but may not be limited to, a reconsideration of any action previously reconsidered, motions to adjourn, motions to suspend the rules, an affirmative vote to lay on the table or to take from the table, or a vote electing to office one who is present and does not decline.

An original motion to reconsider must be made no later than the next succeeding regular Council meeting. A motion to reconsider is debatable only if the action being reconsidered is debatable.

Upon passage of a motion to reconsider, the subject matter is returned to the table anew at the next regular Council meeting for any action the Council deems advisable.

Any motion for reconsideration of a matter which was the subject of a required public hearing or which is a quasi-judicial matter may not be discussed or acted upon unless and until all parties or their attorneys and all persons testifying have been given at least five (5) days' advance notice of such discussion and/or action. *Lejeune v. Clallam County*, 64 Wn. App. 257 (1992).

3.3 Complaints and Suggestions to Council. When citizen complaints or suggestions not on an agenda are brought before the City Council, the Presiding Officer, with assistance from City staff, as needed, will first determine whether the issue is legislative or administrative in nature and then:

(a) If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint suggests a change to an ordinance or resolution of the City, the Presiding Officer may refer the matter to a committee, City Manager, or the Council-of-the-Whole for study and recommendation.

(b) If administrative, and a complaint regarding administrative staff performance, execution of legislative policy or administrative policy within the authority of the City Manager, the Presiding Officer should then refer the complaint directly to the City Manager for review, if said complaint has not been so reviewed. The City Council may direct that the City Manager brief the Council when the City Manager's response is made.

3.4 Filling Council Vacancies. If a vacancy occurs on the City Council, the Council will follow the procedures outlined in RCW 42.12 to conduct a recruitment. If a vacancy occurs within six (6) months of a prior vacancy, the City Staff may contact those applicants to determine their interest in the position. If they are interested, their prior application will be included in the recruitment process.

The appointment of a Council member shall be made within 90 days of the vacancy's occurrence. If it is not, the City Council loses its authority to do so and the county legislative body makes the appointment.

In order to fill the vacancy with the most qualified person available until an election is held, the City Clerk will publish a notice of the vacancy, the procedure, and distribute the application form for applying. The Council will draw up an application which contains relevant information to answer set questions posed by the Council. The application forms will be used in conjunction with a public interview of each candidate to aid the Council's selection of the new Council member.

3.5 Election of Officers.

(a) Biennially, at the first meeting of the new Council, the members thereof will choose a Presiding Officer from their number who will have the title of Mayor. In addition to the powers conferred upon him/her as Mayor, he/she 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. (RCW 35A.13.030).

(b) The election for Mayor will be conducted by the City Clerk. The City Clerk will call for nominations. Each member of the City Council will be permitted to nominate one (1) person, and nomination does not require a second. A nominee who wishes to decline the nomination will so state at this time. Nominations are then closed and a vote taken.

(c) If multiple candidates fail to yield a majority vote, Councilors will rank candidates according to preference. Choices will be given a number. The top two candidates will face an instant run-off vote.

(d) The election for Deputy Mayor will be conducted by the Mayor, and the election will take place in the manner previously described for the election of the Mayor.

3.6 Onboarding New Councilors. In an effort to provide as much information and direction as possible to a newly-elected or appointed Councilor, it is suggested that the Councilor:

- Attend an orientation with the City Manager and Department Directors/Managers to discuss high level operations and current/near/future policy discussions;
- Submit Form F-1 to the Public Disclosure Commission (PDC) within 2 weeks of appointment, or as hereafter required by the PDC;
- Attend an orientation with the City Clerk to cover basic questions about Council operations, tour of Civic Center, obtain City email and phone number, determine business card information and obtain ID badge. Some sample common questions are below:
 - What time do meetings start? Is food provided? Am I allowed to eat at my station during the meeting?
 - What is AWC or WCIA?
 - What is MSRC?

- What is Jurassic Parliament and how do I view it?
 - How do I get reimbursed for expenses I make to support the City?
 - How do I request excusal from a Council meeting? Is there a set limit on how many meetings I can miss?
 - Can I have a layout of where everyone sits in the Civic Center?
 - Do not respond "REPLY ALL" to the City Council on an e-mail.
 - How do I send an e-mail to the entire Council?
 - What are the expectations for my attendance at events other than the Council meetings? (Such as AWC, WCIA, etc.)
 - How do I know what other meetings I am a liaison to/for?
 - Is there a functional "panic" button in the Council Chambers? If so, where is it and how does it work?
 - What is my pay and how do I receive it?
 - Will I have business cards?
- Attend one-on-one meetings with Department Directors/Managers and consider optional operations tours (e.g., ride along with the Police Department, water system tour with Public Works, etc.);
 - Attend monthly one-on-one meetings with the City Manager, starting post-election or upon appointment to a vacant position;
 - Get involved immediately post-election in appropriate activities, such as the City's employee appreciation event;
 - Be assigned a City-provided phone number which will forward to the Councilor's personal phone number of choice. The City-assigned number will be assigned to the Councilor's position number;
 - Receive an assignment of a veteran Councilor as a mentor and have at least one meeting between the incoming Councilor and his/her mentor prior to taking office and another after taking office. The new Councilor and mentor will be seated together at the dais during Council meetings for the new Councilor's first year;
 - Attend the Association of Washington Cities newly elected officials training;
 - View online, or attend in person, the required Open Government and Records Training within 90 calendar days of taking office;
 - Consider optional recommended training opportunities including, but not limited to, attending the Association of Washington Cities (AWC) budget training in the fall, AWC's Annual Conference in June, and AWC's Legislative Action Days in January or February.

3.7 Ballot Measures. RCW 42.17A.555 has enacted statutory prohibitions (with limited exceptions) against the use of public facilities to support or oppose ballot propositions.

(a) No elected official, any employee of his or her office, nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited

to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during work hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

- Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (i) any required notice of the meeting includes the title and number of the ballot proposition, and (ii) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;
- A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;
- Activities which are part of the normal and regular conduct of the office or agency.

(b) In the City's implementation of RCW 42.17A.555, the City Council will not during any part of any Council meeting consider requests from outside agencies for Council to support or oppose ballot measures; nor will Council permit any public comment on any proposed or pending ballot issue, whether or not such comments seek endorsement or are just to inform Council of upcoming or proposed ballot issues; nor will Council members disseminate ballot-related information.

(c) Any materials should be sent by the requestor via regular mail through the United States Postal Office to individual Council members. The use of email for ballot purposes could be construed as use of public facilities and could be interpreted as being in violation of RCW 42.17A.555. Information must be objective only and not solicit a pro or con position.

(d) Council has chosen not to support or oppose ballot issues as those are left to the will of the people voting. The use of any of the City's facilities, including the use of the Council chambers and/or broadcast system, would likely be construed as being in violation of RCW 42.17A.555 and therefore, general public comment on ballot issues, or proposed ballot issues will not be permitted.

3.8. Open Government Trainings Act. Effective July 1, 2014 the Open Government Trainings Act was enacted requiring all elected officials to complete training courses related to the Public Records Act (RCW 42.56.150), Open Public Meetings Act (RCW 42.30.205) and RCW 40.14 related to records retention.

- (a) Each local elected official appointed to fill a vacancy in a local or statewide office, must complete a training course regarding the provisions as indicated above.
- (b) Officials required to complete training under this section may complete their training before assuming office but must:
- Complete training no later than ninety (90) calendar days after the date the official:
 - Takes the oath of office, if the official is required to take an oath to assume his or her duties; or
 - Otherwise assumes his or her duties as a public official.
 - Complete refresher training at intervals of no more than four years for as long as he or she holds office.
- (c) Training must be consistent with the Attorney General's model rules for compliance with the Public Records Act.
- (d) Training may be completed remotely with technology including but not limited to internet-based training.
- (e) Additional information and online courses are available on the Washington State Attorney General's website at <http://www.atg.wa.gov/open-government-training>.

3.9 Social Media Usage. As an elected official or employee of the City of Sequim, your social media posts and the ensuing comment threads may qualify as public records that must be retained, disclosed, or moderated in order to comply with state and federal law and the City's rules and policies. This is true even for your personal social media accounts if you discuss City business. Inappropriate use of social media can expose you and the City to allegations of criminal and ethical wrongdoing. Please refer to our policies and procedures regarding the Public Records Act, the Open Public Meetings Act, and other policies related to the conduct and responsibilities of City of Sequim employees and officials.

End of Article 3 – Administration/Housekeeping

ARTICLE 4 - COMMITTEES, BOARDS & COMMISSIONS

4.1 Committees. All standing committees which are required by state law will be established and will perform the duties as outlined by said law.

4.2 Council Relations with Boards, Commissions and Council Citizen Advisory Bodies. All statutory boards and commissions and Council citizen advisory bodies will provide the City Clerk with copies of minutes of all meetings. Communications from such boards, commissions and bodies will be placed on the City's website and maintained in accordance with the Washington Secretary of State's retention schedules. Any member of the Council may also bring such communication to the Presiding Officer's attention under the agenda item "Committee, Board and Liaison Reports." Should any member of the Council determine that any such communication be officially answered by the Council, the Presiding Officer will place the matter on the agenda under New Business for the current meeting or any subsequent meeting.

4.3 Standing committees will be appointed by the Mayor and confirmed by Council:

Finance -- three members

Committee Procedures: Standing Council committees have no regular prescribed duties or meetings except the required bills and payroll procedures required by state law, unless specifically charged by the City Council. Members of standing committees constitute a Council Leadership Pool wherein each member has a special expertise and/or interest.

Committee meetings may be required to comply with the Open Meetings Act (RCW 42.30).

The Mayor may appoint such other ad-hoc advisory committees or liaisons from the Council or community for the purpose of advising the Council in legislative policy matters. All ad-hoc committees will be defined by a clear task and a method of sunseting the committee at the conclusion of the assigned task.

4.4 Council liaison appointees may be appointed by the Mayor (no confirmation required):

Board and Commission liaisons:

Arts Advisory Commission – one member

Planning Commission - one member

Park, Arbor and Recreation Board - one member

Lodging Tax Advisory Committee - one member who will serve as chair.

Others as designated and assigned.

4.5 Liaison Procedures. Individual members of the Council may be assigned as liaisons whose duties involve keeping current with a group or activity by attendance

when the group or activity takes place or communication with appropriate leaders so the liaison Councilor can keep Council informed. Liaisons may, at times, advocate Council actions on behalf of their assigned group or activity. Extreme care must be taken to avoid appearance of fairness or conflict of interest possibilities with agencies or circumstances where such possibilities may exist (e.g., Planning Commission quasi-judicial). Council liaisons to the Planning Commission should refrain from engaging in any activity that could be construed as demonstrating bias or as engaging in ex parte communications. Such activities could include facial expressions or body language, engaging in conversations with citizens, or other such activities. Liaison functions and duties may be further defined and/or directed by the Presiding Officer with concurrence of Council.

End of Article 4 - Committees, Boards & Commissions

ARTICLE 5 - RELATIONS WITH CITY MANAGER & STAFF

5.1 Role of the City Manager. The City Manager has general supervision over the City's administrative affairs. The Manager is directly accountable to the City Council for the execution of the Council's policy directives, and for the administration and management of all City departments. The powers and duties of the City Manager are defined by Washington law (RCW 35A.13.080). Such duties may be expanded by Ordinance or Resolution. Balanced with the City Manager's accountability to the Council for policy implementation is the need for the Council to allow the City Manager to perform legally defined duties and responsibilities without inappropriate interference by the Council in the day-to-day management decisions of the City Manager.

5.2 Administrative Interference by Council Members. Neither the Council, nor any of its committees or members, may direct or request the appointment of any person to, or his/her removal from, any office by the City Manager or any of his/her subordinates. Except for the purpose of inquiry, the Council and its members must deal with City staff solely through the City Manager and neither the Council nor any committee or member thereof may give any orders to any subordinate of the City Manager, publicly or privately; however, nothing in this section will be construed to prohibit the Council, while in open session, from fully and freely discussing with the City Manager anything pertaining to appointments and removals of City officers and employees and City affairs. (RCW 35A.13.120). See Section 5.4 for additional information concerning communication with staff.

5.3 Administrative Complaints Made Directly to Individual Council Members. When administrative policy or administrative performance complaints are made directly to individual Council members, the Council member will refer the matter directly to the City Manager for review and/or action. The individual Council member may request to be informed of the action or response made to the complaint.

5.4 Council Communication with Staff. The City of Sequim encourages open communication between the City Council and staff. The City's philosophy is that open communication creates healthier working relationships within the organization. Staff is encouraged to communicate directly with the City Council and the City Council is encouraged to communicate directly with staff, following the guidelines below. These guidelines are established to help everyone receive the information that they need to be successful in their roles. Following the guidelines will also improve efficiency by reducing the number of repeat questions and conversations that take place internally and in City Council meetings. These guidelines do not apply to Councilors conducting business with the City outside of their Councilor roles.

- Councilors will copy the City Manager on communications with staff;
- Council requests for information from staff requiring more than 2 hours of staff time will require City Manager approval. It is incumbent upon staff to confer with the City Manager under these circumstances and for the City Manager to

communicate with Council if an issue requires policy direction or resolution. Under those circumstances, the City Manager would refer the item back to the entire City Council in a public meeting for direction;

- Councilors are not to direct staff actions beyond the research requests mentioned above;
- Councilors acting in volunteer roles with separate organizations should keep the City Manager informed when interacting with staff.

5.5 Staff Communication with Council. Staff will copy the City Manager on communication with Council.

- Staff will copy the City Manager and Council on communications with the community in response to requests for service that come through the Council. Keeping everyone in the loop regarding the resolution of issues reported through the City Council is important to the Council and to the City Manager. The City Manager will inform the Council of the initial staff assignment of requests to the Council where a staff response is warranted;
- The City Manager and staff will share information requested by one Councilor with the entire Council, as a matter of practice. This will typically be done as a part of a response to a Councilor's request. Where possible and feasible, the City Manager will sometimes "bundle" these updates to the whole Council in the weekly update or in the City Manager's Report during City Council meetings.

End of Article 5 – Relations with City Manager & Staff

ARTICLE 6 - PUBLIC HEARING PROCEDURES**6.1 Public Hearings** will be conducted and noticed pursuant to state law.

Public Hearings will begin according to the established agenda or as soon thereafter as possible. Public Hearings are conducted on certain legislative actions and in quasi-judicial matters.

The Chair introduces the agenda item, opens the Public Hearing and announces the Public Hearing rules as may be outlined in the Public Hearing script.

Legislative Public Hearings are held to obtain public input on legislative decisions, matters of policy, and in some instances are required by state law.

Quasi-judicial hearings involve the legal rights of specific parties and afford procedural due process, which may include receiving testimony, making a record of the evidence considered by the Council and issuing specific Council findings.

6.2 Conflict of Interest/Appearance of Fairness. Prior to the start of a Public Hearing, the Chair will ask if any Council member has a conflict of interest or Appearance of Fairness Doctrine concern which could prohibit the Council member from participating in the Public Hearing process. The City Attorney will determine whether a potential conflict exists. The Council member who has stepped down must not participate in the Council decision nor vote on the matter. The Council member must leave the Council Chambers while the matter is under consideration; provided, however, that nothing herein will be interpreted to prohibit a Council member from stepping down in order to participate in a hearing in which the Council member has a direct financial or other personal interest.

If the City Attorney determines that the participation of the Mayor or a Council member in discussion and voting on an issue would be a conflict of interest or appear to violate the appearance of fairness doctrine, or any specific part of RCW 42.36, that person must abstain from further participation unless, as provided by RCW 42.36.090, a challenge to a member or members of the decision-making body would cause a lack of a quorum or result in a failure to obtain a majority vote as required by law. In such cases, any challenged member(s) will be permitted to fully participate in the proceedings and vote as though the challenge had not occurred if the member(s) publicly disclose the basis for disqualification prior to rendering a decision and each party has a full opportunity to present the information relating to the issues. Such participation is not subject to a challenge by reason of violation of the appearance of fairness doctrine.

If the Mayor or a Council member refuses to abstain from participation and voting on an issue after the City Attorney has determined that abstention is necessary, the challenged person may be disqualified from participating and voting on that issue upon a vote to disqualify that is passed by a majority of the other Council members present who are eligible to vote on the underlying issue. If the Mayor or a Council member fails to abstain from participation and voting on an issue where that Council member knows or should have known that a conflict of interest is present or that the appearance of fairness would

be compromised, such failure to abstain by the Mayor or Council member is presumed to constitute a lack of good faith for purposes of officer indemnity under RCW 4.96.041; provided that nothing herein precludes the Council from determining that the Mayor or Council member acted in good faith upon a failure to abstain.

In the absence of an abstention on the basis of a conflict of interest, appearance of fairness concern, or other good cause, an abstention or failure to vote of a Council member present at the proceeding constitutes an affirmative vote on the proposition or motion before the Council.

End of Article 6 - Public Hearing Procedures

ARTICLE 7 – PUBLIC PARTICIPATION

7.1 Public Participation. The City Council desires to allow a maximum opportunity for public comment. However, the business of the City must proceed in an orderly, timely manner. At any time, the Presiding Officer, in the Presiding Officer's sole discretion, may set such reasonable limits as are necessary to prevent disruption of other necessary business.

End of Article 7 – Public Participation

ARTICLE 8 – USE OF RULES

8.1 Purpose. These City Council Rules of Procedure are designed to provide guidance for the City Council. They are not to be considered restrictions or expansions of City Council authority. These rules have been prepared from review of many statutes, ordinances, court cases and other sources but they are not intended to be an amendment or substitute for those statutes, ordinances, court decisions or other authority.

8.2 Use. No action taken by a member or by the Council which is not in compliance with these rules but which is otherwise lawful will invalidate such member or Council action or be deemed a violation of oath of office, misfeasance or malfeasance. No authority other than the City Council may enforce these rules or rely on these rules. Failure of the City Council to follow any of these rules is considered a Council decision to waive such rule. No notice of such waiver need be given.

8.3 Public Use or Reliance Not Intended. Because these rules are designed to assist the City Council and not to provide substantive rules affecting constituents, it is expressly stated that these rules do not constitute land use regulations, official controls, "appearance of fairness rules", public hearing rules or other substantive rules binding upon or to be used by or relied upon by members of the public. These rules do not amend statutory or other regulatory (such as ordinance) requirements.

End of Article 8 – Use of Rules