

City of Kenmore



City of Kenmore - 18120 68th Avenue NE Kenmore, WA 98028 Phone: 425-398-8900
Agendas also available at www.kenmorewa.gov E-mail: cityhall@kenmorewa.gov

City Council Special Meeting Agenda

6 PM, December 14, 2020, via Zoom

LINK: <https://us02web.zoom.us/j/81376341631>

Or iPhone one-tap :

US: +12532158782,,81376341631# or +16699009128,,81376341631#

Or Telephone: Dial US:US: +1 253 215 8782

Webinar ID: 813 7634 1631

I. CALL SPECIAL MEETING TO ORDER - 6 PM

II. FLAG SALUTE

III. ROLL CALL

IV. AGENDA APPROVAL

V. CONSENT AGENDA

- A. Approve Check #s 46223 through 46309 in the amount of \$942,289.86. Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 12/04/2020 in the amount of \$161,963.29, and an Electronic Funds Transfer dated 11/30/2020 in the amount of \$1,501,500.00.
[Voucher Certification and Approval Report](#)

VI. INTRODUCTION

- A. Introduction - Kenmore's Incoming Finance & Administration Director Leticia Salcido

VII. BUSINESS AGENDA

- A. Planning Commissioner Interviews, for *Discussion and Action*
- B. Council Policies and Procedures, for *Discussion and/or Action*
[Council Rules and Procedures - Shared Copy \(download document to view all comments\)](#)
[Council Rules and Procedures - Shared Copy w/ Councilmember Pfeil Comments Added \(download document to view all comments\)](#)

VIII. ADJOURNMENT

UPCOMING MEETINGS:

- Tuesday, December 15, 6 PM Special Council Meeting
- Monday, January 4, 6 PM Special Council Meeting
- January 8, 9 - 2021 Council Retreat



Voucher Certification and Approval

City of Kenmore

DATE RANGE:

11/28/2020-12/11/2020

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and the the claim is a just, due and unpaid obligation against the City of Kenmore and that I am authorized to authenticate and certify to said claim. The following checks and electronic payments are approved for payment:

Total Check #s 46223 through 46309: \$942,289.86

Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Acct Electronic Deposits Dated: 12/04/2020: \$161,963.29

Electronic Funds Transfer - 11/30/2020: 1,501,500.00

RJ Kog 12/11/20

City Manager / Date

David M. Gregory 12/11/20

Finance Director / Date

Vendor Name	Check #	Date	Description	Amount
ICMA RETIREMENT C/O ALLFIRST BANK / 109964	46223	12/04/2020	City of Kenmore 401a	14,019.43
ICMA RETIREMENT TRUST 457 / 304745	46224	12/04/2020	ICMA 457 Deferred Comp	6,192.75
STATE OF FLORIDA DISBURSEMENT UNIT	46225	12/04/2020	Employee Deduction	275.00
UNITED WAY OF KING COUNTY	46226	12/04/2020	Employee Charitable Contribution	53.00
CONTECH ENGINEERED SOLUTIONS, INC	46227	12/11/2020	Surface Water Facility Cartridge Replacements	10,849.30
PSR MECHANICAL	46228	12/11/2020	Kenmore Post Office Building HVAC Replacement	14,785.65
DELL	46229	12/10/2020	Replacement Network Server	13,326.56
AURORA RENTS	46230	12/11/2020	Surface Water Project Equipment Rental	39.46
BENNETT GOLD, TOBIN	46231	12/11/2020	Employee Wellness/Employee Appreciation Event	99.00
BLUEBEAM, INC.	46232	12/11/2020	Sales Tax on Blue Beam Software	89.10
BUILDERS EXCHANGE OF WASHINGTON INC	46233	12/11/2020	W. Samm. Bridge & 68th Ped/Bike Web Posting	304.35
CADMAN MATERIALS, INC.	46234	12/11/2020	Roadway Asphalt Repairs	83.89
CITY OF BELLEVUE	46235	12/11/2020	Q4 MBP.com Subscription Fees & Aerial Mapping	3,912.71
CITY OF SHORELINE	46236	12/11/2020	2018 Police Dept. Facility Use	568.00
COMCAST BUSINESS	46237	12/11/2020	Hangar Building Cable	45.40
DAVIDSON-MACRI SWEEPING, INC.	46238	12/11/2020	20-C2141 11/3 Street Sweeping	1,038.40
DAVIDSON-MACRI SWEEPING, INC.	46239	12/11/2020	20-C2141 11/2 Street Sweeping	1,038.40
DAVIDSON-MACRI SWEEPING, INC.	46240	12/11/2020	20-C2141 11/10 Street Sweeping	1,038.40
DAVIDSON-MACRI SWEEPING, INC.	46241	12/11/2020	20-C2141 11/12 Street Sweeping	1,038.40
DAVIDSON-MACRI SWEEPING, INC.	46242	12/11/2020	20-C2141 11/13 Street Sweeping	1,038.40

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DAVIDSON-MACRI SWEEPING, INC.	46243	12/11/2020	20-C2141 11/17 Street Sweeping	1,038.40
DAVIDSON-MACRI SWEEPING, INC.	46244	12/11/2020	20-C2141 11/9 Street Sweeping	1,038.40
DAVIDSON-MACRI SWEEPING, INC.	46245	12/11/2020	20-C2141 11/16 Street Sweeping	1,038.40
EARTHWORKS	46246	12/11/2020	SR 522 ROW Monthly Landscape Maintenance	4,450.88
FERGUSON ENTERPRISES INC #3011	46247	12/11/2020	Surface Water Materials	78.41
FRUHLING SAND & TOPSOIL	46248	12/11/2020	Materials Dump Fees	250.00
GARDNER, TELA	46249	12/11/2020	Employee Flu Shot Wellness Supplies	26.34
GORDON THOMAS HONEYWELL	46250	12/11/2020	Nov. 2020 Governmental Affairs Consulting	3,908.80
GRAINGER	46251	12/11/2020	Asphalt Cutter & Chisels	202.43
GRANICUS LLC	46252	12/11/2020	Website Implementation Fee	15,000.00
HDR ENGINEERING, INC	46253	12/11/2020	16-C1625 10/25-11/21 Juanita Drive Eng. Svcs	89,930.70
HOME DEPOT CREDIT SERVICES	46254	12/11/2020	PW Supplies & Equipment	522.69
HONEY BUCKET	46255	12/11/2020	Squire's Landing & PW Yard Rentals	397.10
INSLEE, BEST, DOEZIE & RYDER, P.S.	46256	12/11/2020	Oct. 2020 Legal Services	17,459.67
KIMLEY-HORN AND ASSOCIATES, INC.	46257	12/11/2020	20-C2219 Oct. Pavement Evaluation Svcs.	9,900.00
KING COUNTY FINANCE	46258	12/11/2020	King County Solid Waste Charges	59.02
KING COUNTY FINANCE	46259	12/11/2020	Nov. Indigency Screening	251.00
KING COUNTY FINANCE	46260	12/11/2020	3rd Qtr Liquor Profits/Excise Tax for Mental Health	1,756.65
KING COUNTY RADIO COMM SERVICES	46261	12/11/2020	Nov 2020 - Jan 2021 Emergency Radio Communications	300.30
KING COUNTY SHERIFF	46262	12/11/2020	December Police Services	309,105.92
KPFF CONSULTING ENGINEERS	46263	12/11/2020	Oct. 68th Ave Ped/Bike Prof. Svcs	4,332.28
LAKESIDE INDUSTRIES	46264	12/11/2020	20-C2130 Final Payment for Simonds Overlay	49,544.03
LAMBERT RYAN, SHANNON	46265	12/11/2020	Void - Incorrect Vendor	-
LIGHTHOUSE CONSULTING INC	46266	12/11/2020	Nov. IT Consulting Services	2,776.68
LIGHTHOUSE CONSULTING INC	46267	12/11/2020	Nov. Backup/Web Hosting/SiteProtector	8,828.60
MILLER STEPHENS, MARY	46268	12/11/2020	Nov. Public Defense Svcs @ SCORE	1,250.00
MOJO STRATEGIES	46269	12/11/2020	Nov. 2020 Communications Consulting Services	2,437.50
MOTT MACDONALD GROUP, INC.	46270	12/11/2020	17-C1656 Oct. Log Boom Design/Permitting	13,790.16
MSPT XXII, LLC C/O FLYWAY	46271	12/11/2020	Dec. Hangar & Town Square Trash Svcs	500.00
NORTHSHORE SCHOOL DISTRICT	46272	12/11/2020	Nov. School Impact Fee Remittance	14,000.00
NORTHSHORE UTILITY DIST	46273	12/11/2020	Nov. Fleet Maintenance/Parks/Irrigation/ROW	14,600.67
NORTHSHORE UTILITY DIST	46274	12/11/2020	Void	-
NXLVLUP, LLC	46275	12/11/2020	November Incubator Consulting Svcs.	2,716.00
OFFICE DEPOT	46276	12/11/2020	Office Supplies/Printer Ink	102.87
OLBRECHTS & ASSOCIATES, PLLC	46277	12/11/2020	Nov/Dec. 2020 Hearing Examiner Services	4,450.00
PACE ENGINEERS, INC.	46278	12/11/2020	20-C2129 Oct. On-Call Engineering Svcs	26,934.75
PACIFIC TOPSOILS	46279	12/11/2020	Public Works Landscape Materials & Dump Fees	870.24
PUGET SOUND ENERGY	46280	12/11/2020	10/14-11/12 CH/Traffic Signals/Lights/Parks	3,324.78
PUGET SOUND PLANTS	46281	12/11/2020	Damaged Plants Replacement	808.50

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QUALITY WATER FINANCIAL	46282	12/11/2020	Public Works Office Filtered Water System	65.95
QUALITY WATER FINANCIAL	46283	12/11/2020	City Hall 2nd Floor Filtered Water System	50.55
QUALITY WATER FINANCIAL	46284	12/11/2020	Incubator Bldg. Filtered Water System	65.95
REPUBLIC SERVICES	46285	12/11/2020	Rhod. Park & City Hall Solid Waste Services	1,063.09
RFI ENTERPRISES INC.	46286	12/11/2020	City Hall Security Cameral Repair	574.20
RYCO EQUIPMENT, INC.	46287	12/11/2020	Stainless Steel Heron Art for W. Samm. Bridge	5,098.50
SARAH ROBERTS	46288	12/11/2020	November Prosecution Services	11,759.54
SCHINDLER ELEVATOR CORPORATION	46289	12/11/2020	City Hall Elevator Maintenance	1,890.83
SCORE	46290	12/11/2020	Nov. Inmate Housing/Medical	5,938.00
SCORE	46291	12/11/2020	Sept. SCORE Housing/Health Svcs	4,908.00
SHI INTERNATIONAL CORP.	46292	12/11/2020	Adobe Sign Licenses	3,079.23
SHRED IT USA LLC	46293	12/11/2020	Monthly Shredding Services	83.33
STAPLES ADVANTAGE	46294	12/11/2020	Parks/Hangar/City Hall Maintenance Supplies	1,387.85
STARDOM SERVICES, INC.	46295	12/11/2020	Nov. Incubator Janitorial Svcs	660.00
T MOBILE USA, INC.	46296	12/11/2020	Staff Cell Phones/Data Plans	961.16
THOMCO CONSTRUCTION, INC.	46297	12/11/2020	20-C2144 Juanita Dr. Ped/Bike Proj.	206,604.88
TRANSCO GROUP USA INC.	46298	12/11/2020	19-C2104 Citywide Safety Projects thru 11/27	10,261.18
TRUGREEN	46299	12/11/2020	Moorlands Field Lawn Service	302.50
UTILITIES UNDERGROUND LOCATION CTR	46300	12/11/2020	November 2020 Utility Locates	134.16
VERIZON WIRELESS	46301	12/11/2020	Staff Cell Phones & Data Plans	253.71
WA STATE DEPT OF TRANSPORTATION	46302	12/11/2020	Oct. 2020 Traffic Signal Maintenance	1,087.08
WA STATE DEPT OF TRANSPORTATION	46303	12/11/2020	Inspection & Testing of Roadway Materials	3,079.44
WESTERN ENTRANCE TECHNOLOGY, LLC	46304	12/11/2020	City Hall Front Door Repair	827.75
ZIPLY FIBER	46305	12/11/2020	11/28-12/27 City Hall Phone Svc.	655.87
ZIPLY FIBER	46306	12/11/2020	11/28-12/27 City Hall Phone Svs (2)	476.38
ZUMAR	46307	12/11/2020	Parks Signs	755.52
SHANNON & WILSON, INC.	46308	12/11/2020	Geotech Consulting Services	2,040.00
WA STATE DEPT OF TRANSPORTATION	46309	12/11/2020	Inspection & Testing of Roadway Materials	407.44
DRS 457	DFT0000860-861	12/04/2020	DRS 457 Deferred Comp	2,283.91
AVIDIA HEALTH	DFT0000862	12/04/2020	Employee Health Savings Contribution	100.00
DEPARTMENT OF RETIREMENT SYSTEMS	DFT0000863-868	12/04/2020	Public Employees Retirement	32,155.34
NAVIA	DFT0000869	12/04/2020	Employee Flexible Spending Account	416.15
BANK OF AMERICA 941	DFT0000870-71	12/04/2020	Federal Taxes	18,787.80
PAYROLL	Electronic Dep.	12/4/2020	Direct Deposit	108,220.09
Electronic Funds Transfer	EFT	11/30/2020	Investment Purchase Wire	1,501,500.00
TOTAL				<u><u>\$ 2,605,753.15</u></u>

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City of Kenmore

Vendor Purchasing Report

For Date Range 01/01/2020 - 12/11/2020

Vendor Set: Vendor Set 01

Vendor	Name	Volume
0002	ACTION ENTERTAINMENT	550.00
0014	AMERICAN PLANNING ASSOCIATION	2,136.00
0022	ASSOCIATION OF WA CITIES	3,290.00
0024	BAKER, DAVID	4,051.53
0037	BASTYR UNIVERSITY	50,351.45
0054	BULGER SAFE & LOCK, INC.	376.85
0064	CASCADE PEST CONTROL	1,573.00
0067	CENTER FOR HUMAN SERVICES	28,750.00
0076	CITY OF BELLEVUE	136,124.31
0081	CITY OF KENMORE	205.17
0083	CITY OF LAKE FOREST PARK	48,111.00
0086	CITY OF SHORELINE	3,351.00
0092	CODE PUBLISHING COMPANY	4,806.80
0099	CONSOLIDATED PRESS	4,349.92
0106	CROWN PRODUCTS LLC	1,998.14
0109	DAILY JOURNAL OF COMMERCE	2,221.80
0111	DEPARTMENT OF ECOLOGY	32,561.21
0121	REPUBLIC SERVICES	16,006.13
0130	EMPLOYMENT SECURITY DEPARTMENT	14,825.94
0134	EVERGREEN PRINT SOLUTIONS	335.36
0137	FERGUSON ENTERPRISES INC #3011	3,439.10
0145	FRUHLING SAND & TOPSOIL	2,333.83
0151	CALPORTLAND COMPANY	3,104.56
0152	GOVERNMENT FINANCE OFFICERS ASSOC	190.00
0169	HERRERA ENVIRONMENTAL CONSULTANTS	14,260.83
0173	HOME DEPOT CREDIT SERVICES	3,410.36
0174	HOPELINK	10,000.00
0184	INSLEE, BEST, DOEZIE & RYDER, P.S.	225,007.97
0189	INTERNATIONAL CITY/CNTY MGMT ASSOC	1,400.00
0197	JET CITY PRINTING	2,090.55
0201	KCDA PURCHASING COOP	4,010.70
0205	KENMORE HERITAGE SOCIETY	100.00
0206	KENMORE MIDDLE SCHOOL	8,250.00
0212	KING COUNTY FINANCE W.L.R.D.	22,528.28
0213	KING COUNTY ANIMAL SVCS	1,435.00
0216	KING COUNTY FINANCE	1,000.00
0217	KING COUNTY DISTRICT COURT	67,145.00
0218	KING COUNTY FINANCE	6,681.74
0219	KING COUNTY FINANCE	162,278.55
0224	SOUND PUBLISHING, INC.	395.00
0230	KING COUNTY RADIO COMM SERVICES	1,201.20
0233	KING COUNTY SHERIFF	3,544,797.88
0235	KING COUNTY TREASURY	39,839.98
0246	LAKE CITY PICTURE FRAMING	310.21
0251	LIGHTHOUSE CONSULTING INC	125,581.17
0261	PENDLETON CONSULTING LLC	5,650.70
0267	MR. T'S TROPHIES	1,537.29
0285	NORTHSHORE FIRE DEPT	4,124.00
0286	NORTHSHORE SCHOOL DISTRICT	390,033.00
0287	NORTHSHORE SENIOR CENTER	33,600.00
0288	NORTHSHORE UTILITY DIST	161,542.45
0290	NORTHSHORE YOUTH & FAMILY SERVICES	16,000.00

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For Date Range 01/01/2020 - 12/11/2020

Vendor Set: Vendor Set 01

Vendor	Name	Volume
0292	HONEY BUCKET	10,387.20
0299	EBIX, INC.	118.27
0300	OFFICE DEPOT	5,109.99
0304	OLYMPIC ENVIRONMENTAL RESOURCES INC	35,622.96
0310	PACIFIC TOPSOILS	6,667.86
0314	PETTY CASH CUSTODIAN	400.31
0327	PUGET SOUND CLEAN AIR AGENCY	18,889.00
0328	PUGET SOUND ENERGY	170,972.04
0329	PUGET SOUND FINANCE OFFICERS ASSOC	130.00
0331	PUGET SOUND REGIONAL COUNCIL	9,044.00
0345	SEATTLE TIMES	8,319.41
0346	SECRETARY OF STATE	20.00
0350	SIGN UP, SIGN CO, INC	412.50
0355	STAPLES ADVANTAGE	14,307.90
0356	STATE AUDITOR'S OFFICE	18,322.20
0357	STEWART MACNICHOLS HARMELL, INC.	55,000.00
0359	SOUND CITIES ASSOC	15,539.29
0365	TOTAL LANDSCAPE CORP	96,551.95
0371	UNITED STATES POSTMASTER	1,817.64
0375	US POSTAL SERVICE (HASLER)	6,143.89
0385	WA ASSOC OF BUILDING OFFICIALS	120.00
0387	WA CITIES INSURANCE AUTHORITY	329,569.00
0391	WASHINGTON MUNICIPAL CLERKS ASSOC	75.00
0401	WA STATE DEPT OF TRANSPORTATION	7,842.96
0405	WASHINGTON STATE OFFICE CASH MGMT	1,711.50
0412	COLUMBIA RIDGE LANDFILL	23,568.96
0419	WONDERLAND DEVELOPMENT	2,250.00
0424	ICMA RETIREMENT TRUST 457 / 304745	150,604.90
0425	DRS 457	47,917.47
0426	AFLAC	3,959.90
0428	BANK OF AMERICA 941	463,323.07
0429	AWC EMPLOYEE BENEFIT TRUST	692,051.27
0431	DEPARTMENT OF RETIREMENT SYSTEMS	794,260.87
0432	DEPARTMENT OF LABOR AND INDUSTRIES	42,356.74
0434	UNITED WAY OF KING COUNTY	1,325.00
0436	NATIONAL LIFE OF VERMONT	1,354.87
0448	UPS STORE KENMORE	1,195.86
0450	AURORA RENTS	7,719.94
0473	ARTS OF KENMORE	3,400.00
0515	NATIONAL LEAGUE OF CITIES	1,563.00
0550	KING COUNTY RECORDER'S OFFICE	643.00
0558	SNOHOMISH COUNTY	4,589.00
0586	QUADIENT LEASING USA, INC.	2,326.02
0588	ENVIRONMENTAL SYSTEMS RESEARCH INST	5,720.00
0594	RANDALL, BRIAN	39.15
0610	WA STATE DEPT OF TRANSPORTATION	6,686.13
0617	KING COUNTY FINANCE	6,676.28
0641	TELESYSTEMS WEST	137.51
0685	PACE ENGINEERS, INC.	63,724.25
0690	BUILDERS EXCHANGE OF WASHINGTON INC	1,485.90
0692	HDR ENGINEERING, INC	621,584.38
0696	AMERICAN GENERAL LIFE GPO/400S	3,079.12
0699	BANNER BANK DB	1,198.82
0743	BANNER BANK NO	6,572.45
0764	OUSLEY, NANCY	86.08
0781	QUALITY BUSINESS SYSTEMS INC.	4,595.72
0791	NORTHSHORE ROTARY CLUB	487.00
0807	CASCADE RECREATION, INC	551.25

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Vendor	Name	Volume
0817	GRAINGER	8,294.03
0828	PUGET SOUND BUSINESS JOURNAL	125.00
0831	NORTHSHORE PARK & REC SERVICE AREA	2,567.00
0851	EVERMARK, LLC	609.73
0852	GREGORY, JOANNE	3,456.98
0858	A+ CONFERENCING	1,510.92
0864	COLUMBIA FORD	22,530.94
0868	JAYMARC AV	5,814.62
0869	BANNER BANK JGORDON	8,843.40
0892	JACOBS ENGINEERING GROUP	311,847.01
0899	SHRED IT USA LLC	814.36
0912	ALCALDE & FAY	30,398.20
0913	KENMORE ELEMENTARY	5,000.00
0937	ZUMAR	755.52
0981	COMCAST BUSINESS	3,599.21
0994	GORDON THOMAS HONEYWELL	43,161.76
1003	IWORQ SYSTEMS	2,800.00
1010	TOWN CENTER HARDWARE	1,843.24
1045	HORIZON DISTRIBUTORS INC	4,198.80
1047	SARAH ROBERTS	140,917.91
1052	FIRE PROTECTION, INC	6,787.65
1053	INTERNATIONAL CODE COUNCIL, INC	49.44
1068	WA STATE DEPT OF LABOR & INDUSTRIES	147.20
1114	PHSI PURE HEALTH SOLUTIONS INC.	606.54
1116	FRONTIER	4,922.99
1123	AM TEST, INC	2,300.00
1140	PAWS	2,945.00
1148	AGORA REFRESHMENTS	705.44
1168	SCHINDLER ELEVATOR CORPORATION	3,781.66
1177	WELLS FARGO FINANCIAL	81.67
1197	MILLER STEPHENS, MARY	15,000.00
1215	STATE OF FLORIDA DISBURSEMENT UNIT	6,875.00
1216	ADVANCE TESTING & SERVICE INC	1,566.00
1222	OLSON BROTHERS PRO VAC	51,922.62
1226	CONTECH ENGINEERED SOLUTIONS, INC	10,849.30
1248	KENMORE AIR	625.00
1259	PERTEET INC.	352.36
1267	AUTOMATED CONTROLS	1,551.00
1269	KAMINS CONSTRUCTION INC.	34,996.72
1293	THE WATERSHED COMPANY	9,287.50
1297	GOVERNMENT FINANCE RESEARCH GROUP	1,995.00
1299	VERIZON WIRELESS	3,899.21
1309	BANNER BANK BAKER	8,160.40
1311	WASHINGTON STATE PATROL	9,052.32
1313	BOTHELL KENMORE CHAMBER OF COMMERCE	9,000.00
1322	AABCO BARRICADE COMPANY INC.	2,475.00
1326	JOYCE ZIKER PARKINSON	2,775.00
1328	ANCHOR QEA, LLC	520.00
1331	KBA INC.	934,487.00
1333	WELWEST CONSTRUCTION INC.	154,505.93
1339	STATE OF WA DEPARTMENT OF LICENSING	0.44
1342	PETERSON, JANET	300.00
1345	SHERWIN WILLIAMS CO. #8099	102.60
1356	KARLINSEY, ROB	150.08
1357	KENMORE COMMERCIAL LLC	40,404.48
1358	ALPHAGRAPHS	958.43
1372	AAA PRINTING	1,127.40
1385	CITYWORKS/ AZTECA SYSTEMS INC.	37,100.00

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Vendor	Name	Volume
1390	UTILITIES UNDERGROUND LOCATION CTR	1,953.06
1403	OSBORN CONSULTING INC.	283,734.50
1431	BRIEN, GAYLYNN	500.00
1452	CITY OF KENT	500.00
1456	HESTON VISUAL ARTS	214.70
1457	LANGUAGE LINE SERVICES, INC.	35.37
1459	FLEMINGS HOLIDAY LIGHTING LLC	7,722.41
1482	HIGHWIRE	1,916.26
1485	WA ASSOC OF PUBLIC RECORDS OFFICERS	25.00
1500	MARINE FLOATS CORPORATION	6,837.49
1504	SCORE	184,888.92
1524	GRANICUS LLC	15,720.00
1550	THE EVP GROUP	22,154.66
1555	LINCOLN NATIONAL LIFE INSURANCE	14,826.17
1581	STARDOM SERVICES, INC.	6,911.54
1605	ALL CITY FENCE CO.	4,977.50
1606	GALLATIN PUBLIC AFFAIRS	22,064.25
1629	WESTERN DISPLAY FIREWORKS, LTD.	4,750.00
1657	STEWART TITLE COMPANY	258,326.30
1661	GARDNER, TELA	26.34
1673	KPFF CONSULTING ENGINEERS	222,691.06
1689	MOTT MACDONALD GROUP, INC.	560,389.05
1704	BANNER BANK RK	9,782.30
1711	SOFTWAREONE, INC.	11,439.33
1712	SITEIMPROVE, INC.	3,353.90
1714	KRAZAN & ASSOCIATES, INC.	2,325.00
1715	THE WIDE FORMAT COMPANY	10,631.50
1718	RESOURCE EXPLORATION, LLC	20,000.00
1721	GOOD TO GO	2.75
1731	NORTHWEST ARBORICULTURE LLC	18,965.78
1738	MUNIMANAGE, LLC	5,280.00
1739	FIX AUTO	5,957.06
1754	RFI ENTERPRISES INC.	21,284.74
1762	BAKER, BRIDGIT	1,045.54
1763	REID, JAMES FALCONER	25,457.50
1774	OWEN EQUIPMENT COMPANY	1,112.43
1786	TYLER TECHNOLOGIES, INC.	18,951.58
1789	BLUEBEAM, INC.	980.10
1795	CABOT DOW ASSOCIATES	3,135.00
1798	OLBRECHTS & ASSOCIATES, PLLC	8,879.18
1806	RYCO EQUIPMENT, INC.	5,098.50
1814	YSI INCORPORATED, A XYLEM BRAND	1,789.98
1816	NAVIA	23,403.75
1828	QUALITY BUSINESS SYSTEMS / WELLS FARGO	7,621.22
1829	SHI INTERNATIONAL CORP.	3,962.02
1838	AVIDIA HEALTH	2,500.00
1863	HAULAWAY STORAGE CONTAINERS, INC.	1,105.18
1884	CADMAN MATERIALS, INC.	1,240.13
1885	NATIONAL BARRICADE CO., LLC	3,864.25
1889	WILLIAMS, KASTNER & GIBBS PLLC	68,222.66
1892	HEARTH MUSIC	4,100.00
1900	ASPECT CONSULTING LLC	2,405.00
1901	NORTH COAST ELECTRIC COMPANY	3,083.23
1908	VAUGHAN, KENT	400.00
1914	MCNAMARA SIGNS	1,420.29
1927	GAMETIME	2,429.19
1930	T MOBILE USA, INC.	10,665.43
1932	U.S. BANK N.A. / CUSTODY	360.00

V. A. Approve Check #s 46223 through 46309 in the amount of \$942,289.86....

Vendor Purchasing Report

For Date Range 01/01/2020 - 12/11/2020

Vendor Set: Vendor Set 01

Vendor	Name	Volume
1936	SUPERIOR, LLC	20,814.71
1939	ARCHIVESOCIAL, INC.	2,388.00
1945	GLASS MASTERS LLC	3,445.00
1948	MULTICARE CENTERS OF OCCUPATIONAL MEDICINE	100.00
1960	WALTER E. NELSON CO.	408.87
1961	WESTERN ENTRANCE TECHNOLOGY, LLC	1,515.25
1964	EARTHWORKS	61,551.57
1970	CROSSROAD SIGN	385.00
1978	GOVDELIVERY, LLC	6,440.00
1979	MSPT XXII, LLC C/O FLYWAY	3,000.00
1980	HRA VEBA TRUST	37,356.54
1985	CONTRACT LAND STAFF LLC	30,937.99
1991	WASHINGTON STATE TREASURER	6,290.28
1993	HYAS GROUP, LLC	7,500.00
1999	KING COUNTY POLICE CHIEFS ASSOCIATION	50.00
2004	RED BARN ENGINEERING, INC.	83,658.75
2007	HYDROPOINT DATA SYSTEMS, INC.	1,077.00
2009	O'CONNOR CONSULTING GROUP, LLC	21,000.00
2010	JUDHA OF LION LANDSCAPING AND SERVICES LLC	1,932.80
2017	DARRELL THOMSON	1,667.58
2024	DFR LAW GROUP, LLC	600.00
2028	PRIDE ELECTRIC INC.	8,379.00
2047	PUGET SOUND PLANTS	1,561.73
2048	SMS CLEANING, INC.	71,445.00
2049	SUNBELT RENTALS	310.28
2054	BLUE FLAME HEATING, AIR & ELECTRIC	264.60
2056	J3 ARCHITECTS LLC	750.00
2063	French Touchup LLC	5,400.00
2075	LANDEZA, PATRICK	1,000.00
2078	WA RECREATION & PARK ASSOC.	1,975.00
2079	ZESBAUGH, INC.	1,936.00
2081	SHANNON & WILSON, INC.	28,103.50
2095	TRANSPO GROUP USA INC.	26,889.64
2096	TUPLING, SANDRA	302.54
2113	WA ASSOC. OF SHERIFFS & POLICE CHIEFS	180.00
2119	PIONEER TOWING COMPANY	138,000.00
2120	LAKEPOINTE, INC.	24,000.00
2126	SCHWARZWALTER, MARK	762.15
2135	AMERICAN SOLUTIONS FOR BUSINESS	1,511.42
2142	ICMA RETIREMENT C/O ALLFIRST BANK / 109964	425,548.70
2143	ERIK D PLUMBER LLC	165.00
2144	MODUS TECHNOLOGY, INC.	721.22
2147	SOD SPOT LLC	5,400.00
2156	ASSOCIATED PETROLEUM PRODUCTS INC.	1,536.49
2157	SOUND SAFETY PRODUCTS CO.	1,482.09
2161	BENNETT GOLD, TOBIN	4,134.47
2167	APWA/WA CHAPTER	1,500.00
2175	ELECTRONIC BUSINESS MACHINES	2,612.30
2176	CANON FINANCIAL SERVICES, INC.	2,924.24
2183	SISKUN POWER EQUIPMENT	1,763.44
2187	CORAL SALES CO.	8,261.00
2196	ENGAGED PUBLIC	6,500.00
2199	HALALILLO, PAULA	40.00
2206	CHECK RIDE	3,450.00
2209	MORUP SIGNS, INC.	4,746.53
2211	PRECISION FUEL SOLUTIONS	1,237.50
2214	CAROLYN LAW	6,487.50
2215	INTERSECTION MEDIA, LLC	2,003.42

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Vendor Purchasing Report

For Date Range 01/01/2020 - 12/11/2020

Vendor Set: Vendor Set 01

Vendor	Name	Volume
2221	O'REILLY/FIRST CALL	137.95
2222	GRADE, INC.	14,044.24
2227	EARTHCORPS	21,290.50
2231	A WORKSAFE SERVICE, INC	55.00
2236	COMCAST	28,578.11
2237	CREATIVE HOUSE BRANDING	942.93
2242	MARY'S PLACE	23,334.00
2247	EMERALD PAVING, INC	4,941.00
2248	INTERNATIONAL PUBLIC MGT ASSOC FOR HUMAN RES	156.00
2249	KING COUNTY BAR ASSOCIATION	1,250.00
2250	NAMI EASTSIDE	500.00
2252	TRUGREEN	4,174.23
2253	CHANCERY CIVIC LLC	11,208.60
2254	U.S. BANK PURCHASE CARDS	165,764.89
2259	MINUTEMAN PRESS	24,026.33
2262	DILIGENT CORPORATION	16,703.51
2264	SWOFFORD EXCAVATING	76,959.85
2268	IRIS WINDOW COVERINGS	8,635.00
2270	LAKESIDE INDUSTRIES	316,590.52
2283	VSS INTERNATIONAL INC.	92,776.06
2285	QUALITY WATER FINANCIAL	1,734.45
2295	ALL THINGS HR, LLC	525.00
2300	MICROSOFT CORPORATION	7,288.51
2311	BEST BEST & KRIEGER LLP ATTORNEYS AT LAW	11,232.00
2312	GOOD, MICHAEL J.	350.00
2313	MANAGEMENT PARTNERS	58,430.00
2318	PIXELEYES GRAPHICS & DESIGN	3,000.00
2319	SITESCAPES	2,670.00
2327	PACIFIC AIR CONTROL, INC.	9,519.14
2333	NORTHEND TRUCK EQUIPMENT CO., LLC	1,062.33
2334	NORTHSHORE YOUTH SOCCER ASSOC.	3,168.00
2335	DEBO, ALEXANDER	150.00
2336	CHRISTEN ESTATES, LLC	15,000.00
2337	HUANG, ANGELINA	7,500.00
2338	58 STARS TRAVEL	3,940.30
2340	MOJO STRATEGIES	47,750.00
2341	ALLIANCEONE RECEIVABLES MGMT INC	350.93
2342	RAINBOW TOWING	302.50
2343	KNOWBE4, INC.	735.92
2344	DZHENKOV, PETAR	275.00
2345	DEOL, GUR RAJ	275.00
2346	DILLON, MARGARET	550.00
2347	HOUSING AUTHORITY OF KING COUNTY WA	3,525.00
2348	ARROWHEAD PARK VISTA CONDOMINIUM ASSOCIATIC	2,150.00
2349	SSI & MHA CORPORATION	9,755.00
2351	ENGINEER SUPPLY	709.00
2352	EARTHCAM	15,715.73
2353	NORTHSHORE SCHOOLS FOUNDATION	4,000.00
2354	ALLAN WEBB NISSAN	62,542.46
2355	BUREAU VERITAS	9,900.00
2356	KEIM, JEANNIE	150.00
2357	4IMPRINT	432.07
2359	PRECISION PLUMBING AND HEATING	165.90
2360	O'CAIN, MELANIE	965.22
2361	BFI 4 LLC	26,351.99
2362	CHASEWEST VENTURES, INC.	25,406.25
2363	IDAHO ASSOC. OF BUILDING OFFICIALS, INC.	25.00
2364	JASON'S CREATIONS	350.00

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Vendor Purchasing Report

For Date Range 01/01/2020 - 12/11/2020

Vendor Set: Vendor Set 01

Vendor	Name	Volume
2365	ADAM TIEGS	350.00
2366	CCI SOLUTIONS	858.00
2367	MARGARET FLYNN	650.00
2368	JEFF LUKE PHOTOGRAPHY LLC	4,525.11
2369	MARIA SZABLYA RIVAS	150.00
2370	PYRAMID CATERING & EVENTS	925.00
2371	RACHEL RISING	150.00
2372	ANDERSON ROOFING INC.	218.60
2373	BRAD OR KELLI CARSON	150.00
2374	DEPARTMENT OF NATURAL RESOURCES	1,261.17
2375	FONG, DAPHNE	150.00
2376	LISA TROUT	100.00
2377	NORTH URBAN HUMAN SVCS ALLIANCE	1,000.00
2378	NXLVLUP, LLC	29,780.00
2379	JENNIFER DIXON	15,000.00
2380	JOHN BROWN	56.75
2381	NORTHLAKE LITTLE LEAGUE	2,296.00
2382	FOCUS TOOLS & ENGINEERING, INC.	25,050.00
2383	NORTH LAKE LITTLE LEAGUE	3,080.00
2384	NORTHWEST ENERGY EFFICIENCY COUNCIL	75.00
2386	CECCANTI, INC.	11,359,654.58
2387	HUI, IVANA	150.00
2388	3CMA CITY-COUNTY COMMUNICATIONS & MARKETIN	400.00
2389	JET CITY CLEANING	5,632.00
2392	DEPARTMENT OF COMMERCE	6,561.97
2393	SEATTLE PUMP & EQUIPMENT CO./JETTERS NORTHWE	3,675.08
2394	GRIESEL, LEN	21,388.50
2395	PLASTIC SALES & SERVICE INC.	8,452.15
2396	ZIPLY FIBER	8,541.19
2399	COPIERS NORTHWEST	7,598.80
2400	MSR GLASS HOUSE, LLC	9,500.00
2401	SHIXIONG HU	7,500.00
2402	PACIFIC OFFICE AUTOMATION	6,578.00
2403	AMERICALL	2,823.54
2404	BAKER, W. COLE	13.39
2406	FISCHER, AUSTIN	13.39
2408	FISHER, AKSEL	13.39
2410	KENDALL FORD OF MARYSVILLE	51,263.40
2411	STELL ENVIRONMENTAL ENTERPRISES, INC	10,650.19
2412	OTTO ROSENAU & ASSOCIATES, INC	427.88
2413	ICLEI	600.00
2414	GENCAP CONSTRUCTION CORP	836,485.83
2416	KIERA CONDON	450.00
2417	SUMMIT LAW GROUP PLLC	9,492.50
2418	AMERICAN LEAK DETECTION	1,782.00
2419	MIKE FOLDEN PRODUCTIONS	4,000.00
2421	SIGNARAMA	280.76
2423	MAUREEN COLAIZZI	119.00
2424	BAUTISTA, REGINALD	269.48
2425	THOMCO CONSTRUCTION, INC.	1,477,498.45
2426	OASIS EIGHT, LLC	7,500.00
2427	LAKESIDE INDUSTRIES	591,838.02
2430	SANCHEZ, EUGENIO	108.55
2431	ALPINE PRODUCTS INC.	944.22
2432	RICH MARKETING LLC	1,200.00
2433	BEC LYNN LEWIS	11,073.80
2434	PSR MECHANICAL	17,218.90
2435	FERRER, EDDIE	258.26

V. A. Approve Check #s 46223 through 46309 in the amount of \$942,289.86....

Vendor Purchasing Report

For Date Range 01/01/2020 - 12/11/2020

Vendor Set: Vendor Set 01

Vendor	Name	Volume
2437	LOUDEDGE, INC.	95.00
2438	WASHINGTON TREE & LAWN CARE	1,606.00
2439	7 STAR TOWING LLC	3,000.00
2440	ALAA YASSIN, DDS PLLC	1,500.00
2441	APEX ELECTRIC INC.	5,000.00
2442	BECHTEL CONSULTING GROUP	4,500.00
2443	BROMEO, LLC	3,000.00
2444	ELEPHANT EMERGENCY ROADSIDE LLC	2,500.00
2445	IMBAYA ARTS	2,500.00
2446	L1 RESTORATIONS, INC.	1,500.00
2447	LAMASTERWORKS MASSAGE	1,000.00
2448	NORTH SOUND PLUMBING	1,500.00
2449	NORTHSHORE ENDODONTICS PLLC	2,000.00
2450	PK & JK CORPORATION	5,500.00
2451	PRETTY NAILS	6,000.00
2452	SHARI BOTH JEWELRY DESIGN	2,500.00
2453	SHIN'S TAEKWONDO ACADEMY	3,000.00
2454	EASTSIDE NATURAL MEDICINE, PLLC	2,500.00
2455	EUGENIA LEE, DMD PLLC	3,000.00
2457	KATHERINE MARTIN, ND LLC	3,000.00
2458	MKS PROPERTIES	18,276.80
2459	NELSON ELECTRIC, INC.	6,122.60
2460	SDP ENTERPRISES, INC.	3,000.00
2461	JESSICA DANKS	2,500.00
2462	RONALD L. HIGGS, JR.	400.00
2464	D.P. NICOLI, INC.	1,477.70
2465	PRECISION CONCRETE CUTTING	1,100.00
2466	XIN LONG, LLC	7,500.00
2467	ASSOCIATED UNDERWATER SERVICES INC.	7,260.00
2468	DAVIDSON-MACRI SWEEPING, INC.	13,502.54
2470	PACIFIC PLANTS, INC.	861.85
2471	INTERMOUNTAIN SLURRY SEAL	470,980.26
2472	DELL	13,326.56
2473	THE ROOT OF US LLC	2,500.00
2474	BEN WARD	268.80
2475	ICE-AME INC.	3,000.00
2476	LITTLE IVY ACADEMY	3,000.00
2477	MALTBY CONTAINER	29,040.00
2479	RACE FORWARD	1,000.00
2480	CRELATE, INC.	5,705.71
2482	KIMLEY-HORN AND ASSOCIATES, INC.	9,900.00
Vendor Set Vendor Set 01 Total:		30,343,390.04

V. A. Approve Check #s 46223 through 46309 in the amount of \$942,289.86....

~~ATTACHMENT TO CITY OF KENMORE RESOLUTION NO. 17-293~~

CITY OF KENMORE

Council Rules and Procedures

Preamble principles

1. Council acts as a collective body to set policy direction. While individual councilmembers may wish to stand out and distinguish themselves, they must remember first and foremost that direction and initiatives come from the collective body. Individual credit and recognition for ideas and service is not sought out; rather, credit is directed to the collective organization.
2. Council direction comes from the Council dais. Policy discussion, requests for new things, etc. should not happen outside of the Council meeting.
3. Council decides the policy direction (the "What"), while the City Manager determines the operational enactment of policies (the "How").
4. Council should be frugal when contacting (emailing, texting, phoning) the City Manager directly. As noted in the Council rules, while the City Manager is accessible for thinking through policy issues, contact should be limited to regularly scheduled meetings with the City Manager and to Council meetings unless the question or policy issue relates to an immediately upcoming published agenda item.
5. Recognize that Council direction on workload and priorities is established two times per year: At budget adoption and at the retreat. While things do unexpectedly come up during the year, the work set forth through these set processes, plus daily City operations, is always ambitious and more than fills the time of staff. To support organizational health and morale, if a new initiative is to be considered, a corresponding workload item will need to be deleted or a new resource will need to be added.

Section 1. General

A. Purpose of Meetings

City Council meetings are for the purpose of conducting city business, including but not limited to budgeting (e.g. revenues, expenditures, taxes, fees, monthly payments, capital project payments), long-range planning (e.g. vision, zoning, development, and land use) and federal and state mandates.

B. Structure of Meetings

1. All meetings shall be open to the public, except for executive sessions authorized by law (and noted in Council Rules and Procedures, Section 7,

Executive Sessions) and collective bargaining sessions and related proceedings described in RCW 42.309.140(4)(a). Final action resulting from executive session discussions will be taken during a meeting open to the public as required by law.

2. Meetings will be orderly and will involve Councilmembers, City staff, consultants, and citizens, which will allow all viewpoints to be heard and considered.
3. Meetings will be called to order by the Presiding Officer, who shall be the Mayor, the Deputy Mayor in the absence of the Mayor, or a Councilmember selected by the City Council in the absence of both the Mayor and Deputy Mayor.

4. Meeting types:

- a. There will be 3 regular meetings per month on the 2nd, 3rd and 4th Monday evenings. If a regular meeting falls on a holiday, it will be held the next day, Tuesday, unless canceled by the City Council. There will be no regular meetings on the 1st and 5th Monday evenings.
- b. Additional meetings, which may be referred to as meetings or work or study sessions, will be scheduled as needed.
- c. Executive sessions will be scheduled as needed.
- d. Town Hall meetings will occur periodically as determined by the City Council.
- e. Coffee-With-The-Council is an open forum for the public to discuss issues with Councilmembers. It will occur twice a month, generally on one Monday and one Saturday at times to be announced. If no Councilmembers are able to attend, notification of the cancellation will be made. Since it is not a legal public meeting, no more than 3 Councilmembers may attend. If specific operational issues are brought up by the public, they should be asked to fill out a Citizen Action Request (CAR), so the issue is properly recorded, tracked and managed within our present systems. If a CAR request has been filled out and the person has not received a response, then it will be referred to the City Manager for follow up. Coffee with Council is not intended to result in tasking the city manager or staff with new initiatives or operational tasks.

- f. Retreats will be scheduled yearly, or more often if needed, when extended blocks of time are needed to set priorities and make long-term plans for the City.
4. g. The Council has the prerogative to form ad hoc committees or workgroups of not more than 3 members to work on issues that will be brought forward to the full Council for consideration.
5. All public meetings will be scheduled or announced, and agendas will be prepared and made available in advance as required by State law (the Open Public Meetings Act). Meetings may be added or canceled as discussed and approved by the City Council.
6. Actions may be taken, motions may be passed, proclamations may be made, and resolutions and ordinances may be adopted at regular meetings, or at special meetings with proper notification.
7. Meeting agendas with relevant information on each topic will be available 10 days in advance whenever possible.
8. Regular and special meetings will be recorded by the City Clerk or designee.
9. Remote attendance and voting will be allowed as noted in Section 6.
10. Copies of all documents distributed in the Council chambers pertaining to Council business, as well as copies of all documents submitted by speakers during Citizen-Public Comments, shall be provided to the City Clerk and distributed as necessary.

C. Rules for Meetings

1. These rules constitute the official rules and procedures and code of conduct for the City Council.
2. In addition to these rules, the City Council shall conduct its meetings in compliance with the most current edition of Robert's Rules of Order Newly Revised (Robert's Rules). A copy shall be maintained in the office of the City Clerk.
3. Where there is a conflict between these rules and Robert's Rules, these rules shall govern. Where there is a conflict between these rules and State and federal laws, the State and federal laws shall govern.

4. In general, the City Council will follow Robert's Rules for "Formal Debate," including requiring a second for all motions and disallowing the Presiding Officer from making motions.
5. Robert's Rules of Order for "Small Boards" will be used to:
 - a. Allow the Presiding Officer to participate in debate. In general the Presiding Officer will speak after others have spoken on the topic.
 - b. Allow informal discussion before a motion is made.
 - c. Not require speakers "for" and "against" the motion to alternate.

Section 2. Order of Business Meetings

A. Call to Order

1. The Presiding Officer will call a meeting to order.
2. The Presiding Officer will request the City Clerk to call the roll of the Councilmembers. The Clerk will record the names of Councilmembers present and absent. The Clerk will also note the time of any late arrivals and early leave takings for the record.

B. Agenda Approval

- ~~4.~~ The City Council shall approve the agenda.
- ~~1.~~
- ~~4-2.~~ Amendments may be suggested, discussed and approved.

C. ~~Citizen-Public~~ Comments

1. Members of the public may only speak during the designated ~~Citizen Public~~ Comment period, or during a scheduled public hearing or a quasi-judicial hearing (as discussed in Section 8 below).
2. No person shall address the City Council at a meeting without being recognized by the Presiding Officer.
3. The Presiding Officer will state the rules for the ~~Citizen-Public~~ Comment period. This may include items such as:
 - a. Members of the public must sign the log prior to the ~~Citizen-Public~~ Comment period to be allowed to speak. They are not required to sign anywhere to attend the meeting.

Council Rules and Procedures page 4

- b. They must state their name and city of residence.
- c. There is a 3-minute time limit.
- d. It is a time for members of the public to speak on any topic(s) of their choice.
- e. It is not a time for the Council or staff to answer questions, but exceptions can be made at the discretion of the Presiding Officer.
- f. Comments should be addressed to the Presiding Officer and the City Council, not the audience.
- g. If members of the public agree with the comments of previous speakers, they are encouraged to state that their comments have already been made by previous speakers.
- h. Members of the public should refrain from booing, hissing, or clapping, or making personal attacks during public comments, and throughout the meeting isare inappropriate.
- 4. Each member of the public will be given 3 minutes. Suspension of this rule will require a majority vote of the Councilmembers present.
- 5. No person may use the designated ~~Citizen-Public~~ Comment period to support or oppose any candidate for public office or ballot measure in a manner that violates RCW 42.17A.555.
- 6. The Presiding Officer will allow members of the public to return to their seats in the audience before ~~paraphrasing and~~ responding to their presentations.
- 7. There will be no two-way conversations between Councilmembers and members of the public.
- 8. The Presiding Officer may direct the City Manager to follow up with members of the public on issues brought before the City Council. However, if a public comment is about operational issues then the Presiding Officer should refer the resident to the main page on the City's web site where they can report a concern. Operational requests raised during Public Comment should not get special priority or attention.

D. Council Business Meeting

Council Rules and Procedures page 5

1. Each item on the agenda will be addressed in turn with staff, consultant or special speaker reports as appropriate.
- ~~2.~~ Council will discuss the issues and take action on them as appropriate.

~~2.~~

E. Councilmember Reports, Comments and Initiatives

1. Councilmembers may give reports, make comments and/or raise new topics or issues during "Councilmember Reports, Comments and Initiatives." ~~No final action or direction to staff can be taken on comments or topics raised.~~
2. Each Councilmember will have 5 minutes for reports, comments and new topics/issues. Extra comments can be submitted in writing.
3. In raising a new topic or issue, the Councilmember must present it as a concept that includes a statement of how the topic or issue relates to existing City goals or to other important Council discussions.
4. A second Councilmember must agree to discuss the new topic or issue in order for it to be discussed by the City Council.
5. The Presiding Officer will direct discussion of the new topic or issue to determine whether there is majority support or consensus to move it to a future agenda.
6. After discussing the new topic or issue, the City Council will vote or come to consensus on whether to move the topic or issue forward as a future agenda item, ~~or as a request for action by the City Manager.~~
- ~~7.~~ By majority vote of Councilmembers present at a meeting, the maximum time for any or all Councilmember reports and comments may be extended.

~~7.~~

Section 3. Structure and Roles of Government

A. Council Role

- ~~1.~~ Focus on policy matters, including but not limited to priority setting, long-range planning, budgeting, federal and State mandates, City Manager

Council Rules and Procedures page 6

recruitment, hiring, evaluation and termination, and approval of employee positions.

4-2. The City Council will not focus on administrative or operational issues and matters. If a Councilmember has an operational request (e.g., pothole, right-of-way vegetation, etc.), the Councilmember will be directed to use the Citizen Action Request (CAR) process, and such requests will be treated like any other request from a resident. The City Manager and city staff do not accept vicarious operational requests from residents via Councilmembers, unless it is a safety or environmental hazard.

2-3. Comply with the laws, regulations and policies affecting operation of City government.

3-4. Use public office for public good, not personal gain.

4-5. Be independent, impartial and fair in judgments and actions.

5-6. Conduct public deliberations and processes openly, unless legally confidential and privileged, in an atmosphere of respect and civility.

6-7. Monitor and understand operations of the City to be knowledgeable in order to provide policy direction.

7-8. Represent the City at local, State and national forums.

8-9. Represent the City to its citizens.

Notify staff in advance of meetings regarding key questions and discussion points that likely will be raised and addressed during meetings, to allow the staff time to prepare for the questions and discussions.

10.

9- Contact the City Manager only for questions and thinking through policy issues that are in immediately upcoming published agenda items. Note that direction to perform any work cannot arise from these discussions, but rather needs to come from the collective body of the City Council. Questions and issues not pertinent to the immediately upcoming agenda should be raised at regularly scheduled meetings with the City Manager as indicated in Section 3.B.6. Not individually request the City Manager to initiate any action or work that will take more than 1 hour to complete, without consent of the City Council. If a Councilmember wants the City Manager to initiate action or work that will take more than 1 hour to complete, the Councilmember must ask the City Council to approve the action or work by a majority vote.

Council Rules and Procedures page 7

11.12.

12. Interact with City staff and consultants through the City Manager, who is responsible for their duties and use of time. Interact with City staff and consultants through the City Manager, who is responsible for their duties and use of time, with the following exceptions:

- a. The Executive Assistant to the City Manager provides administrative support to the Council. Councilmembers may contact the Executive Assistant directly for clerical and incidental administrative tasks such as processing reimbursements, making copies, calendaring, travel arrangements, and conference registrations.
- b. Councilmembers may contact the City Clerk directly (cc: City Manager if by email) for incidental things relating to Council meetings, such as getting the right zoom link, getting a copy of a packet item, making sure they have the right chair, getting the battery changed out in their microphone, etc.
- c. Councilmembers may ask routine questions of city departments that can be answered in a few minutes. Examples may include questions about items on upcoming Council meeting agendas, the city's existing development regulations and other city codes, the city's adopted budget, and administrative issues and procedures. In these cases, Councilmembers can direct their questions through the department heads, provided they include the City Manager in the communications. If the department head determines that the Councilmember's question will take more than a few minutes to answer, they will seek guidance from the City Manager. Councilmembers are not to contact department heads or other staff directly to direct work, request research, policy analysis, changes in operations or priorities or similar issues.
- d. Councilmembers may contact the City Attorney directly if needed for legal questions, provided that the City Attorney may contact the City Manager for direction on workload priorities.
- e. Mayor (or Presiding Councilmember) may work directly with the City Clerk for obtaining signatures on Council-approved documents and other incidental matters pertaining to Council meetings.

13. Be attentive to and interact with the public as indicated during Coffee with Council (1.B.4.e.), Public Comments (2.C.), Public Testimony (Section 8)

and at other times in the community. Residents often raise policy or program ideas that may be addressed in the following ways:

- a. If a policy issue raised is worth exploring, Councilmembers should bring ideas forward to the collective City Council with two-councilmember sponsorship (see 2.B.), rather than to the city manager, while also respecting retreat-established priorities and existing budget and workplans.
- b. If a resident has an idea for a specific event or "love note", the Councilmember should ask the resident if they are willing to plan and produce it, and then give them the contact information of the City's recreation coordinator who may support it in the following two ways:
 - i. promotion of the event/love note through City's normal communication channels (City will not design or produce flyers or other materials) and
 - ii. provision of City-owned physical location.

Councilmembers do not vicariously request operational city services or report operational concerns on behalf of residents, unless the issue or concern is an immediate safety or environmental hazard. Requesters should be directed to go through the Citizen Action Request process. If a requester says they tried the CAR process and did not get a response or received an unsatisfactory response, the Councilmember can bring it to the City Manager's attention, and the City Manager will work through the department heads to resolve the matter. If a Councilmember wants City staff or consultants to accomplish actions or work, the Councilmember must

14. make the request of the City Manager if the action or work will take 1 hour or less and of the City Council if the action or work will take more than 1 hour.

10.15. Access City computers at the appropriate access level. A City computer, such as an iPad/laptop, will be provided for home access if the Councilmember requests it City business, and it may not be used for personal business. This is preferred to the use of a Councilmember's personal computer, for risk management purposes. If a Councilmember wishes to have a City-provided cell phone for City use, one will be provided. The City computer and phone is/are the property of the City and will be returned to the City at the end of the term of office.

B. City Manager Role

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1. Serve as the primary point of contact between the City Council and City staff and consultants. The City Manager works for and serves at the will of the City Council. The City staff works for and reports to the City Manager.
2. Direct the time of City staff and resources of the City in accordance with City Council approved priorities and budgets.
3. Spend City funds per the City's adopted purchasing policies, which align with State and City laws.
4. ~~With input from the Mayor, p~~Prepare agendas for meetings and retreats with input from the Mayor.
5. Provide timely, useful information evenly and equally to all Councilmembers.
6. Meet with each Councilmember as mutually acceptable to the City Manager and the Councilmember. The main purposes for these meetings with 3 or less Councilmembers are for the City Manager to give updates and for Councilmembers to bring up questions. It is not a time for tasking the City Manager, nor is it a time to direct the City Manager to implement new programs or policy initiatives or otherwise add any new work to the City Manager. That direction comes from the majority decision of the Council.
7. Prepare adequately for City Council meetings.
8. Meet with citizens as needed to solve problems and answer questions.
9. Interact with other public agencies to accomplish City Council goals and policies.
10. Respond to Councilmember questions and concerns equitably. Other than questions, individual requests by Councilmembers should be directed through the collective body of the City Council

Commented [NH1]: I changed this back to require Mayor's approval of agendas. I know that hasn't been our normal practice, but I think we must recognize that these are Council meetings, and the Council (through the Mayor) should have final say on published agendas.

9.

C. Mayor Role

1. Primary roles: facilitate meetings; represent the City at local, State and national forums; and represent the City in a ceremonial capacity.
2. Keep the City Council informed of the Mayor's activities with reports during Councilmember Comments.
3. Announce in advance public presentations, ceremonies and events that the Mayor is invited to attend.

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4. Bring new issues to the City Council during Council Initiatives.
5. Request other Councilmembers to attend meetings in place of the Mayor when ~~he or she~~they cannot attend, or to join the Mayor at such meetings to increase the City's representation.
- ~~6. At the Mayor's option, hold monthly meetings with up to two Councilmembers and the City Manager. The Mayor should attempt to rotate the participation of Councilmembers in such meetings.~~
- ~~7.6.~~ In the event that a City Manager resigns or leaves, the Mayor will work with the City Council to find a replacement using a recruitment agency.

Section 4. Vacancy and Leave of Absence

A. Purpose

This section provides guidance to the City Council on filling vacancies and appointing Pro Tempore when a Councilmember position becomes vacant, when a Councilmember requests an extended leave of absence, and when the City Council desires to appoint a Councilmember Pro Tempore during an Councilmember's extended leave of absence.

B. References

1. Chap. RCW 42.12 RCW - Vacanciest Position
- ~~2.~~ RCW 35A.13.020 (and RCW sections cited therein) - Vacancies – Filling of Councilmember Vacancies
- ~~2.~~
3. RCW 35A.13.035 - Appointment of Councilmember Pro Tempore appointments
- ~~4.~~ RCW 35A.13.065 – Pro Tempore Appointments
- ~~5.4.~~ RCW 42.30.110(1)(h) – Executive Session Allowed to EvaluateConsider Qualifications of a Candidate for Appointment to Elective Office
- ~~6.5.~~ RCW 42.30.060 - Prohibition on Secret Ballots

C. Definitions

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1. A "vacancy" occurs on the happening of any event identified in RCW 42.12.010, as amended, which includes means a resignation, removal~~recall~~, forfeiture, written intent to resign, permanent incapacity or death of a Councilmember.
- ~~2.~~ "Leave of absence" means a temporary interval when a Councilmember is unable to serve due to extended excused absence or incapacity, but expects to return to full service prior to the end of his or her term of office.
- 2.
3. "Permanent incapacity" means a physical or mental incapacity that is reasonably expected to prevent the Councilmember from returning to full service (including but not limited to attending consecutive regular meetings of the council) prior to the end of his or her term of office.

D. Leave of Absence

The remaining Councilmembers, by a simple majority vote, may grant a leave of absence to a Councilmember upon receipt and approval of a written request.

E. Filling of Vacancy or Appointment of Councilmember Pro Tempore

1. Upon receiving notice of an upcoming vacancy or the occurrence of a vacancy, the remaining Councilmembers, by a simple majority vote, A Councilmember vacancy shall be filled the vacant position using one of the following procedural options:
~~according to the process described below:~~
 - a. Appoint a candidate to fill the vacant position without the process described in Section F below;
 - b. Appoint a candidate to fill the vacant position according to the process described in Section F below; or
 - c. Appoint a candidate to fill the vacant position using another process based on the circumstances at the time of the vacancy and the needs of the City Council.

~~4.~~

~~2.~~ 2. After granting a leave of absence~~Once a vacancy is created, or After a leave of absence is approved,~~ the remaining Councilmembers, by a simple majority vote, shall select one of the following options:

- a. Leave the position unfilled during the leave of absence;
- b. Appoint a Councilmember Pro Tempore by a simple majority vote, without the process described in Section F below;
- c. Appoint a Councilmember Pro Tempore according to the process described below in Section F below; or
- d. Appoint a Councilmember Pro Tempore using another process based on the circumstances at the time of the leave of absence and the needs of the City Council.

~~3.~~ The Councilmember who is vacating his or her position, permanently~~or seeking temporarily by~~ leave of absence, shall not participate in the appointment process.

F. Application Process

- 1. If one of the following events occur: a) the City Council receives Upon notice of an upcoming vacancy, b) a vacancy occurs, or c) City Council determination to appoint a Councilmember Pro Tempore, the City Council shall direct staff to begin the Councilmember application process and establish an interview and appointment schedule so that the position is filled at the earliest opportunity.
- 2. The City Clerk's Office shall prepare and submit an advertisement to the newspaper of record, with courtesy copies to all local newspapers, which announces the vacancy consistent with the requirements necessary to hold public office. This advertisement shall contain such information that the City Council deems appropriate.
- 3. The applicant must be a registered voter of the City of Kenmore, have a two-year continuous period of residency in the City of Kenmore, and hold no other public office or employment under the City of Kenmore government.

~~4.~~ The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. The application form must include the question: "Is there anything in your background that would bring discredit to this city if appointed?" The application form must also require the applicant to complete and file a Washington State PDC Form F-1. The City Clerk's Office shall make the applications available at Kenmore City Hall and such other locations that the City Council directs, if any.

~~4.~~

~~5.~~

~~5.~~ The City Clerk's Office shall distribute to all Councilmembers the applications received by the deadline. The applications shall be accompanied by any additional information submitted by the applicant and obtained by the City Clerk's Office, such as endorsements, letters of reference and other pertinent materials.

G. Interview Process

1. The City Council will determine which applicants will be interviewed according to qualifications submitted.
2. The City Clerk's Office shall notify the selected applicants of the location, date and time of City Council interviews.
3. Prior to the date and time of the interview, the Mayor shall accept one interview question from each Councilmember.
4. Prior to the interview, the City Clerk shall obtain and provide to the Councilmembers a Criminal Check for the applicant.
5. The applicant's order of appearance shall be determined by a random lot drawing performed by the City Clerk.

6. Each interview of an applicant shall be no more than 30 minutes in length. At the interview:

- a. The applicant shall present his or her credentials to the City Council.
- b. The City Council shall ask the predetermined set of questions.
- c. If agreed to by the City Council, Councilmembers may ask and receive answers to miscellaneous questions.

H. Voting Process

1. Upon completion of the interviews, Councilmembers may convene into Executive Session to [evaluate](#) discuss the qualifications of the applicants; however, all interviews, nominations and votes taken by the Councilmembers shall be in open public session.
2. In voting on the applicants, the City Council shall follow *Robert's Rules of Order Newly Revised*.
3. The position shall be filled by the applicant receiving a majority vote of the remaining members of the City Council. Thus, balloting will continue until an applicant receives a majority of four votes.
4. At any time during the balloting process, the City Council may postpone balloting until a special or regular meeting if no applicant has received a majority of four votes.
5. The Mayor shall declare the applicant receiving a majority of four votes as the new Councilmember or Councilmember Pro Tempore, and ~~he or~~ [she](#) ~~they~~ shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled City Council meeting.

I. Deadline for Filling Permanent Vacancies

Permanent vacancies must be filled within ninety (90) days following the occurrence of the vacancy.

J. Term of Office

1. The new Councilmember shall serve ~~the remainder of the portion of the~~ unexpired term until his or her successor takes office, pursuant to State law.
2. A Councilmember Pro Tempore appointed to serve during a leave of absence of a Councilmember shall serve only until such time as the Councilmember resumes his or her duties.

Section 5. Council Conduct

A. Purpose

This section sets forth a Code of Conduct for Councilmembers regarding ethics and conflicts of interest, and the Councilmembers' treatment of each other, City staff, City consultants, citizens, and others with whom they come into contact while representing the City.

B. Code of Ethics and Conflicts of Interest

1. Upon election or appointment, Councilmembers should review Chapter 42.20 RCW, Misconduct of public officers; Chapter 42.23 RCW, Code of Ethics for Municipal Officers – Contract Interests; Chapter 42.30 RCW, Open Public Meetings Act; and Chapter 42.36 RCW, Appearance of Fairness Doctrine.
2. No Councilmember may use his or her position to secure special privileges or exemptions for himself, herself, or others. See RCW 42.23.070. In addition, except for incidental electronic and telephone communication, Councilmembers shall not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for other than a City purpose.
3. No Councilmember may accept employment or engage in business or professional activity that the Councilmember might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position. ~~See RCW 42.23.070(3)~~
4. Councilmembers owe a fiduciary duty to the public and are required by law to maintain confidentiality with regard to certain information gained through their official positions. Therefore, no Councilmember may disclose confidential information gained by reason of the Councilmember's

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position, nor may a Councilmember otherwise use such information for his or her personal gain or benefit. See RCW 42.23.070(4).

5. If a Councilmember participates in litigation contrary to an official City position or action as adopted or ratified by a majority of the City Council, the Councilmember shall recuse himself or herself and not participate in any vote, deliberation or executive session, or receive confidential information regarding further consideration or action in that matter, once litigation regarding the matter has been served or filed. The fact that a Councilmember voted in opposition or expressed in his or her official duties 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 nonparticipation.

Once litigation has been served or filed, communication regarding the case with anyone other than City staff, the City Attorney or outside legal counsel involved in the litigation of the case is discouraged during the pendency of the litigation. Councilmembers shall not in their official capacity make any comment, provide any information or otherwise involve themselves in the matter without the assistance and advice of the City attorney or outside legal counsel.

6. It shall be an appearance of conflict, which must be disclosed, (1) for any Councilmember to acquire or seek to acquire an interest in property that the City is actively seeking to acquire or has stated its intent to acquire, (2) for any Councilmember to acquire or seek to acquire an interest in property that is immediately adjacent to such property, or (3) for any Councilmember to benefit personally by the City's acquisition or non-acquisition of such property.
7. No Councilmember shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of the Councilmember, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein.—See RCW 42.23.030. This section shall not apply in the following cases (See RCW 42.23.030):
 - a. The furnishing of—utility services by the City—at the same rates and on the same terms as are available to the public generally;
 - b. The designation of public depositaries for City funds;

- c. The publication of legal notices required by law to be published by the City, upon competitive bidding or at rates not higher than prescribed by law for members of the general public; or
 - d. Any other exception provided for by law.
8. A Councilmember may not vote in the authorization, approval, or ratification of a contract in which ~~he or she is~~they are beneficially interested even though one of the exemptions allowing the awarding of such a contract applies. See RCW 42.23.030.—_The interest of the Councilmember must be disclosed to the Council and noted in the official meeting minutes before the formation of the contract.—_See RCW 42.23.030.
9. A Councilmember is not interested in a contract, within the meaning of subsections 7 and 8 above, if the Councilmember has only a remote interest in the contract. A “remote interest” means:
- a. That of a non-salaried officer of a nonprofit corporation.
 - b. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
 - c. That of a landlord or tenant of a contracting party; or
 - d. That of holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.
10. If a Councilmember has a remote interest in a contract, the City— Council may authorize, approve or ratify the contract, despite such remote interest, provided that the following conditions are satisfied:
- a. The Councilmember with the remote interest fully discloses the nature and extent of the interest, and the disclosure is noted in the official meeting minutes before the contract is made.
 - b. The City Council authorizes, approves, or ratifies the contract after that disclosure and notation.
 - c. The City Council’s authorization, approval, or ratification is in good faith.
 - d. Where the votes of a certain number of Councilmembers are required to authorize, approve or ratify the contract, the vote requirement is met without counting the vote of the Councilmember who has the remote interest.

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- e. The Councilmember having the remote interest does not influence or attempt to influence any other Councilmember to enter into the contract.
- 11. Any contract made in violation of the restrictions and requirements of subsections 7 through 10 above is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the City. See RCW 42.23.050.
- 12. Any Councilmember violating the provisions of subsections 7 through 10 above, subsection 13 below, or RCW 42.23.070 shall be liable to the City for a penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the Councilmember by law. See RCW 42.23.050. In addition, a violation by a Councilmember of subsections 7 through 10 above or RCW 42.23.070 may be grounds for forfeiture of his or her office. See RCW 42.23.050.
- 13. Councilmembers shall not receive from or give to any person or entity anything of monetary value (hereafter referred to as "gifts") where the gifts have been received or given, or to a reasonable person would appear to have been received or given, with intent to give or obtain special consideration or influence as to any action by the Councilmember in his or her official capacity ("prohibited gifts"); provided, that nothing shall prohibit campaign contributions which are solicited or received and reported in accordance with applicable law.
- 14. The gifts listed below are presumed not to be prohibited gifts. ~~—~~ However, this presumption is rebuttable and may be overcome based on the circumstances surrounding the receipt or giving of the gift.
 - a. Unsolicited flowers, plants and floral arrangements;
 - b. Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
 - c. Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
 - d. Unsolicited items received by a Councilmember for the purpose of evaluation or review, if the Councilmember has no personal beneficial interest in the eventual use or acquisition of the item;
 - e. Informational materials and publications related to the Councilmember's performance of official duties;

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- f. Food and beverages consumed at hosted receptions where attendance is related to the Councilmember's duties for the City;
- g. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental or community organization, where attendance by the Councilmember is related to the Councilmember's duties for the City;
- h. Unsolicited gifts from dignitaries from another city, state or foreign country, as long as the Councilmember gives the gift to the City;
- i. Food and beverages on infrequent occasions in the ordinary course of meals where attendance by the Councilmember is related to the Councilmember's duties for the City;
- j. Any gift which would have been offered or given to the Councilmember if ~~he or she~~they were not a Councilmember; and
- k. Payments by a governmental or nongovernmental entity of reasonable expenses incurred by the Councilmember in connection with a speech, presentation, appearance, or trade mission made in an official capacity.

C. General Courtesy Expectations

- 1. ~~Be~~ courteous, respectful, kind and professional at all times with everyone.
- 2. ~~Be~~ honest and truthful.
- 3. Act with integrity and in good faith.
- 4. Foster an environment of mutual respect for each other. Discourteous behavior, such as sidebar discussions, inflammatory language, innuendo, or negative body language, is not permitted.
- 5. At meetings, raise your hand to indicate a desire to speak, and then wait to be recognized by the Presiding Officer before speaking.
- 6. Stay on the topic being discussed for efficiency of dealing with the items on the agenda. Remarks must be germane to the topic.
- 7. Refrain from speaking more than twice on the same motion as stated in Robert's Rules of Order, except by consent of a majority of the Councilmembers present at the time the motion is before the City Council.
~~During discussions prior to a motion being made, a Councilmember may request to speak more than twice.~~
- 8. Comments will be limited to 3 minutes at a time.

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9. Refrain from asking staff to advertise individual achievements (e.g., classes, awards, being the first of a class of people) through City events or communications (newsletters, press releases).
10. Refrain from using social media to discuss Council deliberations or other Council business, as this 'dialogue' creates an un-trackable set of public records. Social media may be used to provide unidirectional information about upcoming agenda items and to encourage public engagement.
11. Refrain from emailing the Council as a body (i.e., ci council@...) with anything that might prompt a group response or requests new action as this may create a dialogue subject to the Open Public Meetings Act. Councilmembers may email the Council as a body if the email simply provides information.
- ~~9-12.~~ Refrain from interrupting or arguing with another Councilmember while such Councilmember has the floor except as stated in Robert's Rules of Order, such as a "point of order."
13. Refrain from criticizing in public other Councilmembers and personally attacking (verbally or in writing) other Councilmembers, the City Manager, City staff and City consultants.
14. If any Councilmember has a complaint against a fellow Councilmember, the City Manager, or a staff member, they will follow city procedures to resolve the issue. They will not broadcast the issue on social media or to the public news media before an evaluation has been done and a conclusion has been reached.
- ~~10-15.~~ Treat City staff in a polite and professional manner.
16. Having courtesy expectations is compatible with open and vigorous debate, with a variety of opposing opinions expressed on public issues.

~~14.~~

D. Respect in Regard to Voting

1. Disagreement and differences of opinion are honored and respected features of government in the City.
2. When there is disagreement, discuss and clarify the issues before voting.

~~3. Councilmembers will be allowed one minute maximum to explain their vote during a roll call vote. This is an exception to Robert's Rules.~~

~~4.3. Councilmembers must not seek out members of the media to vent feelings when on the minority side of express thoughts about~~ a vote. As a matter of courtesy, letters to the editor or other communication should be presented to the full City Council at a meeting prior to publication so that Councilmembers will be aware of the proposed publication.

~~5.4.~~ Councilmembers must not engage in personal attacks against other Councilmembers who voted against the councilmember on issues.

~~6.5.~~ After a vote on an issue, a Councilmember may state an opposing viewpoint, but must clearly state the adopted City Council position and must clarify that the Councilmember's viewpoint or opinion is the Councilmember's personal viewpoint or opinion.

~~7.6.~~ When Councilmembers represent the City or attend meetings in an official capacity, they must support and advocate the official City position on an issue, not a personal position on the issue.

E. Prohibited Conduct

1. The City Council recognizes the right of every Councilmember to free speech, as stated in the U.S. Constitution and as interpreted by the courts, and encourages the dissemination of a variety of opinions and ideas for discussion in a lawful manner. Laws concerning free speech are balanced by slander and libel laws.
2. The adoption of a Code of Conduct is necessary to discourage prohibited conduct as illustrated below.
3. Prohibited conduct includes, but is not limited to, the following:
 - a. Making a personal attack against a fellow Councilmember, the City Manager, or City staff as stated in Robert's Rules. "Personal attack" means an accusation against a person's character.
 - b. Acting maliciously toward a City staff member or a fellow Councilmember. "Maliciously" means acting with hostility or anger toward, or by bullying or harassing.
 - c. Modifying, revising, altering, or editing any document, report, record, or memorandum written by the City Manager, a City staff person, or other Councilmember without the author's consent or knowledge, and without clearly stating or showing the change, the date of the change, and the person making the change.

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- d. Engaging in unreasonable interruption and interference with the day-to-day business of the City. "Unreasonable interruption and interference with the day-to-day business of the City" means:
 - (i) Contacting City staff, other than as authorized by these rules or by final action of the City Council or by the City Manager, which contact materially limits a City staff member's ability to complete work assigned by the City Manager or by final action of the City Council; or
 - (ii) Causing the City Manager or a City staff member to correct or explain the Councilmember's materially inaccurate statements or conduct, which correction or explanation substantially interrupts the efficient operations of the City.
- e. Making verbal or written contact with City staff, other than a Councilmember's contact with City staff as authorized by these rules or by final action of the City Council or by the City Manager, ~~when such contact is used or intended to impermissibly redirect, interfere with, interrupt or undermine City staff's work assignments as determined by the City Manager or by a majority vote of the City Council.~~
- f. Representing to citizens, other public agencies, or other persons or organizations, that the City Council will vote or act in a specific manner concerning pending litigation or legislation, or concerning any other matter that has not yet come before the City Council for final action but that will be acted upon by the City Council.
- g. Discussing or disseminating information from an executive session to anyone outside of the proper lines of authority. "Proper lines of authority" means Councilmembers, the City Manager, City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council.
- h. Making contact, either verbally or in writing, with legal counsel representing a person or entity with whom the City has ongoing litigation or negotiations, other than as authorized by the City Manager or by majority vote of the City Council.
- i. Making verbal or written contact with State, county, regional, or city elected or appointed officials, when a Councilmember represents a position contrary to the adopted or declared position of the City or the City Council and when the Councilmember does not disclose such adopted or declared position of the City or the City Council.

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- j. Taking actions and voting when there is a conflict of interest as defined in this policy and in Chapter 42.23 RCW. Recusal must be used when there is a conflict of interest. (See Section 5, B: Code of Ethics and Conflicts of Interest)

F. Sanctions

1. The Council has power under State law to impose punishment on its members, short of removal from office, for violation of State law or Council rules.
2. The Council may punish a member for violation of these rules by: a verbal admonition, written reprimand, letter of no confidence, censure, expulsion from the meeting at which the conduct occurs, removal from committee memberships, and/or removal of intergovernmental duties.
3. The Presiding Officer may give a verbal admonition.
4. Other punishments not mentioned in Section 5.F.-2. require the affirmative vote of 5 members of the City Council.
5. A censure is a statement by 5 members of the City Council that a prohibited action has occurred.
6. A censure will be in the same form as any other Council motion or resolution. The motion must state the prohibited conduct or action.

Section 6. Remote Attendance and Voting

A. Purpose

Occasionally, a Councilmember will not be able to be physically present at a meeting, but will want to be involved in the discussion and/or decision on a particular agenda item. The procedure and guidelines for permitting a Councilmember to attend a meeting via speakerphone or video is contained in this section. In the event of a declared state of emergency, several or all of the Councilmembers may attend the meeting remotely.

B. Frequency

With the exception of a declared State of Emergency, Councilmember attendance via speakerphone or video is limited to 3 times in a calendar year, but the City Council, by majority vote, may allow additional attendance by speakerphone or video.

C. Procedure

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1. At least 24 hours before the starting time of a meeting, the Councilmember must advise the City Clerk of the desire to attend via speakerphone or video to allow time for preparation of the speakerphone or video components and of the agenda items to be attended via speakerphone or video.
2. The Councilmember attending via speakerphone must be able to hear all speakers in the meeting room, and all persons in the meeting room must be able to hear the Councilmember. The video and audio components of videoconferencing should be visible and audible to all persons in the meeting room.
3. When the particular agenda item is ready to be discussed, the Presiding Officer should state and ask for the record:
 - a. "Councilmember _____ is attending via speakerphone/ video for Agenda Item No. _____, relating to _____."
 - b. "Councilmember _____, can you (see and) hear me?" (There must then be a clearly audible response in the affirmative.)
 - c. "Can the City Council and City Clerk (see and) hear Councilmember _____?"
4. Upon conclusion of the particular agenda item, the Presiding Officer should state: "Councilmember _____, discussion of Agenda Item No. _____ has concluded."
5. Each agenda item being attended via speakerphone or video shall be introduced and acknowledged in the same manner as set forth above. In the event that the Councilmember or Councilmembers are attending the entire meeting remotely, the introduction and acknowledgement only needs to be done once for the entire meeting, instead of for each individual agenda item. The City Clerk's roll call at the beginning of the meeting will suffice as indication that the person can be heard and seen.
6. After all agenda items being attended via speakerphone or video have been concluded, the Presiding Officer should state for the record:
 - a. "Councilmember, _____ thank you for your attendance via speakerphone/video. The remote connection will now be terminated."
 - b. "Let the record reflect Councilmember _____'s attendance via speakerphone/video has been terminated."

Section 7. Executive Sessions

A. Topics for Executive Session Discussions

The topics that may be discussed in executive sessions are set forth in RCW 42.30.110 ~~and RCW 42.30.140~~. Executive session topics include, but are not limited to, the following:

1. Acquisition of real estate when public knowledge regarding the acquisition would cause a likelihood of increased price.
2. Consideration of the minimum price for sale or lease of City property when public knowledge regarding such consideration would cause a likelihood of decreased price.
3. Review of negotiations on the performance of publicly bid contracts when public knowledge regarding such review would cause a likelihood of increased costs.
4. Receipt and evaluation of complaints or charges against a public officer or employee.
5. Evaluation of qualifications of an applicant for public employment.
6. Review of the performance of a public employee.
7. Discussion with legal counsel of litigation, potential litigation or pending litigation (legal counsel may attend via speakerphone or video).
8. Discussion of collective bargaining sessions with employee organizations.
- ~~9.~~ Consideration of matters affecting national security.

9.

B. Confidentiality of Executive Session Discussions

Topics discussed in executive session must not be discussed outside of the executive session with anyone outside of the proper lines of authority (Councilmembers, the City Manager, and City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council). Councilmembers shall keep all executive session information and discussions confidential to ensure that the City's interests are not compromised.

C. Procedure

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1. The Presiding Officer must announce the executive session by stating: "The City Council is recessing into an executive session pursuant to RCW _____ (e.g. "RCW 42.30.110(1)(a)) regarding _____. (e.g., review of the performance of a city employee). The executive session is expected to last for _____ minutes (hours)."
2. If the executive session is the last item on the meeting agenda, the Presiding Officer shall state whether or not the City Council will take action or take no action when the meeting reconvenes.
3. If, during the executive session, the Presiding Officer believes that the executive session will extend beyond the announced deadline, the Presiding Officer shall announce in open session the number of minutes that the executive session will be extended.
4. The Presiding Officer shall announce the conclusion of the executive session in open session by stating: "The executive session is completed."
5. At the close of the executive session or the meeting at which the executive session occurs, the Presiding Office shall complete a document recording the topic or reason and time of the executive session, including extensions.

D. Written Material

1. During an executive session, papers or documents may be distributed for informational purposes to the Councilmembers in attendance as part of the discussion.
2. Papers and documents that are distributed during executive sessions are to be returned to the City Manager or the Presiding Officer (if the City Manager is not in attendance), prior to the end of the executive session. No paper or document will be removed by a Councilmember from the executive session, unless the City Manager, or the Presiding Officer (if the City Manager is not in attendance), determines that the paper or document may be removed from the executive session.
3. Written notes taken by any attendee of an executive session will be treated in the same manner as a paper or document as discussed above, that is, the paper or document will be returned to the City Manager or Presiding Officer prior to the end of the executive session.
- ~~4.~~ Councilmembers will not generate computer notes, take photos, or make recordings during an executive session.

~~4.~~

Section 8. Public Testimony

A. ~~Public~~**Citizen Comment Rules** in Regular and Special non-Executive-Session Business Meetings are delineated in Section 2.B. above.

B. Public Hearings

1. The Presiding Officer shall open the public hearing and ask for a City staff presentation.
2. Members of the public will be invited to provide comments about the specific topic of the hearing, in contrast to general Public Comment (Section 2.C) which may be about any topic pertaining to City business.
3. Each person will be allowed to speak for 5 minutes, which is longer than the 3 minutes allowed for ~~Citizen~~**Public** Comments.
4. A person who testifies shall state his or her name, city of residence and organization (if applicable).
5. Motions will not be made during the public hearing.
- ~~6.~~ After all members of the public wishing to speak have had an adequate opportunity to speak, and the Councilmembers have had an opportunity to ask City staff questions regarding the staff presentation and/or the public comments, the Presiding Officer shall declare the public hearing closed. The City Council may by, majority vote, continue the public hearing to a stated date, time and place, and/or allow for certain written materials to be presented to the City Council for a period of time after the public hearing.

6.

C. Quasi-Judicial Matters

1. Council will follow Chapter 42.36 RCW for application of the "Appearance of Fairness Doctrine," which holds that quasi-judicial matters must not only be fair in practice but must also have the appearance of fairness.
2. Quasi-judicial actions involve policy application rather than policy making. The action will generally have a greater impact on specific individuals than on the entire community. In a quasi-judicial action, the City Council applies law to facts and makes a decision. Examples of quasi-judicial actions are: conditional uses, variances, rezoning of a specific site, planned unit

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developments, and discretionary zoning permits. Quasi-judicial actions are distinct from legislative actions, examples of which are adopting, amending or revising comprehensive, community or neighborhood plans, land use planning documents, area-wide zoning ordinances and are-wise zoning amendments.

3. The Presiding Officer will begin a quasi-judicial hearing by asking Councilmembers to place on the record any ex parte contacts with either proponents or opponents of the action. The Presiding Officer shall ask whether any person objects to participation of a Councilmember in the action, and if so, to explain the objection.—If an objection is made, the Presiding Officer shall ask for input from the City Attorney.
4. The Presiding Officer, or the City Attorney at the request of the Presiding Officer, shall explain the rules and procedures for the quasi-judicial action.
5. The Presiding Officer, with the assistance of the City Attorney, will control the taking of testimony and presentation of documents, in light of the type of quasi-judicial action and applicable City rules and regulations.

Section 9. Waiver / Effect of Waiver of Rules

- A. These rules are adopted for the sole benefit of the City Councilmembers to assist in the orderly conduct of City Council business.—These rules do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, employees and agents, or serve as the grounds for invalidation of any City Council action or decision.—The City Council may, by a majority vote, temporarily waive any of these rules, unless otherwise inconsistent with applicable law.
- B. In case of conflict between current law and these Rules and Procedures, current law shall prevail.

Commented [NH2]: Is this necessary? Seems already covered under Section 1.C.3?

~~ATTACHMENT TO CITY OF KENMORE RESOLUTION NO. 17-293~~

CITY OF KENMORE

Council Rules and Procedures

Preamble Principles

1. ~~The Council acts as a collective council body of the whole, to aid in and set policy direction. While individual councilmembers may wish to stand out and distinguish themselves, they must remember first and foremost that d~~Direction and initiatives come from the collective body.
 - a. ~~Individual credit and recognition for ideas and service is not sought out; rather, credit is directed to the collective organization.~~
 - b.
2. ~~The Council direction comes from the Council dais. Policy discussion, requests for new things, etc. should not happen outside of the Council meeting.~~
3. ~~The Council decides the policy direction (the "What"), while the City Manager determines the operational enactment of policies (the "How").~~
4. ~~The Council should be frugal when contacting (emailing, texting, phoning) the City Manager directly. As noted in the Council rules, while the City Manager is accessible for thinking through policy issues, contact should be limited to regularly scheduled meetings with the City Manager and to Council meetings unless the question or policy issue relates to an immediately upcoming published agenda item.~~
5. ~~Recognize that, Two times a year during the budget adoption and at the Council retreat the Council- will give direction on workload and priorities is established two times per year: At budget adoption and at the retreat. While Acknowledging ile things do unexpectedly come up during the year, the majority of the work is set forth through this process. these set processes, plus daily City operations, is always ambitious and more than fills the time of staff. To support organizational health and morale, if a new initiative the following should be is to be considered when adopting a new item:;~~
 - a. ~~Ana corresponding item workload item will need to be shifted or deleted; and/or~~
 - b. ~~A a-new resource will need to be added; and~~
 - c. ~~The new item must be approval by a majority council consensus or vote.~~

Commented [CP1]: Councilmembers if wanting to serve on a committee or body, at times do seek options and opportunities and apply. Recognition for service is lead through the council, city, serving body, regional, state, or national body

Commented [CP2]: Recommended edits

Commented [CP3]: Policy discussion often occurs in 1-1's, example: clarification, past decisions; or in lobbying – all allowable under the law

Commented [CP4]: *This direction is in conflict with Council Rules indicate – City manager should be cc'd if contact with staff or department
*Example: Booking and approval for attendance at a conference with a fee,

Commented [CP5]: Recommended Edit
Reads Cleaner & Is More concise

Section 1. General

A. Purpose of Meetings

City Council meetings are for the purpose of conducting city business, including but not limited to budgeting (e.g. revenues, expenditures, taxes, fees, monthly payments, capital project payments), long-range planning (e.g. vision, zoning, development, and land use) and federal and state mandates.

B. Structure of Meetings

1. All meetings shall be open to the public. ~~*Exception(s): ,except for Executive sessions as authorized by law (and noted in Council Rules and Procedures, Section 7, Executive Sessions); and collective bargaining sessions; and related proceedings as described in RCW 42.309.140(4)(a).~~ Final action resulting from executive session, ~~discussions~~ will be taken during ~~an open public meeting open to the public~~ as required by law.
2. Meetings will be orderly ~~to allow for and will involve Councilmembers, City staff, consultants, and citizens, which respectful consideration given to~~ allowing for all viewpoints to be heard and considered. ~~Meetings include: councilmembers, city staff, consultants and citizens; with the exception for executive session(Council Rules and Procedures Section7.Executive Session)~~
3. **Call to Order:** Meetings will be called to order by the Presiding Officer, who shall be the Mayor, the Deputy Mayor in the absence of the Mayor, or a Councilmember selected by the City Council in the absence of both the Mayor and Deputy Mayor.

Commented [CP6]: Recommended Edit:
Cleaner and more concise

Commented [CP7]: Recommended edit

4. ~~Meeting~~**Types of Meetings:**

- a. There will be 3 regular meetings per month on the 2nd, 3rd and 4th Monday evenings. If a regular meeting falls on a holiday, it will be held the next day, Tuesday, unless canceled by the City Council. There will be no regular meetings on the 1st and 5th Monday evenings.
- b. Additional meetings, which may be referred to as meetings or work or study sessions, will be scheduled as needed.
- c. Executive sessions will be scheduled as needed.
- d. Town Hall meetings will occur periodically as determined by the City Council.
- e. Coffee-With-The-Council is an open forum for the public to discuss issues with Councilmembers. It will occur twice a month, generally on one Monday and one Saturday at times to-be-announced.
 - i. If no Councilmembers are able to attend, notification of the cancellation will be made.

Commented [CP8]: Indented – correct action for steps in a process

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- ii. ~~No more than 3 Councilmembers may attend. Coffee with the Council. Since it is not a legal public meeting, no more than 3 Councilmembers may attend.~~
 - iii. ~~Citizen Action Request (CAR). If specific operational issues are brought up by the public, they should be asked- invited to fill out a the online Citizen Action Request (CAR), so the issue is to properly track, recorded, tracked and managed the issue within our present systems.~~
 - iv. ~~If a non-response has been reported, to a prior completed CAR request has been prior completed filled-out and the person has not received... Then a response, then it will be referred a referral to the City Manager is the appropriate next step for follow up.~~
 - v. ~~Coffee with Council is not intended to result in tasking the city manager or staff with new initiatives or operational tasks.~~
- Commented [CP9]:** Recommended edits , cleaner, clearer and more concise
- Commented [CP10]:** Recommended edits , cleaner, clearer and more concise
- Commented [CP11]:** Recommended edits , cleaner, clearer and more concise
- f. ~~Retreats will be scheduled yearly, or more often if needed; or when extended blocks of time is are needed necessary to set priorities and/or make long-term plans for the City.~~
 4. g. ~~The Council has the prerogative to form an Ad hoc committee(s) or workgroups of not more than 3 councilmembers to work on tasked or assigned issues that will later return be brought forward to the full Council for consideration.~~
- Commented [CP12]:** Recommended edits , cleaner, clearer and more concise
- Commented [CP13]:** Recommended edits , cleaner, clearer and more concise
5. ~~All public meetings will be prior scheduled and or announced, and agendas will be prepared and made available in advance as required by State law (the Open Public Meetings Act). Meetings may be added to the schedule or canceled as approved by the city manager /or discussed and approved by the City Council.~~
- Commented [CP14]:** Recommended edit. Edit acknowledges city manager authority to cancel meetings.
6. ~~Actions may be taken, motions may be passed, proclamations may be made, and resolutions and ordinances may be adopted at regular meetings, or at special meetings with proper notification.~~
 - 6-a. ~~Proclamations, must be sponsored by two councilmembers, and or a group, prior edited before it can to be added to the agenda.~~
- Commented [CP15]:** Recommended addition – Per prior council discussion
7. Meeting agendas with ~~relevant information on each topic and corresponding relevant information~~ will be available 10 days in advance whenever possible.

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8. Regular, and special meetings will be recorded by the City Clerk or designee. Then posted in a timely manor within 24 to 48 hours of the recorded meeting. *Exception: Posting up to 72 hours later when following a federally recognized holiday.
9. Remote attendance and voting will be allowed as noted in Section 6.
10. Copies of all documents distributed in the Council chambers pertaining to Council business, as well as copies of all documents submitted by speakers during Citizen-Public Comments, shall be provided to the City Clerk and distributed as necessary.

Commented [CP16]: Recommended edit
Assuring timely reporting for transparency.

C. Rules for Meetings

1. These rules constitute the official rules and procedures and code of conduct for the City Council.
2. In addition to these rules, the City Council shall conduct its meetings in compliance with the most current edition of Robert's Rules of Order Newly Revised (Robert's Rules). A copy shall be maintained in the office of the City Clerk.
3. Where there is a conflict between these rules and Robert's Rules, these rules shall govern. Where there is a conflict between these rules and State and federal laws, the State and federal laws shall govern.
4. In general, the City Council will follow Robert's Rules for "Formal Debate," including requiring a second for all motions and disallowing the Presiding Officer from making motions.
5. Robert's Rules of Order for "Small Boards" will be used to:
 - a. Allow the Presiding Officer to participate in debate. In general the Presiding Officer will speak after others have spoken on the topic.
 - b. Allow informal discussion before a motion is made.
 - c. Not require speakers "for" and "against" the motion to alternate.

Section 2. Order of Business Meetings

A. Call to Order

1. The Presiding Officer will call a meeting to order.

2. The Presiding Officer will request the City Clerk to call the roll of the Councilmembers. The Clerk will record the names of Councilmembers present and absent. The Clerk will also note the time of any late arrivals and early leave takings for the record.

B. Agenda Approval

- ~~4.~~ The City Council shall approve the agenda.

~~1.~~

- ~~4-2.~~ Amendments may be suggested, discussed and approved.

C. ~~Citizen-Public~~ Comments

1. Members of the public may only speak during the designated ~~Citizen-Public~~ Comment period, or during a scheduled public hearing or a quasi-judicial hearing (as discussed in Section 8 below).
2. No person shall address the City Council at a meeting without being recognized by the Presiding Officer.
3. The Presiding Officer will state the rules for the ~~Citizen-Public~~ Comment period. This may include items such as:
 - a. Members of the public must sign the log prior to the ~~Citizen-Public~~ Comment period to be allowed to speak. They are not required to sign anywhere to attend the meeting.
 - b. They must state their name and city of residence.
 - c. There is a 3-minute time limit.
 - d. It is a time for members of the public to speak on any topic(s) of their choice.
 - e. It is not a time for the Council or staff to answer questions, but exceptions can be made at the discretion of the Presiding Officer.
 - f. Comments should be addressed to the Presiding Officer and the City Council, not the audience.
 - g. If members of the public agree with the comments of previous speakers, they are encouraged to state that their comments have already been made by previous speakers.

- h. Members of the public should refrain from booing, hissing, or clapping, or making personal attacks during public comments, and throughout the meeting are inappropriate.
4. Each member of the public will be given 3 minutes. Suspension of this rule will require a majority vote of the Councilmembers present.
5. No person may use the designated Citizen-Public Comment period to support or oppose any candidate for public office or ballot measure in a manner that violates RCW 42.17A.555.
6. The Presiding Officer will allow members of the public to return to their seats in the audience before paraphrasing and responding to their presentations.
7. There will be no two-way conversations between Councilmembers and members of the public.
8. The Presiding Officer may direct the City Manager to follow up with members of the public on issues brought before the City Council. However, if a public comment is about operational issues then the Presiding Officer should refer the resident to the main page on the City's web site where they can report a concern. Operational requests raised during Public Comment should not get special priority or attention.

D. Council Business Meeting

1. Each item on the agenda will be addressed in turn with staff, consultant or special speaker reports as appropriate.
2. Council will discuss the issues and take action on them as appropriate.

2.

E. Councilmember Reports, Comments and Initiatives

1. Councilmembers may give reports, make comments and/or raise new topics or issues during "Councilmember Reports, Comments and Initiatives." No final action or direction to staff can be taken on comments or topics raised. *Exception: Position statement letters that otherwise

support the city and council interest as they align with council retreat priorities, legislation and other.

2. Each Councilmember will have 5 minutes for reports, comments and new topics/issues. Extra comments can be submitted in writing.

2.

3. ~~In raising a~~ **To Raise a New Topic or Issue**, the ~~a~~ Councilmember must ~~first~~ present ~~it~~ **the topic/issue** as a concept, ~~that~~ includes a statement of how the topic or issue relates to existing City **and Council** goals **and priorities**; ~~or to~~ other important **related** Council discussions. **Then seek a second to discuss the topic.**

3.

4. A second Councilmember must ~~agree~~ to discuss the new topic or issue in order for it to be discussed by the City Council.

4.

5. The Presiding Officer will direct discussion of the new topic/~~or~~ issue **to determine whether there is a majority in support or if a consensus has been achieved to move it to a future agenda.**

5.

6. After **Discussion Vote**, ~~discussing the new topic or issue~~, the City Council will vote or come to consensus on whether to move the topic or issue forward as a future agenda item, ~~or as a request for action by the City Manager.~~

7. By majority vote of Councilmembers present at a meeting, the maximum time for any or all Councilmember reports and comments may be extended.

7.

Section 3. Structure and Roles of Government

A. Council Role

1. Focus on policy matters, including but not limited to priority setting, long-range planning, budgeting, federal and State mandates, City Manager recruitment, hiring, evaluation and termination, and approval of employee positions.
2. The City Council will not focus on administrative **or operational** issues and matters. **If a Councilmember has an operational request (e.g., pothole,**

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Commented [CP17]: Recommended addition –

This is a time the council is asked to sign onto letters, or the council, city manager, staff or attorney may recommend a position

Commented [CP18]: Recommended edit

Commented [CP19]: Recommended edit

Commented [CP20]: Recommended

right-of-way vegetation, etc.), the Councilmember will be directed to use the Citizen Action Request (CAR) process, and such requests will be treated like any other request from a resident.

4.a. ~~The City Manager and city staff do not accept vicarious operational requests from residents via Councilmembers, unless it is a safety or environmental hazard.~~

Commented [CP21]: Format Edit Recommended – indented
Proper layout for secondary rule

2.3. Comply with the laws, regulations and policies affecting operation of City government.

3.4. Use public office for public good, not personal gain.

4.5. Be independent, impartial and fair in judgments and actions.

5.6. Conduct public deliberations and processes openly, unless legally confidential and privileged, in an atmosphere of respect and civility.

6.7. Monitor and understand operations of the City to be knowledgeable in order to provide policy direction.

7.8. Represent the City at local, State and national forums.

8.9. Represent the City to its citizens.

Notify staff in advance of meetings regarding key questions and discussion points that likely will be raised and addressed during meetings, to allow the staff time to prepare for the questions and discussions.

Commented [CP22]: The City made Budget Changes through 2022
Adopted by council And will not cover travel.
Effectively- making this more difficult to attend
NCL Meetings, training and represent our city with federal officials.

10.

9. ~~Contact the City Manager only for questions and thinking through policy issues that are in immediately upcoming published agenda items. Note that direction to perform any work cannot arise from these discussions, but rather needs to come from the collective body of the City Council. (Questions and issues not pertinent to the immediately upcoming agenda should be raised at regularly scheduled 1-on1 meetings with the City Manager as indicated in Section 3.B.6). Not individually request the City Manager to initiate any action or work that will take more than 1 hour to complete, without consent of the City Council. If a Councilmember wants the City Manager to initiate action or work that will take more than 1 hour to complete, the Councilmember must ask the City Council to approve the action or work by a majority vote.~~

11.12.

12. ~~Interact with City staff and consultants through the City Manager, who is responsible for their duties and use of time.~~ Interaction with City staff and Consultants through the City Manager, who is responsible for their duties and use of time. *See the with the following allowed following exceptions:

Commented [CP23]: Grammatically correct - clearer

a. The Executive Assistant to the City Manager provides administrative support to the Council. Councilmembers may contact the Executive Assistant directly for clerical and incidental administrative tasks such as processing reimbursements, making copies, calendaring, travel arrangements, and conference registrations.

b. The City Clerk - Councilmembers may contact the City Clerk directly (cc: City Manager if by email) for incidental things relating to Council meetings, such as getting the right zoom link, getting a copy of a packet item, making sure they have the right chair, getting the battery changed out in their microphone, etc.

c. Department Heads - ~~Councilmembers may ask make~~ routine questions ~~inquires of city departments that otherwise are can be answeredanswerable~~ within a few minutes. *Examples may include: ~~questions about items on upcoming Council meeting agendas;~~ the city's existing development regulations and other city codes; ~~the city's adopted budget;~~ and ~~administrative issues;~~ and ~~procedures.~~ In these cases,

i. Councilmembers can will direct their questions through to thethe head of department heads and cc' , ~~provided they include the City Manager in the communications.~~

Commented [CP24]: By cc'ing the City Manager
Minor Recommended Edits

ii. If the department head determines that the Councilmember's question will take more than a few minutes to answer, they will seek guidance from the City Manager.

iii. Councilmembers are not to contact department heads or other staff directly to direct work. *See the following prohibited examples: , request research, policy analysis, changes in operations or prioritiesoperations, priorities, or similar issues.

Commented [CP25]: Recommended Edits –
Cleaner concise & easier to read

d. Councilmembers may contact the City Attorney directly if needed for legal questions or concerns related to councilmember responsibilities or interactions that can arise when serving on committees, or interacting with the public - , provided that the City Attorney may contact the City Manager for direction on workload priorities.

Commented [CP26]: Recommended addition

e. ~~Mayor/Deputy Mayor~~ (or Presiding Councilmember) may ~~can~~ work directly with the City Clerk for obtaining signatures on Council-approved documents and other incidental matters pertaining to Council meetings.

Commented [CP27]: Recommended addition and edit

13. Be attentive to/ and interact with the public as indicated during Coffee with Council (1.B.4.e.), Public Comments (2.C.), Public Testimony (Section 8) and at other times when in the community. Residents often raise pPolicy or program ideas that may can be addressed in the following ways:

a. ~~New Policy Request/Interest~~ - moves forward with a two councilmember sponsorship to the council collective body. If a policy issue is raised is worth exploring, Councilmembers should bring ideas forward to the collective City Council with two councilmember sponsorship (see 2.B.), rather than to the city manager, (while also Attempting to best respecting acknowledge retreat-established priorities, and existing budget and workplanswork plans).

Commented [CP28]: Recommended prompt

b. ~~Proposal of Event or Love Note Project(s)~~: If a resident has an idea for a specific event or "love note", the Councilmember should ask the resident if they are willing to plan and produce it, and then give them the contact information of the City's recreation coordinator who may support it in the following two ways:

Commented [CP29]: Recommended edit, ie: cleaner and concise

i. pPromotion of the event/love note through City's normal communication channels (City will not design or produce flyers or other materials) and

Commented [CP30]: Recommended prompt

ii. pProvision of City-owned physical location.

Councilmembers do not vicariously request operational city services or report operational concerns on behalf of residents, unless the issue or concern is an immediate safety or environmental hazard. Requesters should be directed to go through the Citizen Action Request process. If a requester says they tried the CAR process and did not get a response or received an unsatisfactory response, the Councilmember can bring it to the City Manager's attention, and the City Manager will work through the department heads to resolve the matter. If a Councilmember wants City staff or consultants to accomplish actions or work, the Councilmember must

14. ~~Use of Electronics, Hardware and Cell Phones: make the request of the City Manager if the action or work will take 1 hour or less and of the City Council if the action or work will take more than 1 hour.~~

15. Access City computers at the appropriate access level. A City computer, such as an iPad, laptop, cell phone and key cards will be provided for home access if the Councilmember requests it City business, and it may is not be used for personal business. This is preferred to the use of a Councilmember's personal computer, for risk management purposes.
- Cell Phone:** If a Councilmember wishes to have a City-provided cell phone for City use, one will be provided. Upon end of term, the cell phone is required to be returned to the city at the end of term.
 - The City computer and phone is are the property of the City and will be returned to the City at the end of the term of office. **Key Cards:** Are provided to councilmembers for accessing the city council building and designated areas: including the main building, council chambers and executive chambers.
 - All The City devices (computer, laptops, cell phone, accessories and key cards) are the property of the City of Kenmore. City property and devices, will be returned to the City at the end of the term of office.
- 10.

Commented [CP31]: Recommended edit, includes formatting edit

Commented [CP32]: Recommended edit

Commented [CP33]: Missing element – recommended for inclusion

Commented [CP34]: Recommended edit:
Moved item down –
Cleans up the direction, and provides clarity.

B. City Manager Role

- Serve as the primary point of contact between the City Council and City staff and consultants. The City Manager works for and serves at the will of the City Council. The City staff works for and reports to the City Manager.
- Direct the time of City staff and resources of the City in accordance with City Council approved priorities and budgets.
- Spend City funds per the City's adopted purchasing policies, which align with State and City laws.
- ~~With input from the Mayor, p~~Prepare agendas for meetings and retreats ~~with input from the Mayor and/or Deputy Mayor.~~
- Provide timely, useful information evenly and equally to all Councilmembers.
- Meet with each Councilmember as mutually acceptable to the City Manager and the Councilmember. ~~The main purposes for these meetings with 3 or less Councilmembers are for the City Manager to give updates and for Councilmembers to bring up questions. It is not a time for tasking the City Manager or, nor is it a time to direct the City Manager. to implement new programs or policy initiatives or otherwise add any new~~

Commented [NH35]: I changed this back to require Mayor's approval of agendas. I know that hasn't been our normal practice, but I think we must recognize that these are Council meetings, and the Council (through the Mayor) should have final say on published agendas.

Commented [CP36]: This allows for balance in a published agenda, and the possibility of *acting mayoral role

work to the City Manager. That ~~*Council~~ direction comes from the council majority decision or consensus of the Council.

Commented [CP37]: Recommended edit – cleaner and concise

7. Prepare adequately for City Council meetings.
8. Meet with citizens as needed to solve problems and answer questions.
9. Interact with other public agencies to accomplish City Council goals and policies.
10. Respond to Councilmember questions and concerns equitably. Other than questions, individual requests by Councilmembers should be directed through the collective body of the City Council; *Exception: Equitable access request to participate and attend continuing education or events otherwise requiring city manager approval.

Commented [CP38]: Problematic –
Example: *Equitable access to participate in and attend continuing education or events due to economic barriers otherwise require equitable city manager approval (this is an example of allowable individual request – as it directly address's reducing equitable access to reduce opportunity gaps in participation for the good of the council)

9.

C. Mayor and Deputy Mayor Role

Commented [CP39]: Recommended Edit.

1. Primary Role(s): Conduct and facilitate meetings; represent the City at local, State and national forums; and represent the City in a ceremonial capacity.
 - 1-a) Mayor or Deputy Mayor can delegate and/or assign a duty /or service to be carried out by task to an assigned councilmember (See council rules Section 3. C, part 5).
2. Keep the City Council informed of the Mayor's activities with reports during Councilmember Comments.
3. Announce in advance public presentations, ceremonies and events that the Mayor is invited to attend.
4. Bring new issues to the City Council during Council Initiatives.
5. Request other Councilmembers to attend meetings in place of the Mayor when he or she they cannot attend, or to join the Mayor at such meetings to increase the City's representation.
6. At the Mayor's option, hold monthly meetings with up to two Councilmembers and the City Manager. The Mayor should attempt to rotate the participation of Councilmembers in such meetings.
- 7-6. In the event that a City Manager resigns or leaves, the Mayor will work with the City Council to find a replacement using a recruitment agency.

Commented [CP40]: Recommended for inclusion
 Schedules get complicated – delegating tasks, serves the greater good.
 Clean and clear.

Section 4. Vacancy and Leave of Absence

A. Purpose

This section provides guidance to the City Council on filling vacancies and appointing Pro Tempore when a Councilmember position becomes vacant, when a Councilmember requests an extended leave of absence, and when the City Council desires to appoint a Councilmember Pro Tempore during an Councilmember's extended leave of absence.

B. References

1. Chap. RCW 42.12 RCW - Vacanciest Position
- ~~2.~~ RCW 35A.13.020 (and RCW sections cited therein) - Vacancies – Filling of Councilmember Vacancies
- ~~2.~~
3. RCW 35A.13.035 - Appointment of Councilmember Pro Tempore appointments
4. RCW 35A.13.065 – Pro Tempore Appointments
- ~~5.4.~~ RCW 42.30.110(1)(h) – Executive Session Allowed to EvaluateConsider Qualifications of a Candidate for Appointment to Elective Office
- ~~6.5.~~ RCW 42.30.060 - Prohibition on Secret Ballots

C. Definitions

1. A “vVacancy” occurs on the happening of any event identified in RCW 42.12.010, as amended, which includes means a resignation, removalrecall, forfeiture, written intent to resign, permanent incapacity or death of a Councilmember.
- ~~2.~~ “Leave of absence” means a temporary interval when a Councilmember is unable to serve due to extended excused absence or incapacity, but expects to return to full service prior to the end of his or her term of office.
- ~~2.~~
3. “Permanent incapacity” means a physical or mental incapacity that is reasonably expected to prevent the Councilmember from returning to full

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service (including but not limited to attending consecutive regular meetings of the council) prior to the end of his or her term of office.

D. Leave of Absence

The remaining Councilmembers, by a simple majority vote, may grant a leave of absence to a Councilmember upon receipt and approval of a written request.

E. Filling of Vacancy or Appointment of Councilmember Pro Tempore

1. Upon receiving notice of an upcoming vacancy or the occurrence of a vacancy, the remaining Councilmembers, by a simple majority vote, A Councilmember vacancy shall be filled the vacant position using one of the following procedural options:
~~according to the process described below.~~
 - a. Appoint a candidate to fill the vacant position without the process described in Section F below;
 - b. Appoint a candidate to fill the vacant position according to the process described in Section F below; or
 - c. Appoint a candidate to fill the vacant position using another process based on the circumstances at the time of the vacancy and the needs of the City Council.
- ~~1.~~ 2. After granting a leave of absence Once a vacancy is created, or After a leave of absence is approved, the remaining Councilmembers, by a simple majority vote, shall select one of the following options:
 - a. Leave the position unfilled during the leave of absence;
 - b. Appoint a Councilmember Pro Tempore by a simple majority vote, without the process described in Section F below;

c. Appoint a Councilmember Pro Tempore according to the process described ~~below~~ in Section F below; or

d. Appoint a Councilmember Pro Tempore using another process based on the circumstances at the time of the leave of absence and the needs of the City Council.

~~3.~~ The Councilmember who is vacating his or her position, ~~permanently~~ or seeking temporarily ~~by~~ leave of absence, shall not participate in the appointment process.

F. Application Process

1. ~~If one of the following events occur: a) the City Council receives Upon notice of an upcoming vacancy, b) a vacancy occurs, or c) City Council determines~~ to appoint a Councilmember Pro Tempore, the City Council shall direct staff to begin the Councilmember application process and establish an interview and appointment schedule so that the position is filled at the earliest opportunity.

2. The City Clerk's Office shall prepare and submit an advertisement to the newspaper of record, with courtesy copies to all local newspapers, which announces the vacancy consistent with the requirements necessary to hold public office. This advertisement shall contain such information that the City Council deems appropriate.

3. The applicant must be a registered voter of the City of Kenmore, have a ~~twoone-year~~ two-year continuous period of residency in the City of Kenmore, and hold no other public office or employment under the City of Kenmore government.

Commented [CP41]: Recommended edit – Matches King County Elections & WA State Elections guideline

~~4.~~ The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. The application form must include the question: "Is there anything in your background that would bring discredit to this city if appointed?" The application form must also require the applicant to complete and file a Washington State PDC Form F-1. The City Clerk's Office shall make the applications available at Kenmore City Hall and such other locations that the City Council directs, if any.

4.

5.

~~5.~~—The City Clerk's Office shall distribute to all Councilmembers the applications received by the deadline. The applications shall be accompanied by any additional information submitted by the applicant and obtained by the City Clerk's Office, such as endorsements, letters of reference and other pertinent materials.

G. Interview Process

1. The City Council will determine which applicants will be interviewed according to qualifications submitted.
2. The City Clerk's Office shall notify the selected applicants of the location, date and time of City Council interviews.
3. Prior to the date and time of the interview, the Mayor shall accept one interview question from each Councilmember.
4. Prior to the interview, the City Clerk shall obtain and provide to the Councilmembers a Criminal Check for the applicant.
5. The applicant's order of appearance shall be determined by a random lot drawing performed by the City Clerk.
6. Each interview of an applicant shall be no more than 30 minutes in length. At the interview:
 - a. The applicant shall present his or her credentials to the City Council.
 - b. The City Council shall ask the predetermined set of questions.
 - c. If agreed to by the City Council, Councilmembers may ask and receive answers to miscellaneous questions.

H. Voting Process

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1. Upon completion of the interviews, Councilmembers may convene into Executive Session to ~~evaluatediscuss~~ the qualifications of the applicants; however, all interviews, nominations and votes taken by the Councilmembers shall be in open public session.
2. In voting on the applicants, the City Council shall follow *Robert's Rules of Order Newly Revised*.
3. The position shall be filled by the applicant receiving a majority vote of the remaining members of the City Council. Thus, balloting will continue until an applicant receives a majority of four votes.
4. At any time during the balloting process, the City Council may postpone balloting until a special or regular meeting if no applicant has received a majority of four votes.
5. The Mayor shall declare the applicant receiving a majority of four votes as the new Councilmember or Councilmember Pro Tempore, and ~~he-or she~~they shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled City Council meeting.

I. Deadline for Filling Permanent Vacancies

Permanent vacancies must be filled within ninety (90) days following the occurrence of the vacancy.

J. Term of Office

1. The new Councilmember shall serve ~~the remainder of the portion of the~~ unexpired term until his or her successor takes office, pursuant to State law.
2. A Councilmember Pro Tempore appointed to serve during a leave of absence of a Councilmember shall serve only until such time as the Councilmember resumes his or her duties.

Section 5. Council Conduct

A. Purpose

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This section sets forth a Code of Conduct for Councilmembers regarding ethics and conflicts of interest, and the Councilmembers' treatment of each other, City staff, City consultants, citizens, and others with whom they come into contact while representing the City.

B. Code of Ethics and Conflicts of Interest

1. Upon election or appointment, Councilmembers should review Chapter 42.20 RCW, Misconduct of public officers; Chapter 42.23 RCW, Code of Ethics for Municipal Officers – Contract Interests; Chapter 42.30 RCW, Open Public Meetings Act; and Chapter 42.36 RCW, Appearance of Fairness Doctrine.
2. No Councilmember may use his or her position to secure special privileges or exemptions for himself, herself, or others. See RCW 42.23.070. In addition, except for incidental electronic and telephone communication, Councilmembers shall not use public resources that are not available to the public in general, such as City staff time, equipment, supplies or facilities, for other than a City purpose.
3. No Councilmember may accept employment or engage in business or professional activity that the Councilmember might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.—See RCW 42.23.070(3)
4. Councilmembers owe a fiduciary duty to the public and are required by law to maintain confidentiality with regard to certain information gained through their official positions. Therefore, no Councilmember may disclose confidential information gained by reason of the Councilmember's position, nor may a Councilmember otherwise use such information for his or her personal gain or benefit. See RCW 42.23.070(4).
5. If a Councilmember participates in litigation contrary to an official City position or action as adopted or ratified by a majority of the City Council, the Councilmember shall recuse himself or herself and not participate in any vote, deliberation or executive session, or receive confidential information regarding further consideration or action in that matter, once litigation regarding the matter has been served or filed. The fact that a Councilmember voted in opposition or expressed in his or her official duties 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 nonparticipation.

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Once litigation has been served or filed, communication regarding the case with anyone other than City staff, the City Attorney or outside legal counsel involved in the litigation of the case is discouraged during the pendency of the litigation. Councilmembers shall not in their official capacity make any comment, provide any information or otherwise involve themselves in the matter without the assistance and advice of the City attorney or outside legal counsel.

6. It shall be an appearance of conflict, which must be disclosed, (1) for any Councilmember to acquire or seek to acquire an interest in property that the City is actively seeking to acquire or has stated its intent to acquire, (2) for any Councilmember to acquire or seek to acquire an interest in property that is immediately adjacent to such property, or (3) for any Councilmember to benefit personally by the City's acquisition or non-acquisition of such property.
7. No Councilmember shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of the Councilmember, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein.— See RCW 42.23.030. This section shall not apply in the following cases (See RCW 42.23.030):
 - a. The furnishing of—utility services by the City—at the same rates and on the same terms as are available to the public generally;
 - b. The designation of public depositories for City funds;
 - c. The publication of legal notices required by law to be published by the City, upon competitive bidding or at rates not higher than prescribed by law for members of the general public; or
 - d. Any other exception provided for by law.
8. A Councilmember may not vote in the authorization, approval, or ratification of a contract in which ~~he or she is~~they are beneficially interested even though one of the exemptions allowing the awarding of such a contract applies. See RCW 42.23.030.—The interest of the Councilmember must be disclosed to the Council and noted in the official meeting minutes before the formation of the contract.— See RCW 42.23.030.

9. A Councilmember is not interested in a contract, within the meaning of subsections 7 and 8 above, if the Councilmember has only a remote interest in the contract. A "remote interest" means:
 - a. That of a non-salaried officer of a nonprofit corporation.
 - b. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
 - c. That of a landlord or tenant of a contracting party; or
 - d. That of holder of less than one percent of the shares of a corporation or cooperative which is a contracting party.
10. If a Councilmember has a remote interest in a contract, the City— Council may authorize, approve or ratify the contract, despite such remote interest, provided that the following conditions are satisfied:
 - a. The Councilmember with the remote interest fully discloses the nature and extent of the interest, and the disclosure is noted in the official meeting minutes before the contract is made.
 - b. The City Council authorizes, approves, or ratifies the contract after that disclosure and notation.
 - c. The City Council's authorization, approval, or ratification is in good faith.
 - d. Where the votes of a certain number of Councilmembers are required to authorize, approve or ratify the contract, the vote requirement is met without counting the vote of the Councilmember who has the remote interest.
 - e. The Councilmember having the remote interest does not influence or attempt to influence any other Councilmember to enter into the contract.
 - e.—
11. Any contract made in violation of the restrictions and requirements of subsections 7 through 10 above is void and the performance thereof, in full or in part, by a contracting party shall not be the basis of any claim against the City. See RCW 42.23.050.
12. Any Councilmember violating the provisions of subsections 7 through 10 above, subsection 13 below, or RCW 42.23.070 shall be liable to the City for a penalty in the amount of five hundred dollars, in addition to such

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other civil or criminal liability or penalty as may otherwise be imposed upon the Councilmember by law. See RCW 42.23.050. In addition, a violation by a Councilmember of subsections 7 through 10 above or RCW 42.23.070 may be grounds for forfeiture of his or her office. See RCW 42.23.050.

13. Councilmembers shall not receive from or give to any person or entity anything of monetary value (hereafter referred to as "gifts") where the gifts have been received or given, or to a reasonable person would appear to have been received or given, with intent to give or obtain special consideration or influence as to any action by the Councilmember in his or her official capacity ("prohibited gifts"); provided, that nothing shall prohibit campaign contributions which are solicited or received and reported in accordance with applicable law.
14. The gifts listed below are presumed not to be prohibited gifts. ~~—~~ However, this presumption is rebuttable and may be overcome based on the circumstances surrounding the receipt or giving of the gift.
 - a. Unsolicited flowers, plants and floral arrangements;
 - b. Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
 - c. Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
 - d. Unsolicited items received by a Councilmember for the purpose of evaluation or review, if the Councilmember has no personal beneficial interest in the eventual use or acquisition of the item;
 - e. Informational materials and publications related to the Councilmember's performance of official duties;
 - f. Food and beverages consumed at hosted receptions where attendance is related to the Councilmember's duties for the City;
 - g. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental or community organization, where attendance by the Councilmember is related to the Councilmember's duties for the City;
 - h. Unsolicited gifts from dignitaries from another city, state or foreign country, as long as the Councilmember gives the gift to the City;

- i. Food and beverages on infrequent occasions in the ordinary course of meals where attendance by the Councilmember is related to the Councilmember's duties for the City;
- j. Any gift which would have been offered or given to the Councilmember if ~~he or she~~they were not a Councilmember; and
- k. Payments by a governmental or nongovernmental entity of reasonable expenses incurred by the Councilmember in connection with a speech, presentation, appearance, or trade mission made in an official capacity.

C. General Courtesy Expectations

- 1. Be courteous, respectful, kind and professional at all times with everyone.
- 2. Be honest and truthful.
- 3. Act with integrity and in good faith.
- 4. Foster an environment of mutual respect for each other. Discourteous behavior, such as sidebar discussions, inflammatory language, innuendo, or negative body language, is not permitted.
- 5. At meetings, raise your hand to indicate a desire to speak, and then wait to be recognized by the Presiding Officer before speaking.
- 6. Stay on the topic being discussed for efficiency of dealing with the items on the agenda. Remarks must be germane to the topic.
- 7. Refrain from speaking more than twice on the same motion as stated in Robert's Rules of Order. E, exception if the full round has been completed and added clarification or input needed/requested by a councilmember prior to a vote. ~~by consent of a majority of the Councilmembers present at the time the motion is before the City Council. During discussions prior to a motion being made, a Councilmember may request to speak more than twice.~~
- 8. Comments will be limited to 3 minutes at a time.
- ~~9. Refrain from asking staff to advertise individual achievements (e.g., classes, awards, being the first of a class of people) through City events or communications (newsletters, press releases).~~
- 10. Refrain from using social media to discuss Council deliberations or other Council business, as this 'dialogue' creates an un-trackable set of public records. Social media may be used to provide unidirectional information about upcoming agenda items and to encourage public engagement.

Commented [CP42]: This is unnecessary. We celebrate awards and recognitions as it highlights the quality good work our members achieve. This brings positive attention to our community and greater awareness of our community and serves a greater good.

Achievements and awards are celebrated by the organizations given and bring attention to our council for doing good work within the state and region. Bringing pride to our city.

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11. Refrain from emailing the Council as a body (i.e., ci council@...) with anything that might prompt a group response or requests new action as this may create a dialogue subject to the Open Public Meetings Act. Councilmembers may email the Council as a body if the email simply provides information.

9-12. Council Discussion: Is a Time For Sharing Of Information and Inquiries Not Debate. Refrain from interrupting or arguing with another Councilmember while such Councilmember has the floor except as stated in Robert's Rules of Order, such as a "point of order."

13- Refrain from criticizing in public other Councilmembers and personally attacking (verbally or in writing) other Councilmembers, the City Manager, City staff and City consultants.

a)

14. If any Councilmember has a complaint against a fellow Councilmember, the City Manager, or a staff member, they will follow city procedures to resolve the issue. They will not broadcast the issue on social media or to the public news media, before an evaluation has been done and a conclusion has been reached.

Commented [CP43]: Recommended edit.

10-15. Treat City staff in a polite and professional manner.

16. Having courtesy expectations is compatible with open and vigorous debate, with a variety of opposing opinions expressed on public issues.

14.

D. Respect in Regard to Voting

1. Disagreement and differences of opinion are honored and respected features of government in the City.
2. When there is disagreement, discuss and clarify the issues before voting.
- ~~3. Councilmembers will be allowed one minute maximum to explain their vote during a roll call vote. This is an exception to Robert's Rules.~~
- ~~4-3.~~ Councilmembers must not seek out members of the media to ~~vent feelings when on the minority side of~~ express thoughts about a vote. As a matter of courtesy, letters to the editor or other communication should be presented to the full City Council at a meeting prior to publication so that Councilmembers will be aware of the proposed publication.

~~5.4.~~ Councilmembers must not engage in personal attacks against other Councilmembers who voted against the councilmember on issues.

~~6.5.~~ After a vote on an issue, a Councilmember may state an opposing viewpoint, but must clearly state the adopted City Council position and must clarify that the Councilmember's viewpoint or opinion is the Councilmember's personal viewpoint or opinion.

~~7.6.~~ When Councilmembers represent the City or attend meetings in an official capacity, they must support and advocate the official City position on an issue, not a personal position on the issue.

E. Prohibited Conduct

1. The City Council recognizes the right of every Councilmember to free speech, as stated in the U.S. Constitution and as interpreted by the courts, and encourages the dissemination of a variety of opinions and ideas for discussion in a lawful manner. Laws concerning free speech are balanced by slander and libel laws.
2. The adoption of a Code of Conduct is necessary to discourage prohibited conduct as illustrated below.
3. Prohibited conduct includes, but is not limited to, the following:
 - a. Making a personal attack against a fellow Councilmember, the City Manager, or City staff as stated in Robert's Rules. "Personal attack" means an accusation against a person's character.
 - b. Acting maliciously toward a City staff member or a fellow Councilmember. "Maliciously" means acting with hostility or anger toward, or by bullying or harassing.
 - c. Modifying, revising, altering, or editing any document, report, record, or memorandum written by the City Manager, a City staff person, or other Councilmember without the author's consent or knowledge, and without clearly stating or showing the change, the date of the change, and the person making the change.
 - d. Engaging in unreasonable interruption and interference with the day-to-day business of the City. "Unreasonable interruption and interference with the day-to-day business of the City" means:
 - (i) Contacting City staff, other than as authorized by these rules or by final action of the City Council or by the City Manager, which contact materially limits a City staff member's ability to complete

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work assigned by the City Manager or by final action of the City Council; or

- (ii) Causing the City Manager or a City staff member to correct or explain the Councilmember's materially inaccurate statements or conduct, which correction or explanation substantially interrupts the efficient operations of the City.
- e. Making verbal or written contact with City staff, other than a Councilmember's contact with City staff as authorized by these rules or by final action of the City Council or by the City Manager, ~~when such contact is used or intended to impermissibly redirect, interfere with, interrupt or undermine City staff's work assignments as determined by the City Manager or by a majority vote of the City Council.~~
- f. Representing to citizens, other public agencies, or other persons or organizations, that the City Council will vote or act in a specific manner concerning pending litigation or legislation, or concerning any other matter that has not yet come before the City Council for final action but that will be acted upon by the City Council.
- g. Discussing or disseminating information from an executive session to anyone outside of the proper lines of authority. "Proper lines of authority" means Councilmembers, the City Manager, City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council.
- h. Making contact, either verbally or in writing, with legal counsel representing a person or entity with whom the City has ongoing litigation or negotiations, other than as authorized by the City Manager or by majority vote of the City Council.
- i. Making verbal or written contact with State, county, regional, or city elected or appointed officials, when a Councilmember represents a position contrary to the adopted or declared position of the City or the City Council and when the Councilmember does not disclose such adopted or declared position of the City or the City Council.
- j. Taking actions and voting when there is a conflict of interest as defined in this policy and in Chapter 42.23 RCW. Recusal must be used when there is a conflict of interest. (See Section 5, B: Code of Ethics and Conflicts of Interest)
- j-k. Councilmembers are discouraged from engaging in acts of intimidation, discrimination, bullying, bias or hate acts towards another fellow

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councilmember; while acting in the role of a councilmember; when representing the city or when engaging the public; or when performing other public service duties designated or assigned to their council role.

Commented [CP44]: Recommended for inclusion
Anti-discrimination/ Anti bias direction

F. Sanctions

1. The Council has power under State law to impose punishment on its members, short of removal from office, for violation of State law or Council rules.
2. The Council may punish a member for violation of these rules by: a verbal admonition, written reprimand, letter of no confidence, censure, expulsion from the meeting at which the conduct occurs, removal from committee memberships, and/or removal of intergovernmental duties.
3. The Presiding Officer may give a verbal admonition.
4. Other punishments not mentioned in Section 5.F.-2. require the affirmative vote of 5 members of the City Council.
5. A censure is a statement by 5 members of the City Council that a prohibited action has occurred.
6. A censure will be in the same form as any other Council motion or resolution. The motion must state the prohibited conduct or action.

Section 6. Remote Attendance and Voting

A. Purpose

Occasionally, a Councilmember will not be able to be physically present at a meeting, but will want to be involved in the discussion and/or decision on a particular agenda item. The procedure and guidelines for permitting a Councilmember to attend a meeting via speakerphone or video is contained in this section. In the event of a declared state of emergency, several or all of the Councilmembers may attend the meeting remotely.

B. Frequency

With the exception of a declared State of Emergency, Councilmember attendance via speakerphone or video is limited to 3 times in a calendar year, but the City Council, by majority vote, may allow additional attendance by speakerphone or video.

C. Procedure

1. At least 24 hours before the starting time of a meeting, the Councilmember must advise the City Clerk of the desire to attend via speakerphone or video to allow time for preparation of the speakerphone or video components and of the agenda items to be attended via speakerphone or video.
2. The Councilmember attending via speakerphone must be able to hear all speakers in the meeting room, and all persons in the meeting room must be able to hear the Councilmember. The video and audio components of videoconferencing should be visible and audible to all persons in the meeting room.
3. When the particular agenda item is ready to be discussed, the Presiding Officer should state and ask for the record:
 - a. "Councilmember _____ is attending via speakerphone/ video for Agenda Item No. _____, relating to _____."
 - b. "Councilmember _____, can you (see and) hear me?" (There must then be a clearly audible response in the affirmative.)
 - c. "Can the City Council and City Clerk (see and) hear Councilmember _____?"
4. Upon conclusion of the particular agenda item, the Presiding Officer should state: "Councilmember _____, discussion of Agenda Item No. _____ has concluded."
5. Each agenda item being attended via speakerphone or video shall be introduced and acknowledged in the same manner as set forth above. In the event that the Councilmember or Councilmembers are attending the entire meeting remotely, the introduction and acknowledgement only needs to be done once for the entire meeting, instead of for each individual agenda item. The City Clerk's roll call at the beginning of the meeting will suffice as indication that the person can be heard and seen.
6. After all agenda items being attended via speakerphone or video have been concluded, the Presiding Officer should state for the record:
 - a. "Councilmember, _____ thank you for your attendance via speakerphone/video. The remote connection will now be terminated."
 - b. "Let the record reflect Councilmember _____'s attendance via speakerphone/video has been terminated."

Commented [CP45]: Q – Are there any options to this rule?
 Consideration for medical emergencies,
 Or a car breaking down?
 Would a councilmember be able to attend by remote location via video, virtually or via phone for the entire meeting?

Section 7. Executive Sessions

A. Topics for Executive Session Discussions

The topics that may be discussed in executive sessions are set forth in RCW 42.30.110 and ~~RCW 42.30.140~~. Executive session topics include, but are not limited to, the following:

1. Acquisition of real estate when public knowledge regarding the acquisition would cause a likelihood of increased price.
2. Consideration of the minimum price for sale or lease of City property when public knowledge regarding such consideration would cause a likelihood of decreased price.
3. Review of negotiations on the performance of publicly bid contracts when public knowledge regarding such review would cause a likelihood of increased costs.
4. Receipt and evaluation of complaints or charges against a public officer or employee.
5. Evaluation of qualifications of an applicant for public employment.
6. Review of the performance of a public employee.
7. Discussion with legal counsel of litigation, potential litigation or pending litigation (legal counsel may attend via speakerphone or video).
8. Discussion of collective bargaining sessions with employee organizations.
- ~~9.~~ Consideration of matters affecting national security.

~~9.~~

B. Confidentiality of Executive Session Discussions

Topics discussed in executive session must not be discussed outside of the executive session with anyone outside of the proper lines of authority (Councilmembers, the City Manager, and City staff assigned to the topic or matter, designated legal counsel, and others attending the executive session at the invitation of the City Council). Councilmembers shall keep all executive session information and discussions confidential to ensure that the City's interests are not compromised.

C. Procedure

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1. **Announcement of Executive Session:** The Presiding Officer must announce the executive session by stating: "The City Council is recessing into an executive session pursuant to RCW_____ (e.g. "RCW 42.30.110(1)(a)) regarding_____. (e.g., review of the performance of a city employee). The executive session is expected to last for _____ minutes (hours)."
2. **Action or No Action via Executive Session:** If the executive session is the last item on the meeting agenda, the Presiding Officer shall state whether or not the City Council will take action or take no action when the meeting reconvenes.
3. **Extending Executive Session:** If, during the executive session, the Presiding Officer believes that the executive session will extend beyond the announced deadline, the Presiding Officer shall announce in open session the number of minutes that the executive session will be extended, **then return to the executive session.**
4. **Concluding Executive Session:** The Presiding Officer shall announce the conclusion of the executive session in open session by stating: "The executive session is **now concluded completed.**"
5. At the close of the executive session or the meeting at which the executive session occurs, the Presiding Office shall complete a document recording the topic or reason and time of the executive session, including extensions.

Commented [CP46]: Clean Clear and Designated – easy to read prompt

Commented [CP47]: Clean clear and designated – easy to read prompt

Commented [CP48]: Recommended amendment
Clean ,clear, designated.

Commented [CP49]: Recommended amendment
Clean, clear, designated

D. Written Material

1. During an executive session, papers or documents may be distributed for informational purposes to the Councilmembers in attendance as part of the discussion.
2. Papers and documents that are distributed during executive sessions are to be returned to the City Manager or the Presiding Officer (if the City Manager is not in attendance), prior to the end of the executive session. No paper or document will be removed by a Councilmember from the executive session, unless the City Manager, or the Presiding Officer (if the City Manager is not in attendance), determines that the paper or document may be removed from the executive session.
3. Written notes taken by any attendee of an executive session will be treated in the same manner as a paper or document as discussed above, that is, the paper or document will be returned to the City Manager or Presiding Officer prior to the end of the executive session.

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4. Councilmembers will not generate computer notes, take photos, or make recordings during an executive session.

4.

Section 8. Public Testimony

- A. ~~Public~~Citizen Comment Rules** in Regular and Special non-Executive-Session Business Meetings are delineated in Section 2.B. above.

B. Public Hearings

1. The Presiding Officer shall open the public hearing and ask for a City staff presentation.
2. Members of the public will be invited to provide comments about the specific topic of the hearing, in contrast to general Public Comment (Section 2.C) which may be about any topic pertaining to City business.
3. Each person will be allowed to speak for 5 minutes, which is longer than the 3 minutes allowed for ~~Citizen-Public~~ Comments.
4. A person who testifies shall state his or her name, city of residence and organization (if applicable).
5. Motions will not be made during the public hearing.
- ~~6.~~ After all members of the public wishing to speak have had an adequate opportunity to speak, and the Councilmembers have had an opportunity to ask City staff questions regarding the staff presentation and/or the public comments, the Presiding Officer shall declare the public hearing closed. The City Council may by, majority vote, continue the public hearing to a stated date, time and place, and/or allow for certain written materials to be presented to the City Council for a period of time after the public hearing.

6.

C. Quasi-Judicial Matters

1. Council will follow Chapter 42.36 RCW for application of the "Appearance of Fairness Doctrine," which holds that quasi-judicial matters must not only be fair in practice but must also have the appearance of fairness.
2. Quasi-judicial actions involve policy application rather than policy making. The action will generally have a greater impact on specific individuals than

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on the entire community. In a quasi-judicial action, the City Council applies law to facts and makes a decision. Examples of quasi-judicial actions are: conditional uses, variances, rezoning of a specific site, planned unit developments, and discretionary zoning permits. Quasi-judicial actions are distinct from legislative actions, examples of which are adopting, amending or revising comprehensive, community or neighborhood plans, land use planning documents, area-wide zoning ordinances and are-wise zoning amendments.

3. The Presiding Officer will begin a quasi-judicial hearing by asking Councilmembers to place on the record any ex parte contacts with either proponents or opponents of the action. The Presiding Officer shall ask whether any person objects to participation of a Councilmember in the action, and if so, to explain the objection.—If an objection is made, the Presiding Officer shall ask for input from the City Attorney.
4. The Presiding Officer, or the City Attorney at the request of the Presiding Officer, shall explain the rules and procedures for the quasi-judicial action.
5. The Presiding Officer, with the assistance of the City Attorney, will control the taking of testimony and presentation of documents, in light of the type of quasi-judicial action and applicable City rules and regulations.

Section 9. Waiver / Effect of Waiver of Rules

- A. These rules are adopted for the sole benefit of the City Councilmembers to assist in the orderly conduct of City Council business.—These rules do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, employees and agents, or serve as the grounds for invalidation of any City Council action or decision.—The City Council may, by a majority vote, temporarily waive any of these rules, unless otherwise inconsistent with applicable law.
- B. In case of conflict between current law, and—these Rules and Council Procedures, current law shall prevail.

Commented [CP50]: *This statement is partially correct.

Commented [CP51]: Recommended correction and suggested edit

Commented [NH52]: Is this necessary? Seems already covered under Section 1.C.3?