



The city is conducting this public meeting using a hybrid model. The public is welcome to attend tonight's meeting in-person at City Hall (Council Chambers), or virtually by using the meeting access link below –

<https://sumnerwa-gov.zoom.us/j/84368654161>

Or One tap mobile:

+12532158782,,84368654161# US (Tacoma)

Or Telephone:

+1 253 215 8782 US (Tacoma)

+1 253 205 0468 US

Webinar ID: 843 6865 4161

CALL TO ORDER

Roll Call: Bitetto, Bowman, Brown, Clerget, Cole, Elfers and Reinke

REGULAR BUSINESS

1. Resolution No. 1694 - Washington Auto Theft Prevention Authority Grant & Flock Safety Cameras
2. Heritage Park Remediation Update
3. Resolution No. 1695 - City Council Rules of Procedure

CITY ADMINISTRATOR REPORT

AGENDA SETTING

1. Council Meeting Agenda Calendar
2. Council Committee Meeting Calendar

EXECUTIVE SESSION

ADJOURNMENT

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact the City Clerk at (253) 299-5590, 24 hours in advance.

SUBJECT: Resolution No. 1694 - Washington Auto Theft Prevention Authority Grant
& Flock Safety Cameras

CATEGORY: Presentation

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Resolution No. 1694 - Washington Auto Theft Prevention Authority Grant
2. Presentation

STAFF CONTACT: Brad Moericke, Police Chief

SUMMARY BACKGROUND:

The police department applied for and received a \$50,000 equipment and technology grant from the Washington Auto Theft Prevention Authority. The purpose of the grant is to provide Flock Safety cameras in the city of Sumner as an auto theft deterrent and investigative aid. Tonight we will give you a presentation on the grant and Flock Safety proposal.

COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: COMMITTEE RECOMMENDATION:
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STAFF RECOMMENDATIONS/MOTION:

Give approval to move resolution accepting WATPA grant to the full council and proceed with Flock Safety cameras.

**RESOLUTION NO. 1694
CITY OF SUMNER, WASHINGTON**

**A RESOLUTION OF THE CITY OF SUMNER, WASHINGTON, ACCEPTING A GRANT
FROM THE WASHINGTON AUTO THEFT PREVENTION AUTHORITY**

WHEREAS, the City of Sumner desires to implement Flock public safety cameras to enhance our ability to solve, deter, and reduce crime in our community; and

WHEREAS, to help accomplish and fund the initial set up and installation of Flock Safety cameras, the City of Sumner applied for an equipment and technology grant through the Washington Auto Theft Prevention Authority; and

WHEREAS, in July 2024 the City of Sumner was awarded full funding for the installation, set up, and initial 12-month lease of Flock Safety cameras in an amount of up to \$50,000; and

WHEREAS, City Councils' acceptance of the grant funds and authorization for the Mayor or designee to execute any grant agreements or necessary agreements regarding the same is required by ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF SUMNER, WASHINGTON:**

Section 1. That the City Council of the City of Sumner, Washington, does hereby accept the Washington Auto Theft Prevention Authority's grant and authorizes the Mayor or designee to execute any necessary funding agreements, and any and all documents necessary to carry out and effectuate the grant's acceptance or performance.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this resolution, including but not limited to the correction of clerical errors; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 3. Effective Date. This resolution shall take effect and be in full force immediately upon passage by the City Council.

ADOPTED AND APPROVED this ____ day of _____ 2024.

Kathy Hayden, Mayor

Attest:

Approved as to form:

Michelle Converse, City Clerk

Andrea J. Marquez, City Attorney

WASHINGTON AUTO THEFT PREVENTION AUTHORITY

WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS

July 9, 2024

Sumner Police Department
1104 Maple St
Sumner, WA 98390

I am pleased to inform you that Washington Auto Theft Prevention Authority (WATPA) Board of Directors has approved the **Sumner Police Department** grant application for funding of **Equipment & Technology**. The award is in the amount of **\$50,000.00**. The grant award is effective **June 1, 2024 and expires on June 30, 2025**. This award is a one-time event and does not imply or promise availability of funds for replacement or continuation of funding after June 30, 2025.

Enclosed is an award agreement. This agreement is to be signed and returned to WATPA. No funds will be reimbursed until the signed agreement is received. Expenditures prior to the award effective date or after the grant expiration date are not authorized and will not be reimbursed. All grant awards are subject to Grant Policies and Procedures of the Washington Auto Theft Prevention Authority. Costs will be paid on a reimbursement basis. Your agency will be reimbursed for actual expenses only up to the limit of the award categories. All grantees must sign the attached non-supplanting agreement before reimbursement can begin. Also, please note that reimbursement requests by grant recipients will only be processed upon receipt of current semi-annual reports by the WATPA office. The semi-annual report form is available on the WATPA website, www.WaAutoTheftPreventionAuthority.org

If you have any questions, please contact me at Phone: 253-677-8576 E-mail: bjeter@waspc.org

Sincerely,



Bryan Jeter, Executive Director
Washington Auto Theft Prevention Authority

**AGREEMENT BETWEEN SUMNER POLICE DEPARTMENT AND THE
WASHINGTON AUTO THEFT PREVENTION AUTHORITY**

AUTO THEFT PREVENTION GRANT PROGRAM AWARD AGREEMENT

Award Recipient Name and Address:

**Sumner Police Department
1104 Maple St
Sumner, WA 98390**

Award Period:

06/1/2024 - 06/30/25

Amount Approved

\$50,000.00

Funding Authority:

**WASHINGTON AUTO THEFT
PREVENTION AUTHORITY**

Requests for reimbursement under this agreement are subject to the following Budget:

EQUIPMENT & TECHNOLOGY

\$50,000.00

IN WITNESS WHEREOF, the WATPA and RECIPIENT acknowledge and accept the terms of this AGREEMENT and attachments hereto, and in witness whereof have executed this AGREEMENT as of the date and year last written below. The rights and obligations of both parties to this AGREEMENT are governed by the information on this Award Sheet and other document incorporated herein by reference: Non-Supplanting Declaration.

WATPA

RECIPIENT

Name

/ Bryan Jeter

Title: WATPA, Executive Director

Date:

Name

/

Title:

Date:

2024 | SUMNER, WA

Shape a safer future, together



flock safety



flock safety

What we observe

The current reality

- Limited police resources
- Crime continues to hurt communities
- Trust is needed more than ever

What we believe

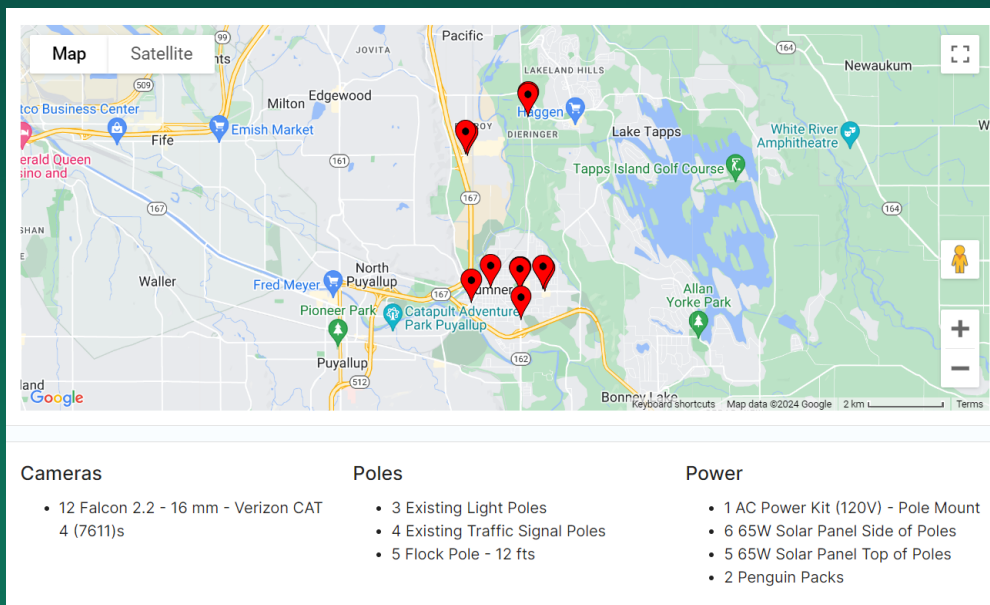
The opportunity

- Technology multiplies the force
- Protect first responders and the community using technology
- Collect and distribute objective evidence to the right user
- Engage community to support and grow

Washington Auto Theft Prevention Authority (WATPA)

Washington Association of Sheriffs and Police Chiefs

Equipment and Technology Grant
\$50,000 FY 2024 (June 1, 2024-June 30, 2025)



We Solve crime, they handle the rest

Flock dedicated team provides rapid, full-service deployment. Our police officers focus on solving crime and protecting the community.

Within the Flock Safety annual subscription:

- Solar powered cameras
- Installation + Ongoing Maintenance
- Hardware Procurement
- User Training
- Data storage
- Software Updates



The Flock Safety Platform

Detect



• Falcon®



• Raven®



• Condor



• Wing®

Capture evidence with Flock Safety devices and third-party infrastructure

Decode

- Real-Time Routing
- Visual Search
- Multi-Geo Search
- Vehicle Fingerprint® Search
- Gunshot Localization
- Convoy Analysis

Make sense of mountains of evidence instantly with AI

Deliver

- Search
- Map
- Mobile App
- Real-time Alerts
- Actionable Insights
- License Plate Lookup
- Situational Awareness

Get the right evidence into the right hands at the right time with FlockOS®

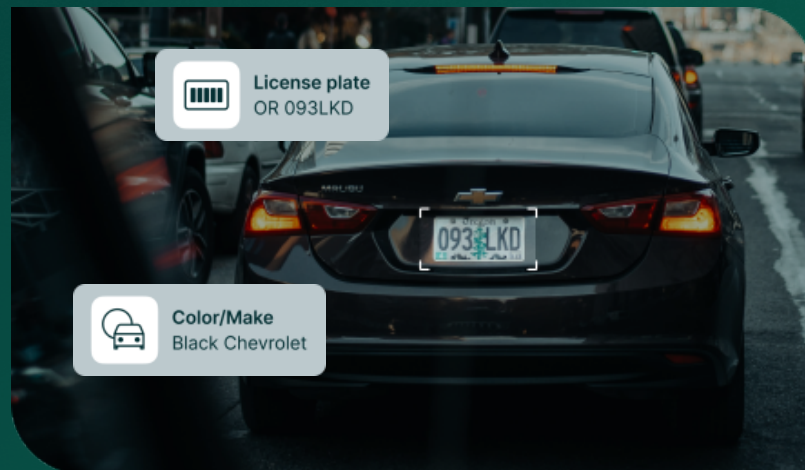


Capture more evidence. Solve more crime.

flock safety

With Flock Safety, you get:

Flock Safety provides your police department with indiscriminate evidence from fixed locations. We provide all of the maintenance so that your police department and city staff can focus on keeping your city safe and prosperous.



INFRASTRUCTURE-FREE

Reduce time to value and utility costs with full-service deployment.



24/7 COVERAGE

Capture objective vehicle data around the clock to multiply your force.



REAL-TIME ALERTS

- NCIC
- NCMEC (Amber Alert)
- Custom Hot Lists



ETHICALLY BUILT

- No people
- No facial recognition
- No speed tracking
- Indiscriminate evidence

What this is:

- License Plate Recognition (LPR)
- Gathers objective evidence and data about vehicles, not people
- Alerts police of wanted vehicles
- Used to solve crime and locate people
- Adheres to all state laws

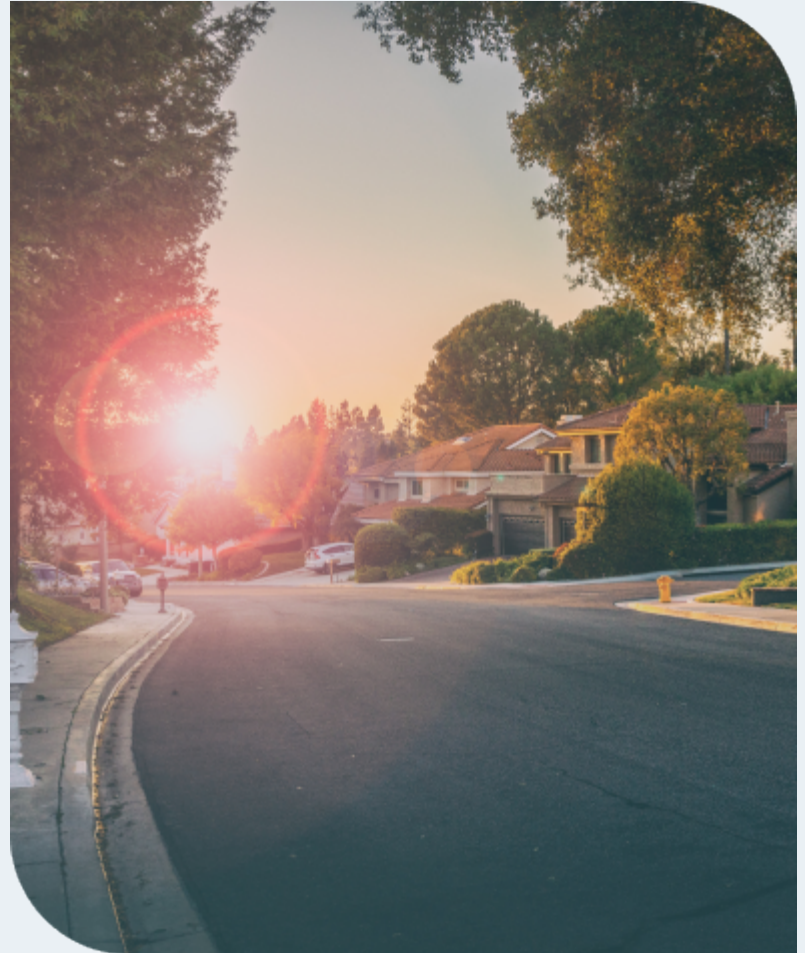
What this is not:

- Not facial recognition
- Not collection of biometric or sensitive information
- Not used for tracking speed or parking violations
- Data automatically deletes every 30 days

How does this technology deter and eliminate crime?

- **Proactive:** Real-Time Alerts when stolen or wanted vehicles enter your city
- **Investigative:** As clearance rates increase, overall crime often decreases
- Flock cameras serve as a **deterrent**

flock safety



Protecting privacy

- Footage owned by Agency/City and will never be sold to private third parties by Flock
- 30-day data retention, then automatically hard deleted
- Takes human bias out of crime-solving by detecting only objective data
- All data is stored securely with end to end encryption of all data

Accountability mechanisms

- Search reason and user number saved in indefinitely-available audit trail
- NOT facial recognition software, NOT collecting biometric information
- NOT used for parking enforcement or tolls
- Not connected to registration data or 3rd party databases (Carfax, DMV)
- Transparency Portal (free and optional)

Flock Safety In Washington

Plus, many more
commercial and
private customers

Wapato PD
Town of Yarrow Point
Eatonville PD
Black Diamond PD
Clyde Hill PD
Liberty Lake PD
Pacific PD
Port of Seattle
Chehalis Tribe Law Enforcement
Normandy Park PD
Zillah PD
Tieton PD
Educational Service Dist. 105
Yelm PD
Spokane Co. SO
Warden PD
King Co. SO
Othello PD
Yakima Housing Authority
Town of Harrah
Toppenish PD
Reardan PD
West Richland PD

Chehalis PD
Grandview PD
Town of Hunts Point
Tukwila PD
Moxee PD
Kennewick PD
Airway Heights PD
Puyallup PD
Yakima PD
Newcastle PD
Richland PD
Olympia PD
Hoquiam PD
Lakewood PD
Pasco PD
Federal Way PD
Brewster PD
Union Gap PD
Kent PD
Marysville PD
Napavine PD
Prosser PD
Mabton PD

Omak PD
Benton Co. SO
Moses Lake School Dist. 161
Des Moines PD
Medina PD
Moses Lake PD
Arlington PD
Selah PD
Auburn PD
Centralia PD
Granger PD
Sunnyside PD
Aberdeen PD
Grant Co. SO
Sea Tac PD
Coming soon:
Sumner
Bonney lake
Gig Harbor

Hundreds of Vehicle Recoveries In <1 Year

 Yakima PD - Yakima, WA

From April to January, Yakima PD's Flock LPR cameras resulted in:

- ◆ 596 Stolen Vehicle Alerts
- ◆ 276 Stolen License Plates
- ◆ 190 Violent Persons Alerts
- ◆ 133 Wanted People
- ◆ 78 Sex Offenders
- ◆ 33 Missing Persons

“Flock Cameras have also become **our number one intelligence-sharing tool**. We have **assisted nine other Yakima county agencies** with their cases. Perhaps the most interesting was when we received a call from an investigator in California who saw a Flock hit in Yakima for a vehicle they were watching. Through a combined effort (led by the Department of Homeland Security), a warrant was served, resulting in the **recovery of thirty-eight guns, narcotics, and cash**.

– Yakima PD Chief Matt Murray

3 Arrests, 3 Vehicles Recovered in 1 Day

📍 Tukwila PD - Tukwila, WA

- Tukwila officers received an alert that a stolen vehicle was in the area. Officers located the vehicle and as they approached, another suspect in separate stolen vehicle attempted to flee. This vehicle was recovered a short time later.
- Officers continued with their original traffic stop, arresting a suspect in possession of fentanyl and meth and recovering the stolen car.
- Later that same day another Flock LPR alert led officers to the same parking lot, where they recovered a third stolen vehicle.



Case Study - LPRs and Public Parks

📍 Spokane County Sheriff's Office - Liberty Lake, WA

- Liberty Lake officers and Spokane County deputies responded to reports of an assault that occurred on a local hiking trail.
- The female victim told authorities that an unidentified male suspect attacked her before fleeing in his vehicle.
- Authorities checked a nearby Flock Safety LPR and identified a suspect vehicle, whose registered owner matched the suspect's description provided by the victim.
- Deputies located the vehicle the following day and arrested the suspect on foot nearby.
- He is charged with 2nd Degree Assault.

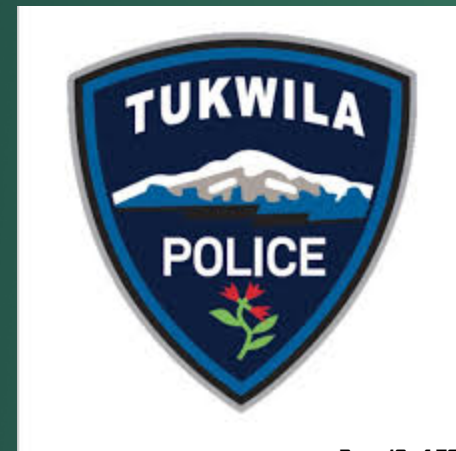


Collaboration

📍 Sumner PD - Sumner, WA

📍 Tukwila PD - Tukwila, WA

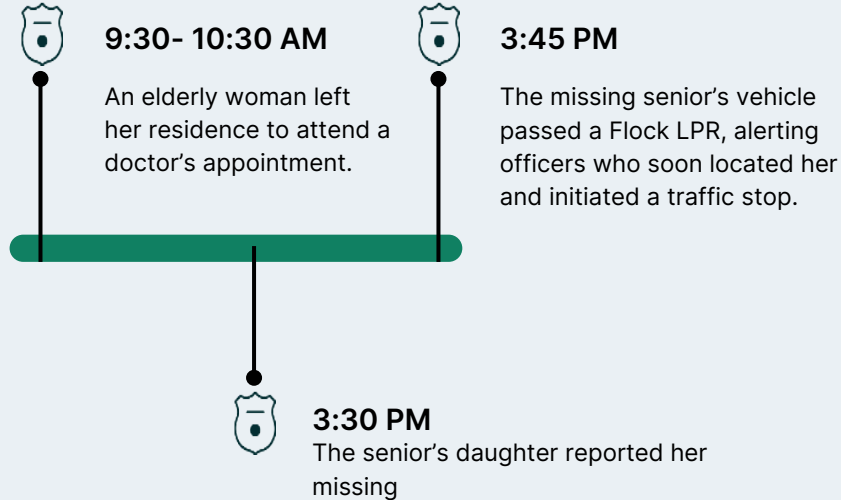
- Sumner PD responded to a shooting. Suspect vehicle description and license plate provided by the victim but driver was not known.
- Sumner PD Detectives contacted Tukwila PD and determined from Flock data that the suspect vehicle was often at a business in Tukwila, where suspect worked.
- Sumner PD was able to identify the suspect and arrested and booked him for attempted murder.



O'Fallon Police use Flock Safety LPRs to Find Missing Elderly Woman

 O'Fallon PD - O'Fallon, MO

An 87-year-old woman, who went missing after departing her residence for a doctor's appointment, is safe after O'Fallon PD issued a Silver Alert.

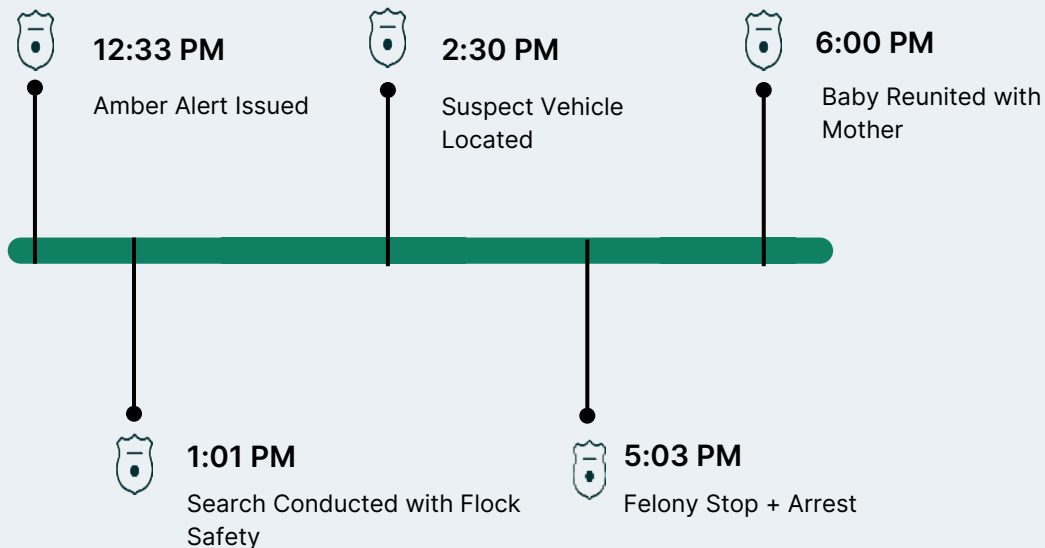


When Every Second Matters: Child Abduction

📍 Chamblee PD - Chamblee, GA



Stranger on Stranger Abduction
August 28, 2020



Flock Safety Program Costs:

- 12 Cameras and all hardware
- software subscription and data storage
- Initial term 12 months, prepaid
- First year costs with subscription, one-time start-up costs, and sales tax
\$44,128.50

What the WATPA Grant Covers:

- Grant amount up to \$50,000
- Will cover 100% of first 12 months prepaid services and start up costs
- Grant is a 1-time reimbursement grant, not on-going funding source
- City may elect to renew 12 month subscription (year-2) \$36,000 + tax = \$39,450.

Next Steps:

- Council approves acceptance of WATPA grant funds by resolution
- City executes grant documents with WATPA
- Police Department adopts Flock/Public Safety camera policies with stakeholder engagement/feedback
- Council authorizes Master Services Agreement with Flock Safety
- Police Department and Flock do final design, set-up, implementation and training.
- Full use of Flock public safety cameras by 1-1-25
- WATPA grant reimbursement to City Feb/March 2025

SUBJECT: Heritage Park Remediation Update

CATEGORY: Presentation

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Sumner Texaco Heritage Park Remediation

STAFF CONTACT: Alisa O'Haver-Ayala , Deputy Public Works Director

SUMMARY BACKGROUND:

Staff will be updating the Council on the Sumner Texaco Heritage Park Remediation project status.

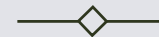
COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: 7/22/2024 COMMITTEE RECOMMENDATION: Discussion Only
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STAFF RECOMMENDATIONS/MOTION:

Discussion Only



SUMNER TEXACO HERITAGE PARK REMEDICATION



City Council Study Session 07/22/2024

Presented by Alisa O'Haver-Ayala, P.E., CCM
Public Works Deputy Director – Engineering /
City Engineer

Property Background



- 1944 to early 1990s: The Heritage Park property was used as a gas station.
- November 1990: Tacoma Pierce County Health Department (TPCHD) issued a permit for removal of underground storage tanks (USTs).
- 1994: City purchased the property for Heritage Park
- 03/06/1995 Ordinance 864 named the park Reuben Knoblauch Heritage Park
- The City performed preliminary, partial exploratory studies in 2010, 2011, and 2022.



Priority I. Heritage Park



Project Need

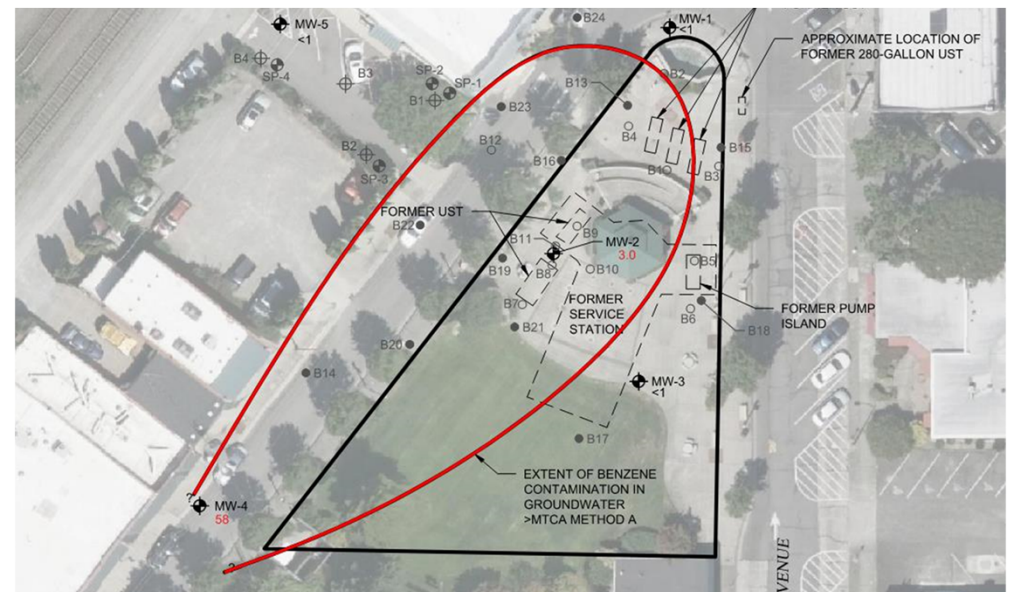
- The Main Street Vision (2021) identified redevelopment of Heritage Park as priority #1.
- Needed a better understanding of contamination prior to pouring colored/stamped concrete for the woonerf as part of the Town Center: Utility & Woonerf project.
- Continuing effort to resolve this prior to Heritage Park redevelopment.



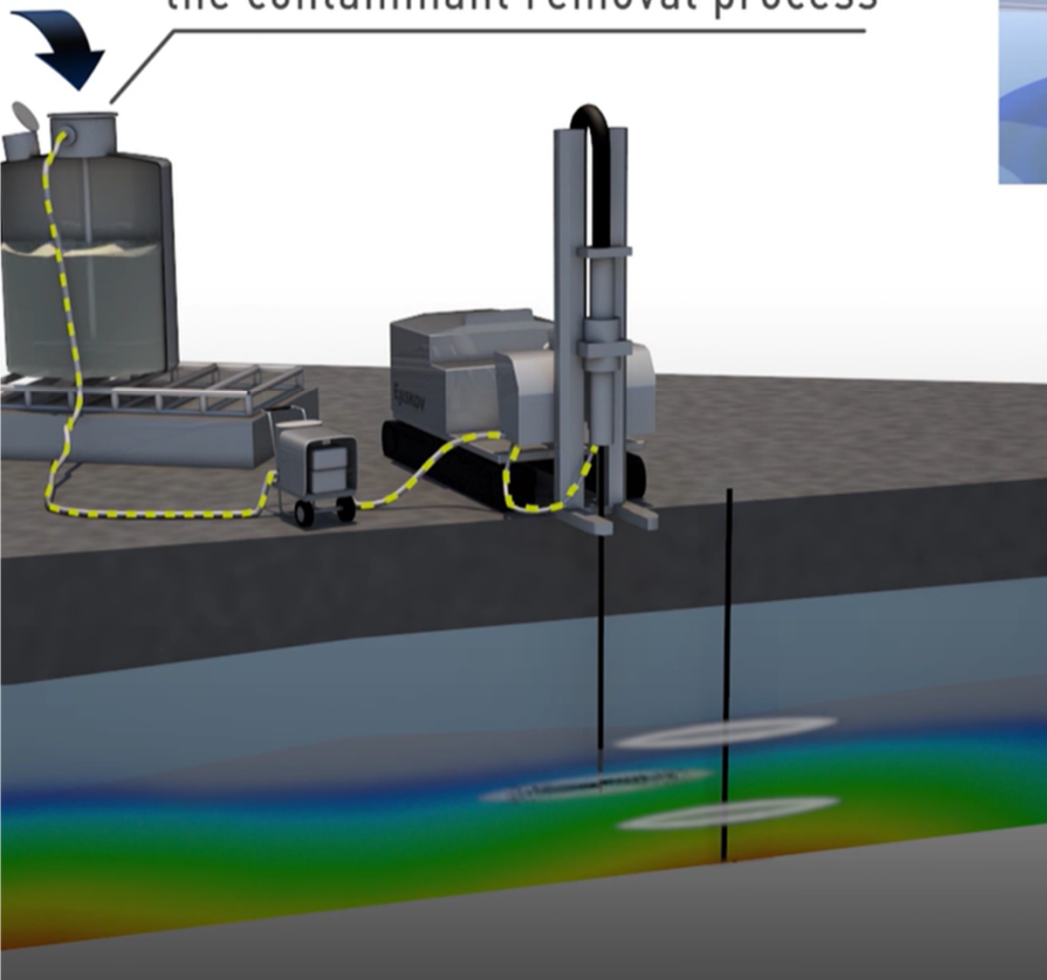
To Date (2022)



- City contracted with PBS Engineering and Environmental.
- PBS bored for soil and groundwater samples and installed five monitoring wells.



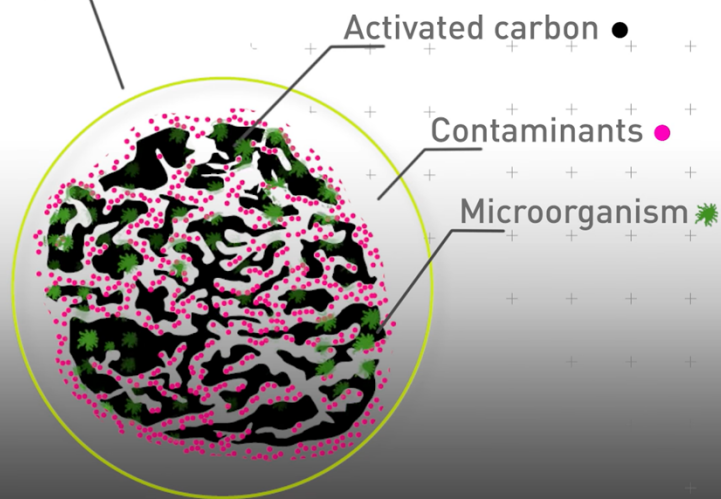
Trap & Treat® BOS 200® initiates the contaminant removal process



Recommended Method for Cleanup

- Remedial injections with Remediation Products Inc.'s (RPI) Trap & Treat remedial technology called BOS 200, or equivalent.
- Micro-organisms “eat” the pollutants (gasoline and benzene).

BOS200® particle

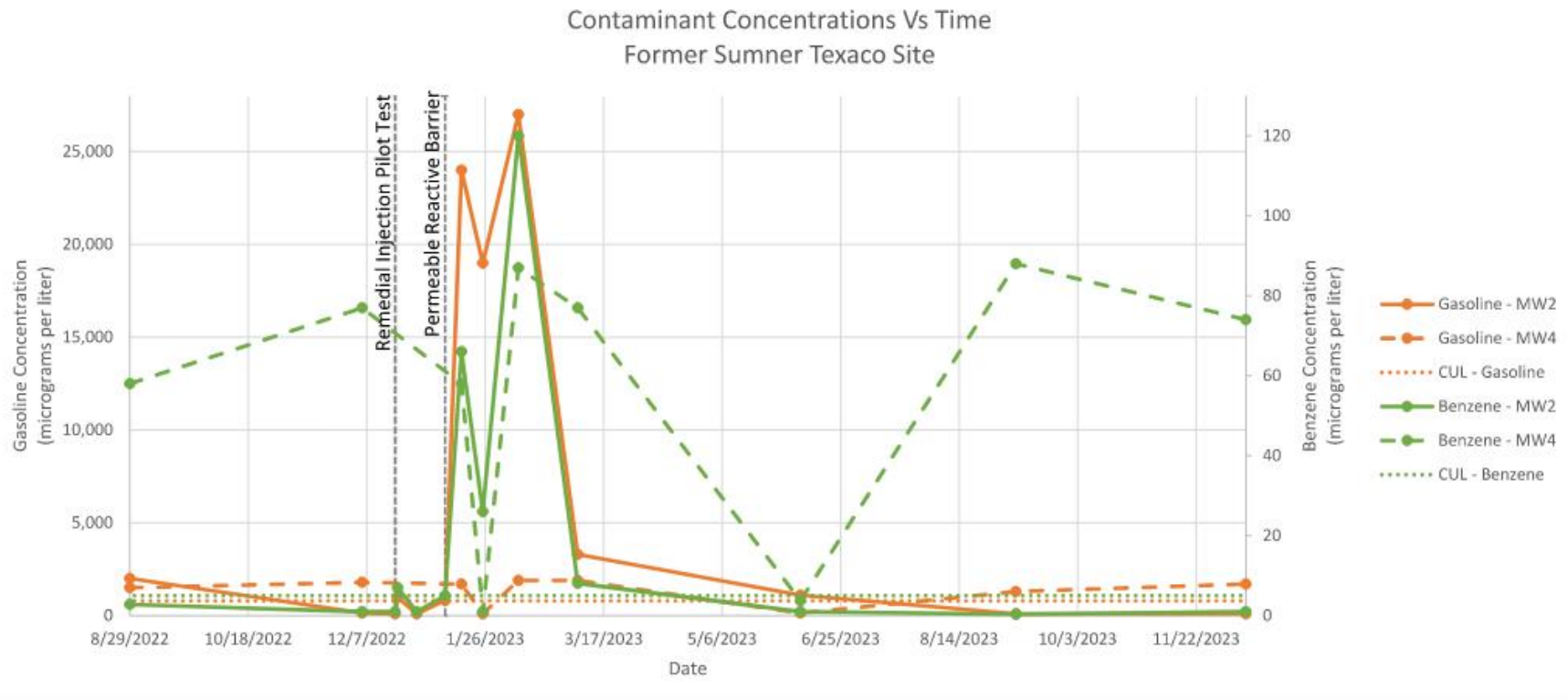


To Date (2023, continued)

- PBS completed the following:
 - Remedial Injection Pilot Test
 - Remedial Injection Reactive Barrier across Cherry Avenue
 - Installation of an additional Monitoring Well
 - Installation of two soil vapor wells
 - Ongoing groundwater monitoring

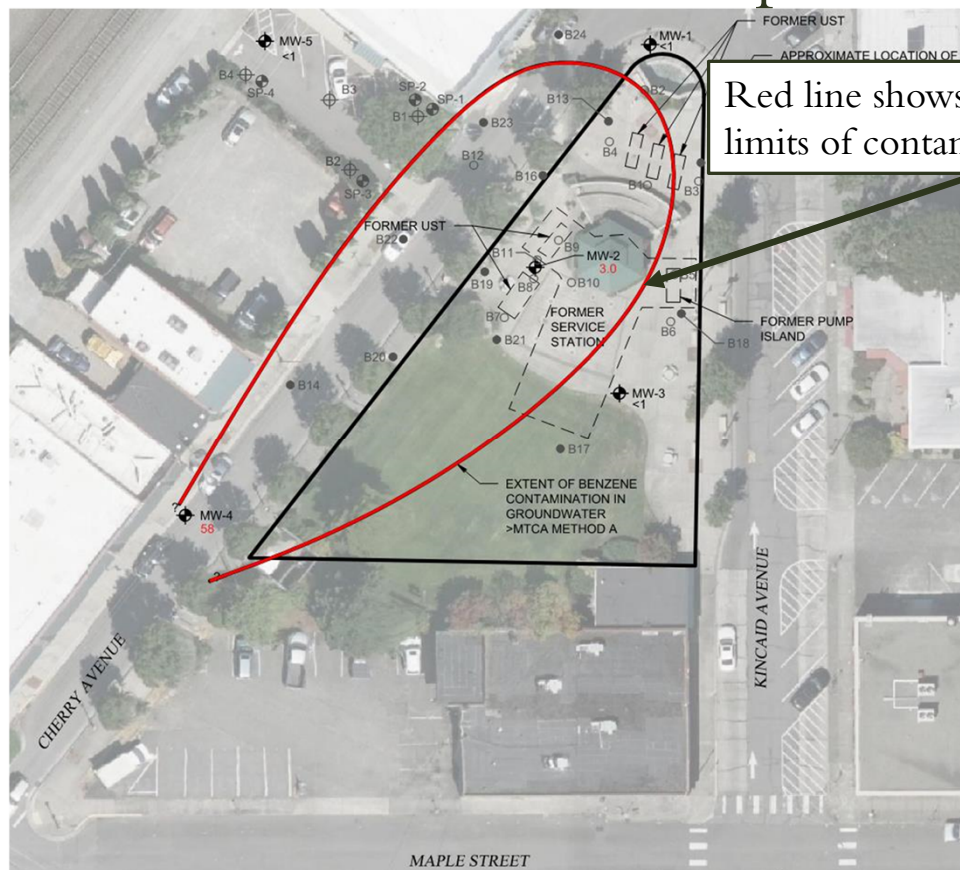


Results of Remedial Injections



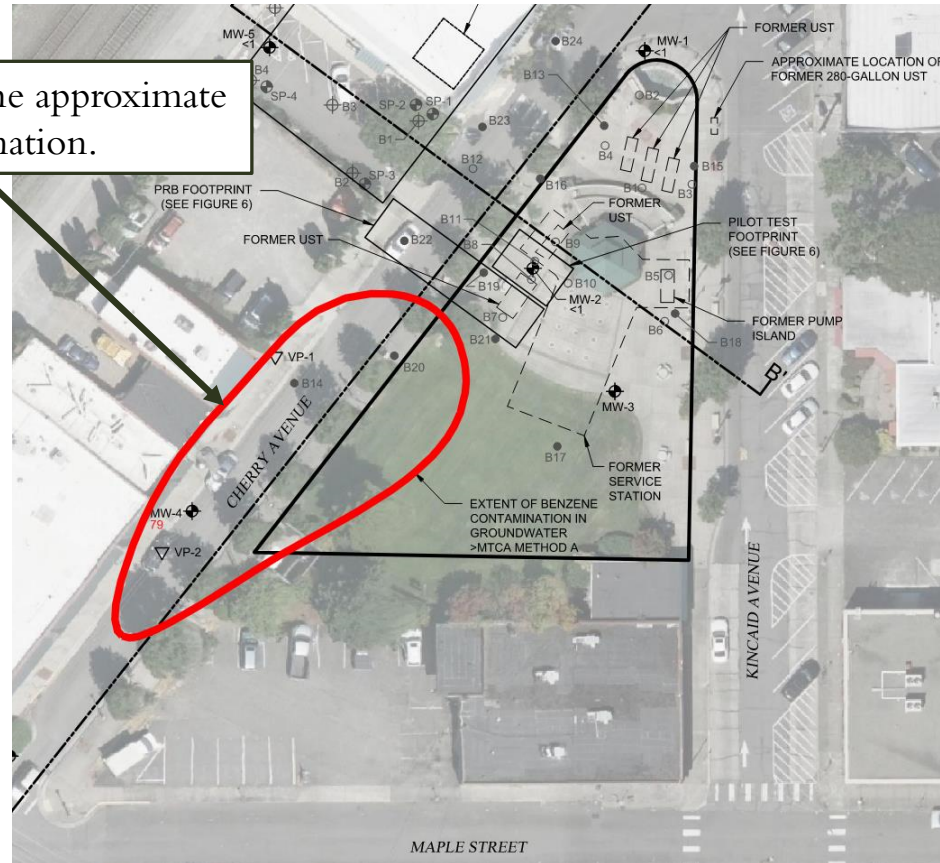
CUL – Clean Up Level for Unrestricted Land Use

Comparison 2022 to 2024



2022

Red line shows the approximate limits of contamination.



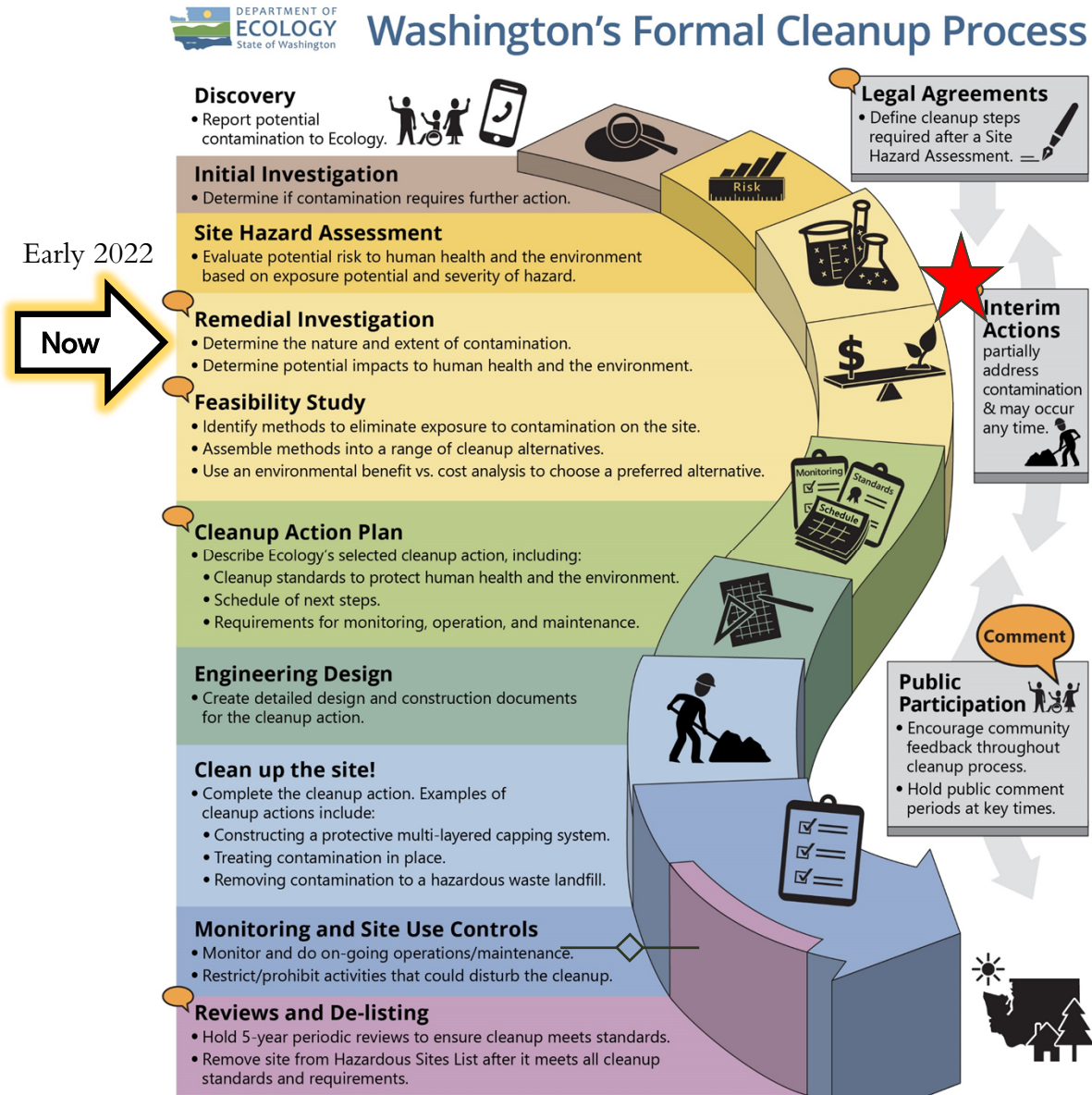
2024

Washington Department of Ecology (DOE) Formal Cleanup Process

We continue to work through the Remedial Investigation (RI) step in the cleanup process.

The pilot test as well as a year of sampling was necessary to complete the Remedial Investigation.

The consultant is scoped through the Feasibility Study (FS).



Next Steps

- July 2024: Submit Remedial Investigation (RI) and Voluntary Cleanup Plan (VCP) application to the Department of Ecology (DOE)
- Q4 2024: Receive response from DOE on RI and VCP and submit Feasibility Study.
- 2025-2026: Work with DOE and TPCHD to develop a Cleanup Action Plan, design and implement the Cleanup Action Plan.

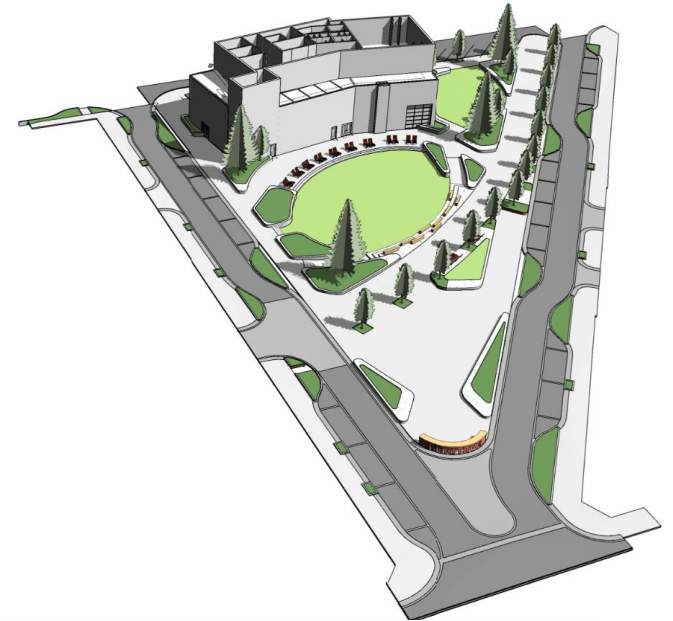


Approximate Total Cost:

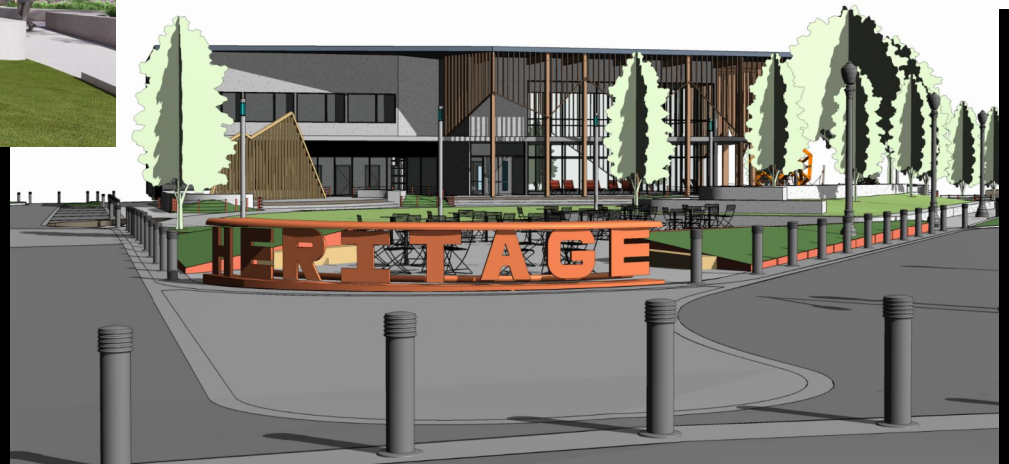
Status	Action	Approximate Cost
Approved	June 2022 Consultant Services Contract with PBS and 2 Amendments (October 2022 and April 2023) for the Pilot Test, Remedial Injections, Soil Vapor Sampling, Ongoing Groundwater Monitoring, and to complete Remedial Investigation (RI) and Feasibility Study (FS)	\$289,200
Future (2024)	Enrollment in Department of Ecology (DOE) Voluntary Cleanup Program (VCP)	\$25,000
Future (2025)	Consultant amendment to develop the Cleanup Action Plan and design the remediation, following approval of the method by DOE and Tacoma Pierce County Health Department (TPCHD)	\$82,000
Future (2025-2026)	A separate bid/contract to implement PBS's remediation design	\$350,000
Future (2026-2028)	Consultant amendment to continue to monitor the site and coordinate with DOE and TPCHD to obtain a No Further Action Letter.	\$210,000
Approximate Total Costs		\$956,200



SUMNER TEXACO HERITAGE PARK REMEDIATION



Questions?



SUBJECT: Resolution No. 1695 - City Council Rules of Procedure

CATEGORY: Resolution

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Resolution No. 1695 - Council Rules of Procedure (Amended)
2. Presentation

STAFF CONTACT: Andrea Marquez, City Attorney, Jason Wilson, City Administrator

SUMMARY BACKGROUND:

The City Council has complete authority to determine the rules and procedures that govern City Council meetings. From time to time, it becomes necessary to revisit the adopted rules to ensure they align with updates in state law and best practices. Tonight's discussion will cover a variety of rule changes recently adopted by other jurisdictions to address issues related to the public comment section of the meeting. Council can then determine whether it desires to make any revisions to the current Council rules.

COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: 7/22/2024 COMMITTEE RECOMMENDATION:
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STAFF RECOMMENDATIONS/MOTION:

Council Rules discussion

**RESOLUTION NO. 1695
CITY OF SUMNER, WASHINGTON**

A **RESOLUTION** establishing a procedure for the conduct of Council Meetings, proceedings, and business; and repealing and replacing Resolution No. 1624 approved May 2, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AS FOLLOWS:

Section 1 **Authority.** The Sumner City Council hereby establishes the following procedures for the conduct of Council meetings, proceedings and business. These procedures shall be in effect upon adoption by the Council and until such time as they are amended or new procedures are adopted in the manner provided by these rules.

On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in Robert's Rules of Order, current edition, shall serve as a guide.

Section 2 **Regular Council Meetings.** A regular Council meeting is a formal meeting for the purpose of conducting official City business. This includes, but is not limited to, public comments, public hearings, presentations, the adoption of ordinances resolutions, contracts and agreements, and budgets.

- a. Council's regular meetings will be held the first and third Monday of each month in the Council Chambers at City Hall and will begin at 6:00 p.m.
- b. All regular council meetings will be accessible to the public via ZOOM or an equal virtual platform.
- c. If possible, only one or two major topics (defined as issues of high interest or controversial, or those which would take an extraordinary amount of the City Council meeting) will be scheduled per meeting.
- d. If any Monday on which a meeting is scheduled falls on a legal holiday, the regular meeting or study session shall be held on the next business day at the same time and place.

2.1 **Agenda.**

Call to Order. The Mayor or Presiding Officer calls the meeting to order.

Pledge of Allegiance. The Mayor or Presiding Officer, or invited guests, will lead the flag salute.

Invocation. A member of the Clergy will give the invocation, as available.

Roll Call. The City Clerk shall call the roll and indicate any Councilmember who is not in attendance. Councilmembers may make a motion to excuse or not excuse absent Councilmembers at the meeting.

Consent Agenda. Consent Agenda items are considered to be routine and non-controversial and are approved by one motion. Items on the Consent Agenda include, but are not limited to, minutes, business claims, set dates of hearings, approval of payment of contracts, bid

awards, housekeeping amendments to ordinances and resolutions, and previously authorized agreements. Any Councilmember may remove any item(s) from the Consent Agenda for separate discussion and action; a second is not required. When an item is removed, the Consent Agenda is considered for action without that item. After the Consent Agenda has been considered, the item which was removed is considered. When discussion on that item is completed, a motion may be made to vote on the item or to refer it to Council Committee or to another meeting.

Public Comment. Members of the ~~audience~~public (in person ~~or~~, virtually ~~or in writing~~) may comment on issues ~~of concern or interest~~ related to the business of the City that ~~is~~are not on the agenda and ~~is on topics~~ not ~~otherwise~~ in violation of any other Council rule ~~(See section 7)~~ or law. ~~Public Comment is a time for the Council to hear from the public, and Dialogue/debate between Council and the public is discouraged.~~ ~~Public comment is for the benefit of the Councilmembers, and is not provided as an opportunity to speak to, inform, or educate the community.~~ ~~Written public comments shall be accepted by the City Clerk up to 4:00 pm on the night of each regular council meeting and disseminated to the City Council for review. Comments are limited to three (3) minutes. The Mayor or Presiding Officer may, at their discretion, limit public comment based on the volume of comments anticipated and in the interest of conducting the business of the Council in an efficient manner. Minutes may not be shared with other speakers. Written comments may also be submitted electronically, or in person, to the City Clerk by 4:00 pm the day of the Regular Council Meeting. Written comments will be acknowledged by name and subject matter by the City Clerk during the public comment section and distributed electronically to the Council.~~

The public may also comment (in person, virtually or in writing) on individual agenda items during any regularly scheduled City Council meeting. These agenda items include, but are not limited to, ordinances, resolutions, and Council business issues. These comment times are in addition to the Public Comment time. ~~The Mayor or Presiding Officer will acknowledge commenters at the close of their comments and decide on the disposition of their comments/issue, including but not limited to referral of the issue to City Administrator, a particular City Department, Council study session or Committee as deemed appropriate.~~

Proclamation/Presentations. Proclamations are issued by the Mayor in support of local causes, programs, or matters which advance adopted City policy and strategy, and increase public awareness of issues important to the quality of life of the Sumner community. Special presentations are requests by public groups or other agencies to present information on issues of interest to City Council and/or community. Proclamations and presentations do not require City Council action. Requests for proclamations or presentations shall be submitted to the Mayor or City Administrator for consideration and scheduling. Only one proclamation will be issued per year per organization. Proposals for proclamations or presentations promoting for-profit causes will generally not be considered. Proposals which promote a position on a pending ballot or legislative issue will not be considered. The mayor reserves the right to reject or modify a proclamation. A proclamation appearing on an agenda shall be distributed in the agenda packet and may be read at a Council meeting.

Public Hearings. Public Hearings are held to receive public ~~comment~~feedback on important issues and/or issues requiring a public hearing by state statute or City of Sumner ordinances. There are two types of public hearings, legislative and quasi-judicial. Legislative hearings focus on broad policy with general application. Quasi-judicial hearings focus on the rights of specific parties and decisions must be based on a formal record. The Mayor ~~or City Clerk~~ will state the public hearing procedures before each public hearing.

Unfinished Business. Unfinished Business consists of subjects discussed by the Council at a previous regular or special meeting, or subjects for which a public hearing was conducted at a previous regular or special meeting , and which are returning to the Council for additional discussion or final action. Ordinances ~~for~~requiring a second reading would appear under this category.

New Business. New Business consists of subjects which have not previously been considered by the Council, and which may require discussion and action. Ordinances shall be a new business item.

Announcements/Reports. Announcements and reports made by the Councilmembers, City Administrator and Mayor.

- a. The Mayor makes announcements of upcoming meetings and events, and reports on meetings and events in which they have participated.
- b. Councilmembers make announcements of upcoming meetings and events, and report on meetings and events in which they have participated. Councilmembers may report on their significant City activities since the last regular meeting. These comments shall be limited to three (3) minutes.
- c. Staff reports are made to the Council by the City Administrator on issues of interest to the Council which do not require Council action.

Executive Session. An Executive Session held before, during, or after a Council meeting is a discussion, pursuant to RCW 42.30.110 and/or RCW 42.30.140, that is closed to the public and attended only by the Council, Mayor, City Administrator, ~~Mayor~~City Attorney, City staff, and/or consultants authorized by the City Administrator or Mayor. At the conclusion of the Executive Session, if appropriate, the public meeting will reconvene to take action. Prior to adjourning into any Executive Session, the Mayor or their designee shall read the RCW(s) that authorizes such session.

Adjournment. The presiding officer shall adjourn the Council meeting upon proper motion and approval by the Council or at the conclusion of the agenda.

- 2.2 Agenda Bills. Agenda bills are the forms used for submitting issues to the Council for action. The agenda bill will include the subject matter (title for agenda), clearances, action required, budget information (if applicable), summary statement, and recommended motion. The Council may use the agenda bill "recommended motion" language for making a motion. The City Clerk will be responsible for assigning a number to the agenda bill.

- a. Ordinances are legislative acts or local laws. These are the most permanent and binding form of Council action and may be changed or repealed only by a

subsequent ordinance. Ordinances normally become effective five (5) days after publication in the City's official newspaper pursuant to RCW 35A.12.160.

- b. Resolutions are adopted to express Council policy or to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution.

Section 3 **Council Study Sessions.** An informal meeting for the purpose of reviewing forthcoming programs or projects, or receiving similar information, provided that all discussions and conclusions thereof shall be informal.

- a. Council study sessions will be held the second and fourth Monday of each month in the Council Chambers at City Hall and will begin at 6:00 p.m. and be limited to three (3) hours in length unless extended by a consensus of the Councilmembers present.
- b. All regular study sessions will be accessible to the public via ZOOM or an equal virtual platform.
- c. No final action may be taken at a study session; however council is specifically authorized to approve the meeting agenda and/or excuse a councilmember's absence from the ~~meeting~~study session.
- d. ~~Public testimony during study session is discouraged and shall only be heard at the discretion of the Mayor or Presiding Officer. No public comment shall be taken at a study session.~~
- e. A special study session may be called by the Mayor or by a majority of the members of the City Council.
- f. If any Monday on which a meeting is scheduled falls on a legal holiday, the regular meeting or study session shall be held on the next business day at the same time and place, or cancelled for that week at the discretion of the Mayor.

Section 4 **Other Meetings.**

- 4.1 Special Council Meetings. Any Council meeting other than the regular Council meeting, which has been called for the purpose of conducting official action and is limited to discussion of only those topics shown on the special meeting agenda. Notice shall be given at least 24 hours in advance as required by RCW 42.30.080. Notice shall be provided to Councilmembers by telephone and e-mail. A special Council meeting may be scheduled by the Mayor or by a majority of the members of the City Council. All special council meetings will be accessible to the public via ZOOM or an equal virtual platform.
- 4.2 Emergency Council Meetings. A special Council meeting called without 24-hour notice. An emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, by reason of fire, flood, earthquake or other emergency, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the Mayor as provided under RCW 42.30.070. The minutes will indicate the reason for the emergency. All emergency council meetings will be accessible to the public via ZOOM or an equal virtual platform.
- 4.3 Executive Sessions. A Council meeting that is closed except to the Council, City Administrator, Mayor, City Attorney, authorized staff members, and/or consultants authorized by the City Administrator or Mayor. The public is restricted from attendance.

Executive Sessions may be held during regular or special Council meetings, or as separate meetings, and will be announced by the Mayor or Presiding Officer. Executive Session topics are limited to considering only those matters authorized by RCW 42.30.110 or RCW 42.30.140.

- a. Before convening an Executive Session, the Mayor or Presiding Officer shall announce the purpose of the meeting and the anticipated time the session will be concluded. Should the session require more time, a public announcement shall be made, extending the meeting for a time certain.
- b. At the conclusion of the Executive Session, if appropriate, the public meeting will reconvene for taking action.
- c. Pursuant to RCW 42.23.070(4), no member of the Council, employee of the City, or any other person present during an executive session of the Council shall disclose to any person the content or substance of any discussion or action which took place during said executive session.

Section 5 General Code of Conduct.

5.1 Courtesy Norms:

- a. Be courteous and professional in recognition that Council communications and behaviors set the tone for the organization.
- b. To strive to honor time limits on meetings by arriving on time and having read preparatory materials.
- c. Refrain from eating or passing food during meetings. Councilmembers and the Mayor are permitted to consume non-alcoholic beverages during meetings.
- d. Out of respect for meeting presenters and not to violate the Open Public Meetings Act refrain from side conversations, phone calls, on-line activity, or electronic messaging during meetings.
- e. Use formal titles (Councilmember Jones, Mayor Anderson, etc.) during Regular Council Meetings. It shall be left up to each individual's discretion at informal meetings and work sessions.
- f. To be inclusive in policy making.
- g. To regularly check e-mail to use it as an efficient tool for communicating City news/activities.
- h. To strive for a partnership in the governance and operation of the City while respecting the necessary responsibilities for checks and balances.
 - 1. The Mayor shall seek to involve the Council in civic events and celebrations.
- i. Take individual responsibility for obtaining the information to learn about the actions and/or processes that occurred in meetings during an individual Councilmember's absence.

Section 6 Agenda Preparation.

- 6.1 The Mayor will be respectful of Council time by scheduling full and complete meetings and not having Study Sessions when there are insufficient agenda items.

- 6.2 The City Council desires adequate time to review and research all issues coming before it for consideration and/or action. Therefore, all communications, ordinances, resolutions, contract documents or other matters for Council consideration will be submitted to the City Clerk by 5:00 p.m. Friday, ten days prior to the scheduled Monday Council meeting. Items shall be submitted following agenda guidelines in the form designated by the City Clerk. Items not submitted in time will not be placed on the agenda. However, late items may be placed on the agenda consistent with the Robert's Rules of Order, and pursuant to the procedure below, by passage of a motion to amend the agenda.
- a. Any item may be placed on a regular Council meeting agenda, after the agenda is closed and the notice prepared, by the City Administrator, Mayor, or Councilmembers, with an explanation of the necessity, motion and a majority vote of the Council.
- 6.3 Issues coming before the City Council at regular session for a vote shall first be placed on the agenda of the appropriate Council committee or Council Study Session at the request of the City Administrator, the Mayor, or any two or more Councilmembers for recommendation to the full Council for approval.
- 6.4 Issues may be placed on the agenda of a City Commission for recommendation, but must go to a Council Committee or Council Study Session prior to being placed on the agenda of a Regular Meeting of the City Council.
- 6.5 Subject to the Council's right to amend the agenda, no legislative item, which has not been presented by consensus as a forthcoming agenda item by a Council Committee or Study Session shall be voted upon by the Council. Emergency situations (defined as that which would jeopardize the public's immediate physical health, safety, or welfare), would be exempted from this rule or when a majority of the Council votes in favor of placing such an item on the agenda for consideration.
- 6.6 Only items which receive a consensus approval at a Council Study Session or Council Committee will be placed on an upcoming Regular Council Meeting agenda. Items not receiving a consensus approval will be scheduled for additional discussion at an upcoming Council Study Session or referred back to the appropriate Council Committee for addition information
- 6.7 Communications not attached to a motion, ordinance, or resolution may be placed on a Council Study Session agenda for discussion and/or referral to a Council Committee, per the Council Rules of Procedure.
- 6.8 The City Clerk will prepare an agenda packet for each Council meeting specifying the time and place of the meeting, and setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review and approval by the City Administrator or designee or the Mayor.
- 6.9 The agenda bill form will be used for all items submitted for a regular or special Council meeting agenda. Items submitted for a study session agenda will include a cover memo briefly explaining the issue being discussed. Agenda packets will be ready for distribution to the Council by 5:00 p.m. Wednesday, prior to the following Monday's Council meeting.

Council or staff submitting items for the consideration will ensure Councilmembers are provided sufficient information to make decisions. Council shall contact staff prior to the meeting with questions or for assistance in regards to any packet item.

- 6.10 All Council agenda bills, when applicable, shall include budget amounts, requested expenditure and impact along with the statement of fiscal analysis, and identification of funding source. Item and/or issues containing new appropriations must be submitted to the Finance Committee for recommendation prior to being placed on a council agenda.
- 6.11 Some agenda items may be listed on the agenda for a time certain. Such listing will mean that an item will be heard as soon as reasonably possible on or about the specified time.
- 6.12 The City Clerk will prepare and keep current a calendar of agenda items for all Council regular and special meetings and study sessions. The City Clerk will also prepare and keep current a calendar of all Mayor and Council meetings and meetings of the Boards and Commissions of the City of Sumner.
- 6.13 The City Clerk will endeavor to schedule sufficient time between public hearings and other scheduled items so the public is not kept waiting an excessive amount of time and so the Council will have sufficient time to hear testimony and to deliberate matters among themselves.
- 6.14 Legally required and advertised public hearings will have a higher priority over other scheduled agenda items which have been scheduled by convenience rather than for statutory or other legal reasons.
- 6.15 Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.
- 6.16 Agendas for Regular Council Meetings should include, when possible, a positive note or celebration of community accomplishments, recognition of staff achievement, or presentation of an award or commendation for the City, an employee, or other official.

Section 7 Comments, Concerns and Testimony to Council.

- 7.1 Persons addressing the Council (in person or virtually), who are not specifically scheduled on the agenda, will be requested to sign in on the public comment sheet provided. ~~Comments are to be given at the podium area and limited to~~ Each commenter speaking in-person or virtually will have no more than three (3) minutes to speak. Minutes may not be shared with other speakers, and no member may cede their time to another speaker. Written comments submitted by any member of the public shall be in lieu of in-person or virtual comments, and not in addition thereto, as both become part of the official meeting record.
- 7.2 The Council may, by a majority vote, limit public comment based on the volume of comments anticipated and in the interest of conducting the business of the Council in an efficient manner.

~~All remarks will be addressed to the Council as a whole. Anyone who becomes boisterous, threatening, or personally abusive while addressing the Council, may be~~

~~requested to leave the meeting. All speakers during public comment, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and deportment. See Rule 2.1 under Public Comment.~~

- 7.32 It shall be unlawful for any person in the audience, whether virtually or in-person at a council meeting to do any of the following (1) Engage in disorderly, disruptive, disturbing, delaying or boisterous conduct, such as, but not limited to, handclapping, stomping of feet, displaying banners, holding signs, whistling, making noise including applause or booing of other speakings, use of profane language or obscene gestures, yelling or similar demonstrations, which conduct substantially interrupts, delays, or disturbs the peace and good order of the proceedings of the council.

The Mayor or Presiding Officer has the authority to preserve order at all meetings of the Council, to cause removal of any person from any meeting for disorderly conduct, to suspend a person's opportunity to speak and/or enforce the Rules of the Council. The Mayor or Presiding Officer may command assistance of any peace officer to enforce all lawful orders of the Mayor or Presiding Officer to restore order at any meeting.

- 7.43 The Mayor or Presiding Officer will acknowledge commenters at the close of their comments and decide on the disposition of their comments/issue, including but not limited to referral of the issue or question(s) to the City Administrator, a particular City Department, Council study session or Committee as deemed appropriate.

- 7.54 When addressing the Council, members of the public shall direct all remarks to the Council as a whole, shall refrain from remarks directed personally to any council member or any other individual, and shall confine remarks to the matters that are specifically before the Council at that time

- 7.6 No person may use public comment for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Further, any direct mention of a person's candidacy or a ballot proposition shall constitute grounds for immediate suspension of such person's right to speak at that Council meeting.

Section 8 Motions.

- 8.1 Motions shall be clear and concise and not include arguments for the motion within the motion.
- 8.2 After a motion and a second, the Mayor or Presiding Officer will state the names of the Councilmembers making the motion and second.
- 8.3 If a motion does not receive a second, it dies. Motions that do not need a second include nominations, withdrawal of a motion, agenda order, request for a roll call vote, and point of order.

- 8.4 After a motion has been made and seconded, the Council may discuss their opinions on the issue prior to the vote. Public comments may be heard at the discretion of the Mayor when there is a motion and a second on the floor.
- 8.5 A motion that receives a tie vote on the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money is deemed to have failed. The Mayor shall vote in the case of a tie only with respect to matters other than those stated above.
- 8.6 When the Council concurs or agrees with an item by consensus that does not require a formal motion, the Mayor or Presiding Officer will summarize the agreement at the conclusion of the discussion.
- 8.7 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.
- 8.8 A motion to table is not debatable and requires a second. It shall preclude all amendments or debate of the issue under consideration. If the motion to table prevails, the matter may be taken from the table only by adding it to the agenda of a future regular or special meeting at which time discussion will continue. If an item is tabled, it cannot be reconsidered at the same meeting.
- 8.9 A motion to postpone to a certain time is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting or at a time certain as established by Council motion at a future regular or special City Council meeting.
- 8.10 A motion to postpone indefinitely is debatable and is not amendable.
- 8.11 A motion to call for the question shall close debate on the main motion and is not debatable. This motion must receive a second and fails without a two-thirds (2/3) vote. If seven (7) Councilmembers are present, then five (5) must vote in the affirmative to fill the 2/3 requirement. Debate is reopened if the motion fails.
- 8.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting language in the motion. Councilmembers will contact staff prior to the meeting where the amendment will be considered for assistance in formulating proper amendment language. Councilmembers are responsible for ensuring questions of the legality of the amendments proposed are addressed with the appropriate staff prior to bringing the amendment to Council for consideration. The making of amendments from the floor at the meeting is discouraged unless the timing of the subject legislation requires immediate action.
- 8.13 Discussion of the motion only occurs after the motion has been moved and seconded.
- 8.14 The motion maker, Mayor or Presiding Officer, or City Clerk shall repeat the motion prior to voting.

- 8.15 The City Clerk shall, in random rotation, take a roll call vote, if requested by the Mayor, a Councilmember, or as required by law. No Councilmember shall pass or abstain from voting when called upon to vote.
- 8.16 At the conclusion of any vote, the Mayor or Presiding Officer or the City Clerk shall announce the results of the vote. The City Clerk may confirm the results.
- 8.17 When a motion has been passed by Council any Councilmember who voted in the majority may move for reconsideration of the motion. A motion to reconsider is in order only at the meeting where the original motion was passed.
- 8.18 The City Attorney shall decide all questions of interpretations of these policies and procedures and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these policies and procedures shall be guided by Roberts Rules of Order, current edition. In the event of a conflict, these Council policies and procedures shall prevail.

Section 9 Ordinances.

- 9.1 All ordinances shall be prepared or reviewed by the City Attorney. No ordinance shall be prepared for presentation to the Council unless requested by the City Administrator, Mayor, City Attorney, City staff, Council Committee, or a majority vote of the Council.
- 9.2 Ordinances will be introduced by an Agenda Bill. The City Clerk shall assign a permanent ordinance number prior to placing the ordinance on the agenda.
- 9.3 The Mayor or Presiding Officer or City Clerk shall read the title of the ordinance prior to voting.
- 9.4 The Mayor shall have the power to veto ordinances passed by the Council and submitted to them. Such veto may be overridden by the vote of a supermajority of all Councilmembers. The ordinance shall then become valid notwithstanding the Mayor's veto. If the Mayor fails for ten (10) days to either approve or veto an ordinance, it shall become valid without their approval.
- 9.5 Upon enactment of the ordinance, the City Clerk shall obtain the signature of the Mayor and City Attorney. After the Mayor's signature, the City Clerk shall sign the ordinance.
- 9.5 Ordinances, or ordinance summaries, shall be published in the official newspaper as a legal publication in the first possible publication following enactment.
- 9.6 An ordinance becomes effective five (5) days after the publication of the ordinance or ordinance summary unless otherwise specified.
- 9.7 Ordinances shall reflect the date of first reading, date of adoption, date of publication, and effective date.
- 9.8 There shall be one reading of an ordinance prior to any action and adoption by the City, unless a second reading is required by state statute or City code.

- 9.9 No public comment will be allowed on ordinances of a quasi-judicial matter.

Section 10 Mayor, Deputy Mayor and Presiding Officer.

- 10.1 The presiding officer at all meetings of the Council shall be the Mayor, and in the absence of the Mayor, the Deputy Mayor shall act in that capacity. If both the Mayor and Deputy Mayor are absent and a quorum is present, the Councilmembers present shall elect one of their members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor.
- 10.2 The Presiding Officer shall:
- a. Preserve order and decorum in the Council Chambers.
 - b. Observe and enforce all policies and procedures adopted by the Council.
 - c. Decide all questions on order, in accordance with these policies and procedures, subject to appeal by any Councilmember.
 - d. Recognize Councilmembers in the order in which they request the floor.
 - e. Retain the authority, during Public Comment, to determine whether a speaker's remarks fail to comply with these Rules or exceed the scope of the designated forums, and the presiding officer shall have the authority to suspend such person's opportunity to speak, subject to the Council's privilege to overrule such decision.
 - f. At the sole discretion of the Presiding Officer, they may call for a recess during any regular or special meeting so long as that recess does not exceed fifteen (15) minutes. The Council may recess during any regular or special meeting for greater than fifteen (15) minutes by a majority vote of the Councilmembers present.
- 10.3 Challenge to Ruling of Presiding Officer. Notwithstanding anything herein contained, including Robert's Rules of Order, to the contrary, any member of the Council shall have the right and privilege to challenge any ruling of any kind made by the presiding officer at any Council meeting, in which case the approval or disapproval of the ruling of the Presiding Officer shall immediately and without debate or comment be put to a vote of the Council, and the decision of the majority of the members of the Council then present, shall prevail.

Section 11 Council Relations With Staff.

- 11.1 There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities. Concerns about performance of staff shall be raised to the Mayor or City Administrator.
- 11.2 City staff shall acknowledge the Council as policymakers, and the Councilmembers shall acknowledge City staff as administering the Council's policies.

- 11.3 Councilmembers shall not attempt to influence City staff in the selection of, or retention of, personnel, the awarding of contracts, the selection of consultants, the processing of development applications, or the granting of City licenses or permits.
- 11.4 Councilmembers shall not attempt to interfere with the administration or internal operation and practices of any City department.
- 11.5 To ensure timely response and any required administrative actions, mail addressed to the Mayor shall be copied and circulated by the City Clerk to all appropriate persons as soon as practicable after it arrives.
- 11.6 No Councilmember shall direct the City Administrator or staff to initiate any action or prepare any report that is a priority or requires significant resources, or initiate any project or study without the consent of a majority of the Council.
- 11.7 Individual requests for information can be made directly to the Department Director unless otherwise determined by the City Administrator or Mayor. If the request would create a change in work assignments or City staffing levels, the request must be made through the City Administrator or Mayor.

Section 12 Council Meeting Staffing.

- 12.1 The City Administrator shall attend all meetings of the Council unless excused by the Mayor. The City Administrator may make recommendations to the Council and shall have the right to take part in the discussions of the Council, but shall have no vote. When the City Administrator has an excused absence, the designated Acting City Administrator shall attend the meeting.
- 12.2 The City Attorney shall attend all regular meetings of the Council unless excused by the City Administrator or Mayor and shall, upon request, give an opinion either written or oral, on legal questions. The City Attorney or designee shall act as the Council's parliamentarian. An Acting or Deputy City Attorney may attend meetings when the City Attorney has been excused.
- 12.3 The City Clerk, or designee, shall attend regular and special, and study session (when required) meetings of the Council, keep the official journal (minutes), and perform such other duties as may be needed for the orderly conduct of the meeting.

Section 13 Councilmember Attendance At Meetings.

- 13.1 If a councilmember is unable to attend a meeting, that Councilmember shall contact the Mayor prior to the meeting and provide the reason for their inability to attend the meeting. If the Councilmember is unable to contact the Mayor, the Councilmember shall contact the City Administrator or City Clerk, who shall convey the message to the Mayor.
- 13.2 At any point following roll call, the Mayor or Presiding Officer shall inform the Council of the Councilmember's absence. Councilmembers shall make a motion to excuse the

absent Councilmember. If the motion fails to receive a second, or fails by vote, the absence shall be considered unexcused.

- a. RCW 35A.12.060 provides that a Councilmember shall forfeit their office by failing to attend three (3) consecutive regular meetings of the Council without being excused by the Council. Members of the Council may ask to be excused by following the procedure described in this section.

- 13.3 For purposes of this section, and consistent with the provisions of the Open Public Meetings Act, regular Council meetings and study sessions, are regularly scheduled meetings and shall be considered regular meetings for determining whether a Council position has been vacated. For example, if a Councilmember has three (3) consecutive unexcused absences consisting of two (2) regular Council meetings and an intervening study session in a single month, such a Councilmember will have vacated the position.
- 13.4 Councilmembers are encouraged to attend all required meetings in-person, but shall have the option to attend any meeting virtually. Virtual attendance shall be considered the same as in-person attendance for quorum and voting purposes.

Section 14 Media Representation At Council Meeting.

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

Section 15 Council Representation.

- 15.1 If a Councilmember represents the City through electronic, social or other media, use of City letterhead, or in any public venue, for the purpose of commenting on an issue, the Councilmember shall state the majority position of the Council. Any individual Councilmember's personal opinions and comments which differ from the Council majority, or which relate to an issue for which the Council has not formally taken a majority position, may be expressed if the Councilmember makes clear that their statements do not represent the Council as a whole.
- 15.2 Councilmembers shall not speak for, or otherwise represent other Councilmembers' view or position, to the media, or to any another governmental agency or community organization. However, a Councilmember may represent, or speak to, the Council's majority position on any issue for which the Council has formally taken a position, to the media or any other governmental agency or community organization.

Section 16 Confidentiality.

- 16.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during executive session to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of executive session when the information is considered to be exempt from disclosure under exemptions set forth in the Revised Code of Washington (RCW).

- 16.2 If the Council, in executive session, has given direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party shall be done by the designated City staff representative handling the issue. Prior to discussing the information with anyone other than fellow Councilmembers, the City Attorney or City staff designated by the City Administrator or Mayor, Councilmembers should review such potential discussion with the City Administrator or Mayor. Any Councilmember having any such contact or discussion shall make full disclosure to the City Administrator, Mayor, and/or the City Council in a timely manner.

Section 17 Conflict of Interest.

- 17.1 Mayor and Councilmembers shall not, either directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from any source for any matter connected with or related to services as a Councilmember or Mayor.
- 17.2 Mayor and Councilmembers shall excuse themselves from consideration of any matter before Council in which they have a direct or indirect conflict of interest. If such conflict exists, the conflicted Councilmember or Mayor shall excuse themselves and leave the Council Chambers prior to any briefing, hearing, discussion, or other consideration of the matter. If a Councilmember is concerned that a perceived, but not actual, conflict of interest may exist, that Councilmember is encouraged to consult with the City Attorney to determine whether a voluntary recusal from consideration of that matter is appropriate. Prior to recusal (whether required or voluntary), a Councilmember may announce to the public the reason for the recusal.

Section 18 Public Records – Technology Use.

- 18.1 Public records created or received by the Mayor or any Councilmember should be transferred to the City Clerk's office for retention by the City in accordance with the Public Records Act, Chapter 42.17 RCW. Public records that are duplicates of those received by, or in the possession of the City, are not required to be retained. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Attorney. Councilmembers shall complete Public Records Act training as mandated by law.
- 18.2 All electronic communications (e-mail, social media, blog etc.) sent or received by a Councilmember from either a City or personal account which are determined to be a Public Record pursuant to state law shall be subject to disclosure.
- 18.3 Electronic Communications between elected officials of a governing body can implicate the Open Public Meetings Act. If discussing City business with a quorum of fellow Councilmembers via electronic communications, it may constitute a public meeting and all the requirements for a public meeting would have to be met or a violation of the Act could occur. Councilmembers shall complete Open Public Meetings Act training as mandated by law.
- 18.4 Councilmembers are prohibited from using personal computers and devices to create, edit, store or other similar action, any writing as described in RCW 42.56.010(3) that may

be a public record. Councilmembers may use a personal mobile device including smartphone or tablet to access City e-mail, provided that they do not create, edit or store writings on the device. Council also agrees to cooperate with any public disclosure request in which it would be reasonable to search those personally-owned devices for responsive records.

- 18.5 Councilmembers are required to follow the City's acceptable use policies when using City issued computers and devices. Council shall complete the required annual cyber-security training, as set for the City's acceptable use policies.
- 18.6 The use of social media to conduct city business, including communicating with constituents, generally constitutes a public record that may be subject to disclosure. All elected officials must follow the City's current elected officials social media policy, as adopted under a separate resolution. The City will provide regular training on the policy and assist with archival.

Section 19 Deputy Mayor Selection Process and Duties.

- 19.1 The Deputy Mayor shall be elected to a one (1) year term at the first Regular Council meeting in January of each year. The Mayor shall conduct the election for the Deputy Mayor as follows:
 - a. The Mayor shall open the floor for nominations. Nominations do not require a second.
 - b. At the conclusion of nominations, the Mayor shall ask for a motion and second to close nominations. A majority vote of Council is required.
 - c. The City Clerk shall conduct a roll call vote. Each Councilmember shall respond with the name of the nominee they wish to vote for. Any nominee receiving a majority vote of the Council shall be declared the winner of the election. In the event of a tie, the Mayor shall cast the tie breaking vote.
- 19.2 The Mayor shall preside at all meetings of the Council, and in the absence of the Mayor, the Deputy Mayor will act in that capacity, following established procedures and directives provided in Section 10 of the Council Rules for the Mayor. If both the Mayor and Deputy Mayor are absent, the Councilmembers present shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor.

Section 20 City Council Committees.

- 20.1 The following City Council Committees are formed by City of Sumner Resolution or City Code:
 - a. Finance/Personnel
 - b. Public Works
 - c. Community Development/Parks
 - d. Public Safety
 - e. Lodging Tax Advisory Committee

20.2 Membership/Attendance

- a. ~~For a~~ All committees, other than the Lodging Tax Advisory Committee, shall ~~have a membership be comprised~~ of three (3) Councilmembers. A fourth Councilmember will also be appointed to serve as alternate. The Lodging Tax Advisory Committee shall consist of one Councilmember who will serve as the chair.
- b. All council committee meetings will be accessible to the public via ZOOM or an equal virtual platform.
- c. Councilmembers wishing to attend a meeting of a committee of which they are not a regular member shall provide the Chair of that committee and the City Clerk 48 hours advanced notice of their intent to attend, and will attend in the capacity of an observer only. In accordance with the laws governing Council action, any four (4) Councilmembers participating in the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions, constitutes a quorum of the full Council. A meeting of a quorum of the full Council requires 24-hours public notice and publication of a special Council meeting agenda stating the business to be transacted.
- d. If a councilmember is unable to attend a meeting, that Councilmember shall contact the Department Director responsible for the Committee prior to the meeting and provide the reason for their inability to attend the meeting. If the Councilmember is unable to contact the Department Director, the Councilmember shall contact the Mayor, City Administrator or City Clerk, who shall convey the message to the Department Director.
- e. A Councilmember shall be removed from an appointed Committee position and replaced by the alternate member upon three (3) consecutive unexcused absences or upon five (5) total unexcused absences in any twelve month period. Removal shall come as a recommendation of the remaining members of the subject Committee and shall be placed on the Council agenda at the next regular council meeting for confirmation by the full Council.
- f. Membership of each Committee shall be for a two (2) year term. The City Council shall appoint the members of each Council Committee by the second meeting of each even numbered year. Each Council Committee shall appoint its Chair.
- g. Councilmembers may trade committee membership with another Councilmember upon a do pass recommendation of both of the affected committees. The issue will then be placed on the consent agenda of the next available regular Council meeting for confirmation by the full Council.
- g-h. No public comment shall be taken at council committee meetings.

20.3 Committee Work Programs and Agendas

- a. Recommendations. The Council Committee shall, with staff support, study issues and make recommendations to the full Council for action. Such recommendations may include a do pass to place the issue on a future regular Council meeting agenda for formal action by the full Council. It may also include a do not pass recommendation, which requires no further Council action. Should the Committee determine that further study of an issue by the full Council prior to taking formal

action is warranted; the item will be placed on a future study session agenda for review. These actions will be clearly noted in the Committee minutes.

- b. Committee Agendas. Committee agendas shall be prepared at least two (2) business days in advance by the Committee staff in coordination with the Committee Chair and in consultation with the City Administrator or Mayor. Committee agendas shall be distributed to the full Council. If an agenda is not available to the Committee members at least two (2) business days in advance or if there is a lack of Committee business, the Committee meeting shall be cancelled. Staff shall notify the full Council at least 24 hours in advance of the time the meeting is to commence. Notice of the cancellation shall also be posted for the public. Should a Councilmember wish to submit an item to a Committee agenda, they shall coordinate with the Committee Chair to do so. The Chair shall coordinate with the staff liaison for inclusion of such items.

Section 21 Appointments To Regional Organizations.

- 21.1 Appointments to regional bodies, Ad Hoc community committees or other special committees outside the City auspices may be made in two ways: 1) the regional committee may request recommendations for ultimate appointment by the regional committee; or 2) the City may make direct appointment to a regional committee when asked to do so by that body.
 - a. Any Councilmember may express an interest in a particular subject and interest in serving on a particular regional body.
 - b. Council Committee membership shall not limit a Councilmember's interest in serving on a particular regional body.
 - c. When a regional body requests membership recommendations where the regional body makes the final appointment, the Mayor shall ask Councilmembers to state their interest for appointment. All names shall be submitted by the Mayor to the regional body which will then make the appointment(s) subject to confirmation by the Council.
 - d. When the Council has the authority to make direct appointment to a regional committee, discussion shall take place with the full Council to determine interest. The Mayor or Councilmember receiving a majority vote will represent the City on that regional body.
 - e. Changes in representation to regional committees where the Council has the authority to make a direct appointment shall also be determined through full Council discussion and majority vote of the Council.
 - f. For the purpose of appointing or reappointing Council members to authorized regional committee assignments (PCRC, RCC, SS911 etc.), the City Council shall appoint the members of each regional committee by the second meeting of each even numbered year.
 - g. If a councilmember is unable to attend a meeting, that Councilmember shall contact the Mayor prior to the meeting and provide the reason for their inability to attend the meeting. If the Councilmember is unable to contact the Mayor, the Councilmember shall contact the City Administrator or City Clerk, who shall convey the message to the Mayor.

- 21.2 When the Mayor and/or Councilmembers register to attend an official conference requiring voting delegates, such as the annual National League of Cities or Association of Washington Cities, the Council shall designate the voting delegate(s) and alternative voting delegate(s) during a public meeting, by a majority vote. When possible, said selection of voting delegate(s) shall be done on a rotating basis for the purpose of allowing all Councilmembers the opportunity to be an official voting delegate.

Section 22 Suspension and Amendment of Rules.

- 22.1 Any provision of these rules not governed by State law or ordinance may be temporarily suspended upon proper motion and second and a majority vote of the Council.
- 22.2 Amendments to Rules. Amendments to these rules shall be made by resolution of the Council, which must be laid over at least one week, and may then be made by a majority vote of the membership of the City Council. After such proposed amendments have been laid over for one week, they may be amended, added to, or deleted, and adopted at the same or a subsequent session of the Council.

Section 23 Decorum and Debate.

- 23.1 The City Council has power under general State law to impose punishment on its members, short of removal from office, for violation of State law or Council rules. When a decorum-related measure is presented for consideration to the Council, the Mayor shall recognize the appropriate individual to present the matter. When two or more Councilmembers wish to speak, the Mayor shall name the Councilmember who is to speak first. No member of the Council shall interrupt another while speaking except to make a point of order or privilege. No Councilmember shall be permitted to use derogatory or demeaning language when speaking to or about another Councilmember or member of the public.
- 23.2 If a Councilmember is violating the Rules of the Council, the Mayor or any Councilmember may call them to order, in which case they shall immediately be quiet. However, that Councilmember may appeal the ruling of the Mayor to the entire council. The Council shall, if appealed to, decide the case without debate. If the decision is in favor of the Councilmember called to order, they shall be allowed to proceed. If the decision is not in favor of the Councilmember called to order, they shall not proceed or continue in the action which has been determined to be out of order.
- 23.3 By vote of the majority of the Council, sanctions for violating the Council Rules may include any of the following:
- a. a verbal admonition,
 - b. a written reprimand,
 - c. censure,
 - d. expulsion from the meeting; and/or
 - e. removal of a Councilmember from appointed Council Committee(s) or Chair positions or removal of intergovernmental duties.

Section 24 Council Vacancies.

- 24.1 A Council position shall be officially declared vacant upon the occurrence of the causes of vacancy set forth in RCW 35A.12, Council Rule Section 13, or resignation, recall, forfeiture, written intent to resign, or death of a Councilmember.
- 24.2 In the occurrence of a vacancy, the Mayor or Council will direct staff to begin the appointment process and establish an application, interview, and appointment schedule. The Council has 90 days to fill the vacancy, after which time it will be filled by the Pierce County Council.
- a. Council may request additional public processes other than those delineated here, such as open houses, forums etc. as long as they are properly noticed and open to all members of the public.
- 24.3 The Councilmember who is vacating their position cannot participate in the appointment process.
- 24.4 Staff will advertise for the open position electronically, advise newspapers and other forms of media as appropriate, and post notices at City Hall. Applications will be due 30 days from the date the application is made available.
- a. Staff will prepare an application form which requests appropriate information for City Council consideration of the applicants. Applicants will be asked to submit a completed application, supplemental questions, and a resume. Endorsements, letters of reference or other materials will not be accepted.
 - b. Completed applications and supplemental materials received by the deadline will be copied and circulated to the Mayor and Council. Applications will be posted electronically following PDC rules for disclosure.
 - c. At the close of the application period, all timely applications will be reviewed by the City Clerk for completion and qualification. Interested candidates that submit an incomplete application, or that do not meet the minimum legal qualifications to be appointed, will not be considered. Staff shall notify the candidate of their disqualification accordingly.
- 24.5 Interviews will occur at the first available Study Session following the close of the application period, unless a special meeting needs to be called to avoid expiration of the 90 day appointment timeframe, or to avoid conflicting with other time sensitive policy issues. For efficiency, interviews may be recorded in advance and presented during the Study Session. The City Clerk shall establish the order of the interviews/presentation by random draw at the beginning of the Study Session.
- a. In an effort to preserve a fair interview process, if the interviews are in person (not pre-recorded), applicants not being interviewed may be asked to temporarily leave the meeting while they are not being interviewed, but are not required to do so.
 - b. Following each applicant interview, Councilmembers may ask follow-up clarifying questions. Clarifying questions will be limited to three (3) minutes per applicant.

- 24.6 The voting process will occur at the next available Regular Council Meeting following the interviews, unless the interviews and voting need to occur at the same special meeting to avoid expiration of the 90 day appointment timeframe. At the start of the meeting, the Mayor will call for nominations from Councilmembers for the purposes of creating a ballot. Each councilmember may make one nomination. No second is needed. Nominations are closed by motion, second, and a majority vote of the Council.
- 24.7 At the close of the nominations, the Mayor may accept public comment related to the final nominees. Public comment shall be limited to two (2) minutes.
- 24.8 Voting will occur in public by roll-call vote. Upon hearing their name, each Councilmember shall vote by saying the name of the nominee they wish to appoint. Any applicant receiving a majority vote of the sitting Council members shall be declared the winner. Nominees receiving the least amount of votes shall be dismissed from future rounds of voting. The Council may vote as many times as necessary to obtain a majority vote. In the case of a tie between final two nominees, the Mayor will cast the deciding vote.
- a. At any time in the process, the Council may recess to executive session for the limited purpose of discussing the qualifications of the candidates in accordance with state law. This may be requested by any Councilmember. No voting or straw polls may be taken in executive session.
 - b. The Council may move to postpone the election to a date certain if a majority vote is not received.
- 24.9 The Mayor shall declare the candidate receiving the majority vote as the new Councilmember, to be sworn into office and seated at the next regular Council meeting.
- 24.10 Any deviation from this procedure shall be by motion and shall require a second and majority vote of the Council.

Section 25 Repealer.

Resolution No. 1575, adopted March 15, 2021, is hereby repealed and replaced in its entirety.

Section 26 Severability.

If a section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Sumner Municipal Code, the provisions of this resolution shall control.

Section 27 Corrections by City Clerk or Code Reviser.

Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this resolution, including but not limited to the correction

of clerical errors; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 28 Effective Date.

This resolution shall become effective immediately upon adoption.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this 19th day of August 2024.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

City Attorney Andrea Marquez



Council Rules of Procedure

July, 2024

Council Meetings Generally – Limited Public Forums



- Council meetings are business meetings of the Council. They are not “the public’s meetings”
- Council can establish rules of conduct and decorum for their meetings.
- Reasonable “time, place and manner” restrictions on speech
- This includes things like time limitations on speech, a specific agenda item where speech is invited, and other procedural rules that are “content neutral”



Public Comment

Currently: 3 minutes per person, can submit written comments prior to meeting and testify orally in-person or virtually.

Steady uptick in “zoom bombing” or hateful rhetoric being spewed by commenters. Many cities are implementing rule changes to help control/limit these instances.

- Can’t stop it unless there is an actual disruption

Options to discuss on following slides: (not mutually exclusive)



Option 1:

Reduce or increase
time limit?

Statewide, 3 minutes is
the rule, not the
exception.

Some jurisdictions limit
the public comment
section of the agenda to
30 minutes total.



Option 2:

Prohibit comments on topics not related to City business

Proposed language:

“Members of the public may comment on matters over which the City Council has jurisdiction or are germane to City business”

A close-up, black and white photograph of a microphone grille, showing a dense, woven mesh pattern. The grille is curved and occupies the left side of the frame, with a dark background behind it.

Option 3:

Prohibit remote public comment entirely OR

1. Require advanced registration (24 hours is common)
2. Require cameras on
3. Require full name and address before beginning comments

A close-up, black and white photograph of a microphone grille, showing a dense, woven mesh pattern. The grille is curved and occupies the left side of the frame, with a dark background behind it.

Option 4:

Specify either comments in writing or oral comments in-person. Both become part of the record, no need for redundancy.



Option 5:

Prohibit donating time to another speaker, or sharing public comment time.

Proposed language:

“Minutes may not be shared with other speakers, and no member may cede their time to another speaker.”

A close-up, black and white photograph of a microphone grille, showing a dense, woven mesh pattern. The grille is curved and occupies the left side of the frame, with a dark background behind it.

Option 6:

Move public comment agenda item to the end. This disincentivizes true “zoom bombers.”

Other Rule amendments to consider

- Require in-person attendance for all Council members?
- Change start time of Council meetings or Study Sessions?
(*Requires code change)
- Adopt rules around Service animals
- Other?

Questions/Discussion

CITY COUNCIL AGENDA CALENDAR

Updated July 15, 2024

CA – CONSENT AGENDA **ES** – EXECUTIVE SESSION **NB** – NEW BUSINESS
UB – UNFINISHED BUSINESS **P** – PRESENTATION **PH** – PUBLIC HEARING **PR** – PROCLAMATION

8/7	EE BBQ	
9/12	All-Staff	Old Cannery
12/10	EE Breakfast	

AUGUST 5 (RCM)

CA Council Rules and Procedures Update
CA Rivergrove Pedestrian Bridge - Consultant Supplement for Design
NB Ordinance No. XXXX – Public Record Requests

AUGUST 12 (SS)

- Library Update
- Community Partner Fund Presentations (*Windish*)

AUGUST 19 (RCM)

5pm Ribbon Cutting @ Cemetery

CA Resolution No. 1673 - Commerce Grant Acceptance Cemetery Facility
CA Approve Occupancy Tax recommendations
NB Stewart Road Bridge – PSE Easement Acquisition

AUGUST 26 (SS) – CANCELLED (*equipment renovation*)

SEPTEMBER 3 (Tuesday) (RCM)

SEPTEMBER 9 (SS)

- MIC Transit Update
- PW Operations Facility Financing Update

SEPTEMBER 16 (RCM)

SEPTEMBER 23 (SS)

SEPTEMBER 30 (SSS)

- Budget

OCTOBER 7

OCTOBER 14

- Property Tax

OCTOBER 21

PH Property Tax Ad Valorem

OCTOBER 28

- Budget Review

CITY COUNCIL AGENDA CALENDAR

Updated July 15, 2024

CA – CONSENT AGENDA **ES** – EXECUTIVE SESSION **NB** – NEW BUSINESS
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Pending

MISC.	MISC.	MISC.
Short Term Rentals	Ordinance – Refuse Collection (Code Enforcement)	
CA State Homeland Security Program Grant Acceptance for Small Unmanned Aerial System	Public Memorial Policy	
Ordinance Insurance Requirements		
Sign Code Update (off premise)		
Zoning Code Amendment for Essential Public Facilities / Zoning Code Amendment BESS	School Impact Fee Update	

BUDGET

Clerk publishes notice that preliminary budget has been filed and publishes notice of public hearing(s) on final budget once a week for two consecutive weeks.	November 1, 2024 November 15, 2024	
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Study Session / Budget Review

September 30, 2024 (SSS)

October 14, 2024 (property tax)

October 28, 2024

November 11, 2024

Public Hearings / Council Meetings

October 21 (Property Tax Ad Valorem)

November 4 (Property Tax Ad Valorem) adoption

November 18, 2024 (preliminary on proposed budget)

December 2, 2024 (final budget hearing)

December 9, 2024 (Budget) adoption

JULY 2024

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6
6:00PM Regular Council Meeting (Hybrid)	4:00PM Public Works Committee (Hybrid)		Independence Day CITY HALL CLOSED 6:00PM CANCELLED Planning Commission		
8	9	10	11	12	13
6:00PM Study Session (Hybrid)		6:00PM **CANCELLED** Design Commission	4:00PM Finance Committee (Hybrid) 4:30PM Forestry/Parks Commission (Hybrid)		
15	16	17	18	19	20
6:00PM Regular Council Meeting (Hybrid)		4:00PM Public Safety Committee (Hybrid)			
22	23	24	25	26	27
6:00PM Study Session (Hybrid)			6:00PM Cultural Arts Commission (Hybrid)		
29	30	31			
		4:00PM **Date Change** CD Committee (Hybrid)			

*Meeting dates and times may change. Please contact City Hall to confirm this information prior to any meeting you plan to attend. **These meetings are accessible to persons with disabilities.** For individuals who require special accommodation, please contact City Hall at (253) 299-5500, 24 hours in advance.*

Name: Michelle Converse, CMC
Title: City Clerk

City of Sumner
1104 Maple Street | Sumner, Washington 98390
253-863-8300
Website: www.sumnerwa.gov

AUGUST 2024

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3
			6:00PM Planning Commission (Hybrid)		
5	6	7	8	9	10
6:00PM Regular Council Meeting (Hybrid)	4:00PM Public Works Committee (Hybrid)		4:00PM Finance Committee (Hybrid) 4:30PM Forestry/Parks Commission (Hybrid)		
12	13	14	15	16	17
6:00PM Study Session (Hybrid)		6:00PM Design Commission (Hybrid)			
19	20	21	22	23	24
6:00PM Regular Council Meeting (Hybrid)		4:00PM Public Safety Committee (Hybrid)	6:00PM Cultural Arts Commission (Hybrid)		
26	27	28	29	30	31
6:00PM **CANCELLED** Study Session		4:00PM CD Committee (Hybrid)			

*Meeting dates and times may change. Please contact City Hall to confirm this information prior to any meeting you plan to attend. **These meetings are accessible to persons with disabilities.** For individuals who require special accommodation, please contact City Hall at (253) 299-5500, 24 hours in advance.*

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