



The City of Sumner looks forward to welcoming members of the public to its meetings in-person, but until further notice will continue to conduct its meetings 100% virtually, using the ZOOM platform. The public is invited to attend using the ZOOM meeting access information below:

Please click the link below to join the webinar:

<https://sumnerwa-gov.zoom.us/j/81196451279>

Or One tap mobile :

US: +12532158782,,81196451279# or +16699006833,,81196451279#

Or Telephone:

Dial: +1 253 215 8782

Webinar ID: 811 9645 1279

CALL TO ORDER

Roll Call: Bitetto, Brown, Cole, Hochstatter, Neuman, Reed and Stuard

REGULAR BUSINESS

1. Operation Facility Update
2. Council Code of Conduct

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: Operation Facility Update

CATEGORY: Presentation

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Operations Facility Presentation

STAFF CONTACT: Doug Beagle, Development Services Director, Mike Dahlem, Public Works Director

SUMMARY BACKGROUND:

Staff will be providing an update on the operations facility design, financial analysis and needs assessment for the north parcels on 29th St E, bond issuance and overall project timing.

COUNCIL COMMITTEE/STUDY SESSION: Study Session

MEETING/STUDY SESSION DATE: 1/10/2022

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:



CITY OF
SUMNER
WASHINGTON



Operations Facility Update

Council Study Session 01/10/2022

Why do we need a new facility?

Current facility built in 2000

- Not large enough to accommodate staff/equity issues





Pre-COVID meeting. This is also their desk, their workspace, and their break room.





The current mudroom and one of the few true “workspaces” doubling as vending, server room and storage.

Why do we need a new facility?

Current facility, built in 2000, did not anticipate future needs:

What they built:

- Paper files
- Printed maps
- One shared workspace combined with lunchroom, meeting room

What we now use:

- **SCADA** – water monitoring software
- Online job tracking system
- Online timesheets
- Email
- Training
- Zoom meetings/training

Why do we need a new facility?

Not large enough to accommodate staff:

Parks

- Located at old golf course well house/shop
- Issues with floods, vermin, theft, vandalism
- Will lose access then torn down as part of White River Restoration

Facilities

- Located in old SDA office
- Not adequate for storage or maintenance needs
- Possibly torn down for Heritage Park redesign



- “Storage” on gravel in a humid pole barn (right)
- “Desks” and “breakroom” in an old wellhouse that floods (top)
- Staff “restroom” is a Honey Bucket (far right)



Why do we need a new facility?

Not large enough to accommodate our equipment.

- Tetris with vehicles
- Larger vehicles must be stored indoors
- Substantial risk of loss for service vehicles not parked indoors – including vehicles that cost approx. \$500,000 each.
- Ongoing theft
- Compounded impact of theft/vandalism – vehicles needed in emergencies



Why do we need a new facility?

Not large enough for future growth

- Expanded parks/trails mean more equipment/staff
- Increasing population means future growth of equipment/staff
- Increasing environmental needs i.e. electric vehicle charging



What have we done so far?

I. Needs Analysis

- Staffing, vehicles, office space, equipment, material storage
- What size we need.
- Not many options available for size of land we need.
- Assessed 6 properties and chose 29th Street.



What have we done so far?

2. Design—started July 2020

- September 2020, started questioning if site big enough for long-term. Started looking into properties on the north side of 29th.
- Proper spaces for needs—storage, staff workspaces, meeting rooms, mudroom, accessible locker rooms & showers for everyone
- Visual & practical designs to be good neighbors to residential
- Current Design moving from 60% to 90%



2. Building A: Admin Building Entry



4. Building F: Parking Canopy | East Entrance from 29th St E

What have we done so far?

3. Outreach

- Shared renderings plus answers to every question we could think about – i.e. concerns of noise, dust, visuals
- Includes Sumner Connects: 447 aware visitors, 46 informed visitors, 10 engaged visitors
- Print & E-Newsletters
- Social Media
- Open Houses virtual & on site in Fall 2021



What alternatives did we consider?

1

Retain existing facility instead of buying parcels on the north

- Either in full or partial
- Retain certain workgroups and/or services at existing shops facility

2

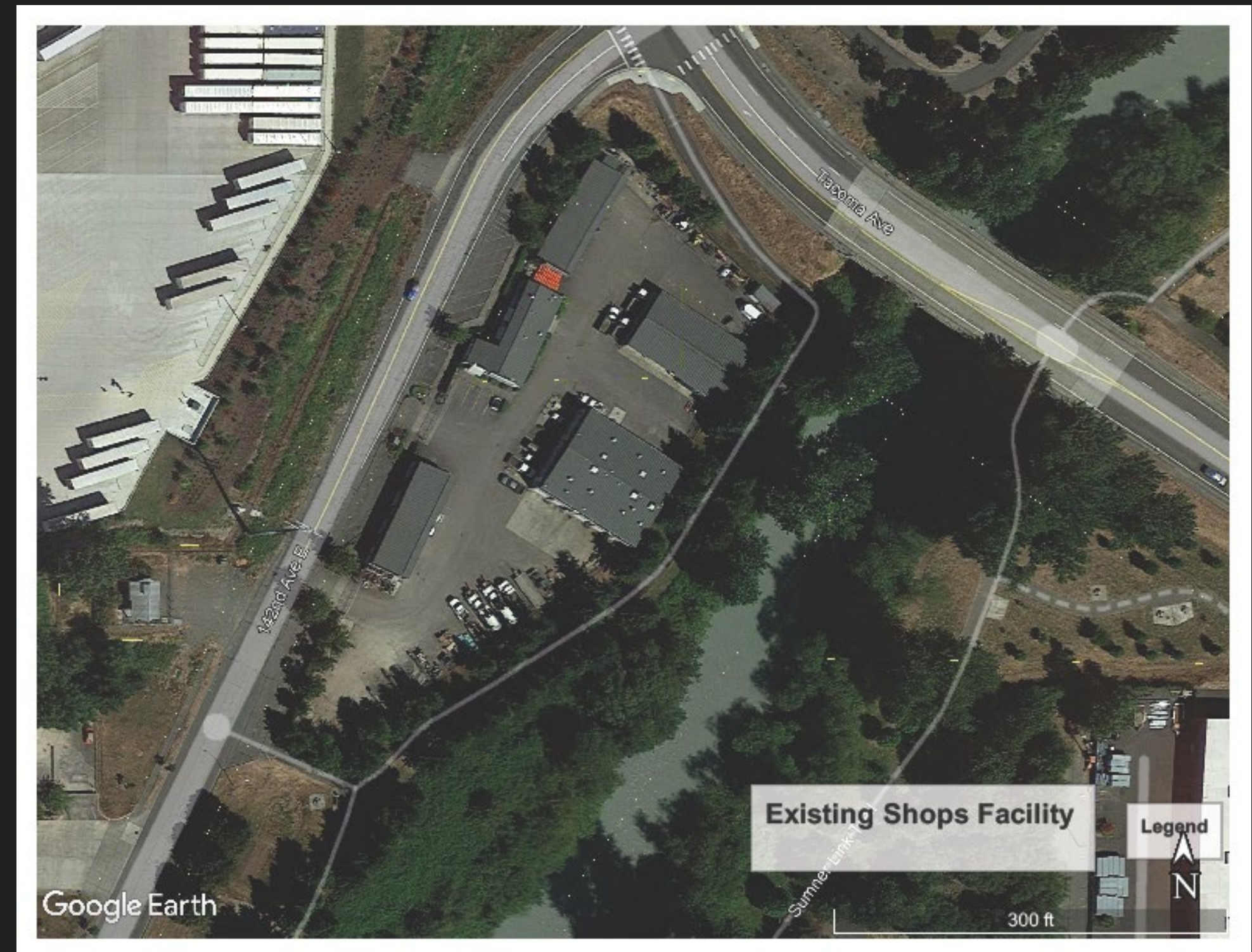
Delay decant by using 16th St E Properties

3

Value Engineer new facility

Existing Shops Facility

- Splitting into two parcels--Locate dry storage and decant on south and sell north half
 - Would require demo of all existing structures, new utilities and limited/unsafe turning movements
- Retain in full, locate parks and facilities, downsize new facility
 - Considerable rework/demo needed to accommodate
 - Same problems with dry storage/decant



Existing Shops: Improve versus sell?

	Improve Existing Shops	Develop 29 th St Property
Property Acquisition		\$1,045,000
Improvement Costs	\$1,900,000	\$3,550,000
	\$1,900,000	\$4,595,000
Proceeds from sale of existing shop site		(\$4,140,000)
Total Cost	\$1,900,000	\$455,000
Savings recognized by improving 29 th St Property		\$1,445,000

Temporary Decant on 16th St E.

- Utilize White River Restoration Area (Pacific Point Bar) as temporary decant
 - Only temporary
 - Cost savings may not be realized due to increasing construction costs



Value Engineer New Facility

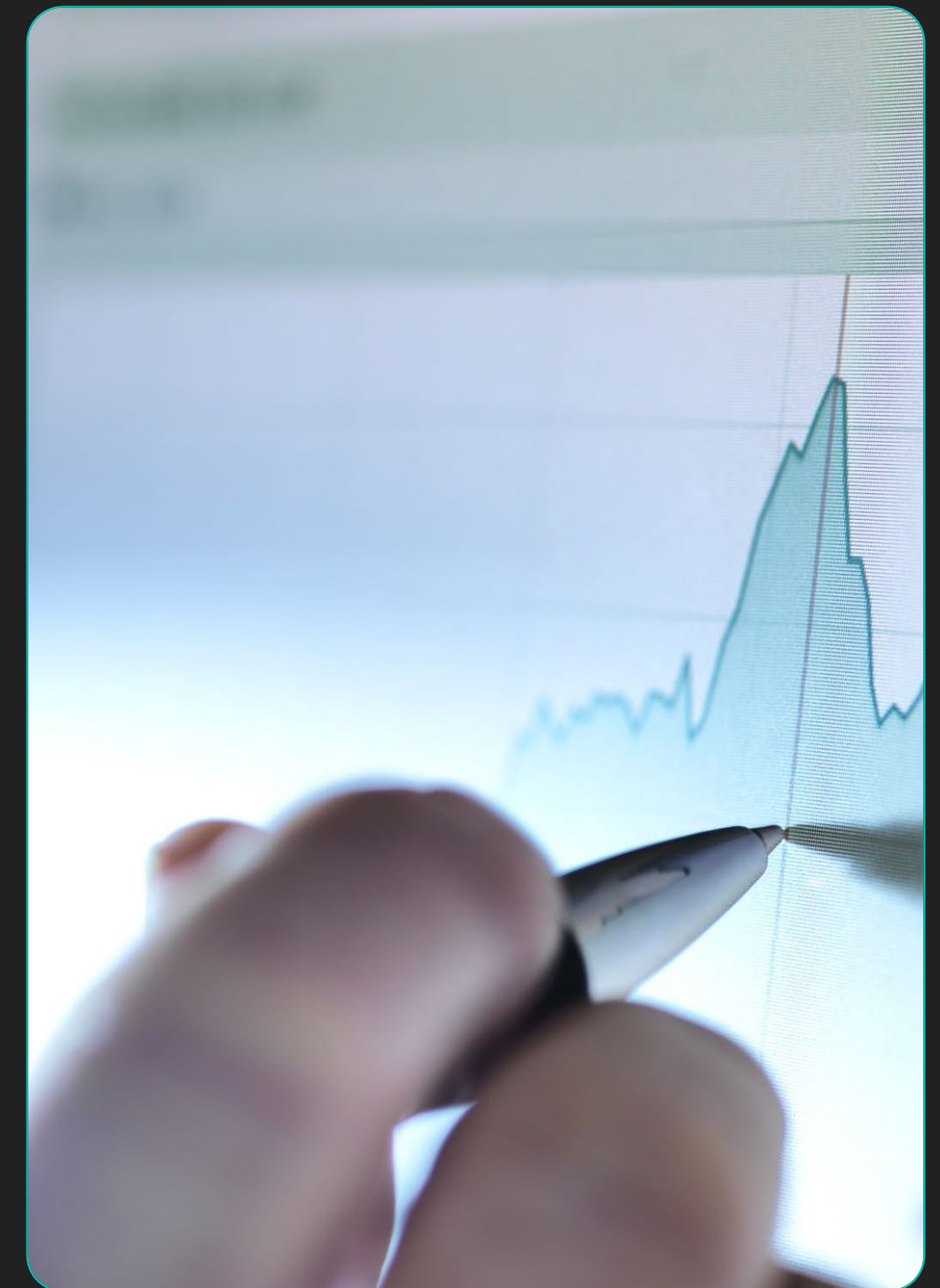
- Very lean design already, minimal savings available
- Potentially viewed as broken promises to neighbors?
- Still some potential as design finalizes



How do we pay for this?

- ~50% general fund based on position budgeting and vehicle fund ownership
- Debt service - \$50M issue likely strain on General Fund:
 - Ideal General Fund debt service = \$750k annually
- \$10M Golf Course sale proceeds—earmarked, but not guaranteed
 - ~\$14M of proceeds not earmarked
 - Timing not in our control – i.e. State/Federal permits

Term	General Fund (LTGO Bonds)	Utilities (Revenue Bonds)	Total Debt Service
20 Years	\$1,572,130	\$1,577,920	\$3,150,050
25 Years	\$1,337,186	\$1,387,782	\$2,724,968
30 Years	\$1,213,103	\$1,258,663	\$2,471,766



Why do we have to potentially use condemnation?

- The property is necessary for the project.
- Eminent Domain: “The exercise of the power of government to acquire private property for a public use on the payment of just compensation and following due process of law.”
- Often misunderstood: way to ensure fairness to all parties. Not just a last resort, but often part of the standard process of acquiring any property for projects.
 - Tax benefits to property owners
 - Relocation benefits (next slide)
- Used by the City even with the best of partners to ensure fairness—I 36th project, Cannery/Bridge restaurant
- Based on appraisals and review appraisals to establish fair market value.

Relocation Benefits

- **Resident Owner**
 - Fair Market Value for property
 - Moving expenses paid in full
- **Owner who leases out property***
 - Same as resident owner PLUS up to \$50,000 in 're-establishment' benefits.
 - *Owner must claim rental income on their taxes to be eligible for this addt'l benefit.
- **Displaced Tenant(s)**
 - Moving expenses paid in full
 - Difference between rent paid in acquired property and replacement rent – lump sum of 42 months.
 - Many tenants use this as a down payment to purchase a home – end up better off.



What is the Council deciding?

- North Parcels Considerations:
 - Approve the north parcel design contract
 - Authorize condemnation—continue negotiating in good faith
- Go out to bid or delay?
 - Delay one year
 - Better understand golf course sale timing
 - Allocate more of the proceeds to reduce burden on the General Fund.
 - Hope costs stabilize.
 - May require interim solution for Parks office/equipment storage

Staff Recommendations



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Questions?

SUBJECT: Council Code of Conduct

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Code of Conduct with Staff Review
2. Resolution No. 1575 - Council Rules of Procedure

STAFF CONTACT: Jason Wilson, City Administrator

SUMMARY BACKGROUND:

The Principles of Conduct were drafted in 2011 as an acceptable code of conduct for Councilmembers in and out of Council meetings in relation to City business. It has been the practice of the Council to pass a motion to accept and sign the Principles of Conduct every two years or when new members are added to the Council. At the January 3, 2022 council meeting there was an approved motion to discuss the Principles of Conduct further at a study session. There were questions as to the purpose and how the Principles of Conduct related to the adopted Council Rules.

To assist with the Study Session discussion, staff reviewed the Principles of Conduct for overlap with the Council Rules and provided some recommendations for consideration. Also included are the current council rules for Council's reference.

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



CITY OF SUMNER MAYOR & CITY COUNCIL PRINCIPLES OF CONDUCT

Text in red indicates similar council rule number. Highlighted text indicates no similar council rule. Text in blue are staff comments/recommendations.

Courtesy Norms

We agree:

1. To promote and require respect and civility in dialog between the Mayor and Councilmembers while still allowing for healthy disagreement. 11.1
2. To be courteous and professional at all times in recognition that Council communications and behaviors set the tone for the organization.
 - Consider adding to rules under new code of conduct section.
3. To allow the public to respectfully present information and opinions at appropriate meeting times. 7.1, 7.2
4. To not engage in debate with the public during Council meetings. 2.1
5. To authorize the presiding officer, when complaints are raised by the public or an elected official at a Council meeting, to follow up with the speaker to work towards resolution; alternatively, if the item can be easily resolved or answered, the presiding officer may provide the answer at the time of comment or refer the issue to staff. The presiding officer will acknowledge the speaker's comments. 2.1, 7.3
6. To not pass food or eat at the dais.
 - Consider adding to rules under new code of conduct section.
7. To help ensure that everyone who wants to speak gets a chance to by limiting individual comments so as to not be repetitive, argumentative, and off-topic. 23.1, 23.2
8. To be recognized by the presiding officer before speaking. 10.2.d, 23.1
9. To not have side conversations, cell phone calls, on-line activity, or texting during meetings.
 - Potential OPMA violation—Consider adding to rules under new code of conduct section.
10. To include, when possible, in regular Council meetings 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.

11. To 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.
 - Consider adding to rules under new code of conduct section.
12. The Mayor will be respectful of Council time by scheduling full and complete meetings and not having work sessions when there are insufficient agenda items or overloading any one agenda with business items.
 - Partially addressed in rule 2.c (overloading). Consider adding to rules under meeting agenda section.
13. To honor and respect disagreements and differences as an important feature of policy making and governance. 11.1, 15
14. To not criticize those who vote against your position on any issue. 11.1, 15
15. To respect the decision once a policy is passed or defeated by the majority vote. 11.1, 15
16. To strive to honor time limits on meetings but eliminating unnecessary questions and remarks.
 - Not necessary, can also be handled using Roberts Rules of Order e.g. call the question.
17. To strive to attend assigned regional or committee meetings or inform the Mayor, consistent with the adopted Council Rules, if unable to. Notice will be in time to provide an alternate to attend meetings on your behalf. 13
 - Rule 13 is specific to regular council meetings, not regional or committee meetings. Recommend adding language to rule 20.2 (council committees) and rule 21 (regional organizations).
18. To come to meetings on time, having read the preparatory materials.
 - Consider adding to rules under new code of conduct section.
19. To carefully research the facts, the other organization's perspective, and potential damage to organizational relationships before criticizing another partner agency or organization. If possible, criticism and concerns will be delivered to the agency directly.
 - Consider adding to rules under new code of conduct section.
20. To respect City staff in their role as experts and advisors and not make demeaning or critical comments about them. Concerns about performance of staff will be raised to the Mayor or City Administrator. 11.1
 - Rule 11.1 covers the first half. Add the performance language to rule 11.
21. To retain materials requiring subsequent review thereby eliminating duplication of voluminous materials.
 - Electronic packets and materials have made this a minor issue.

No Surprise Rule

We agree:

1. To make every attempt, as an elected official, to notify staff in advance of public meetings about key questions and discussion points that the officials would like addressed during Council meetings. 6.9, 8.2
2. To notify fellow Councilmembers of key issues, events, and other emerging issues of interest or concern to the Council in advance of public notification. 15.3
3. To be inclusive in policy making.
4. To regularly check email in order to use it as an efficient tool for communicating City news.
5. To follow Council protocols and use of committees for introduction of new issues to be brought to the Council. 6.2

Role of Mayor and Councilmembers

We agree:

1. To strive for a partnership in the governance and operation of the City while respecting the necessary responsibilities for checks and balances.
2. That the Mayor shall seek to involve the Council in civic events and celebrations.
3. To use the Council Committee structure to flesh-out issues, develop and review alternatives, make recommendations to the full Council, and provide input to the Mayor and staff. 20.3.A
4. To empower staff to give input and challenge the potential ideas and direction of Council provided it is done respectfully, professionally, and in the appropriate setting (such as in private, in a work session, or committee meeting). Similarly, staff is clear to help ensure that all perspectives and alternatives are represented prior to action. Council will be clear in asking if they are seeking facts/data or opinions. 11.1, 20.3
5. To understand that City staff will inform the Mayor of their contacts with the City Council in the interest of keeping the entire leadership team informed on key issues and requests.
6. To understand as the Mayor, City Administrator, Senior Staff, and City Council that an informed policy body is the most effective means to establishing sound public policy and therefore shall strive to both ask and answer any question that is relevant to creating and managing public policy.
7. To learn about the actions and/or processes that occurred in meetings during an individual Councilmember's absence and take individual responsibility for obtaining the information, consistent with the Mayor's memo regarding interactions with the City staff.
 - o Not sure what the Mayor's memo is.
8. To strive for unanimous votes from the City Council on decisions affecting key issues.
 - o Not necessary.

Media Relations and Protocols

We agree:

1. To speak only for one's own particular point of view on an issue and clarify to the reporter that you are only speaking for yourself. Do not speak for the entire Council or the City unless specifically authorized to do so. 15
2. To utilize the Executive Department as a resource to assist with media contacts or notify others of media contacts.
3. To not comment on issues of pending or potential litigation, referring those media contacts to the Executive Department. 16

SIGNED & AGREED ON THIS _____ DAY OF _____, 2022:

Mayor Kathy Hayden

Deputy Mayor

Councilmembers:

RESOLUTION NO. 1575
CITY OF SUMNER, WASHINGTON

A **RESOLUTION** establishing a procedure for the conduct of Council Meetings, proceedings, and business; and repealing and replacing Resolution No. 1518 approved March 18, 2019.

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.

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, citizen 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.

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 may comment on issues of concern or interest related to the business of the City that is not on the agenda and is not in violation of any other Council rule or law. Dialogue/debate between Council and the public is discouraged. Comments are limited to three (3) minutes. Minutes may not be shared with other speakers. A "citizen comment sign-up sheet" will be available at each regular and/or special Council meeting for the use of citizens wishing to address the Council. Citizens may also comment 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 Citizen Comment time. The Mayor or Presiding Officer may, at his 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. 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 citizen 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 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 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 study session, and which are returning to the Council for additional discussion or resolution. Ordinances for 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.

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 he/she has participated.
- b. Councilmembers make announcements of upcoming meetings and events, and report on meetings and events in which he/she has 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, City Administrator, Mayor, 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.

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.

- d. Public testimony during study session is discouraged and shall only be heard at the discretion of the Mayor or Presiding Officer.
- 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.

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. 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 Council Discussion.

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 6 Agenda Preparation.

- 6.1 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 by passage of a motion to amend the agenda and/or suspend the Council Rules of Procedure.
- 6.2 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. Otherwise, they may be placed on a Regular Council Meeting agenda by passage of a motion by a majority of the Council to amend the agenda and add the item.
- 6.3 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.
- 6.4 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.
- 6.5 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 additional information.
- 6.6 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.
- 6.7 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.
- 6.8 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.

- 6.9 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.

Section 7 Comments, Concerns and Testimony to Council.

- 7.1 Persons addressing the Council, 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 three (3) minutes. 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.

- 7.2 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.

- 7.3 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.
- 7.4 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. Citizen 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 him or her. 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 his or her 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, he/she 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.
- 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 his/her 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 may make a motion to excuse or not excuse absent Councilmembers.
- 13.3 RCW 35A.12.060 provides that a Councilmember shall forfeit his/her 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.
- 13.4 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.
- 13.5 Councilmembers are encouraged to attend all required meetings in-person, but shall have the option to attend any meeting virtually, when necessary, if the alternative to attending virtually would mean the Councilmember would be otherwise absent from the meeting. Any councilmember choosing to attend a meeting virtually shall notify the Mayor and City Clerk (for Regular Council Meetings and Study Sessions) and the appropriate staff liaison (for Committee meetings) no less than 24 hours' in advance to ensure proper technology is in place. 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 all committees, other than the Lodging Tax Advisory Committee, shall have a membership 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. 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.
- e. 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.
- f. 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. Membership of each Committee shall be for a two (2) year term. Membership will be determined by deliberation of the full Council and upon reaching consensus or by majority vote.

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.), Council will review position assignments annually at the first regular Council meeting in January.

- 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 him/her to order, in which case he/she 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, he/she shall be allowed to proceed. If the decision is not in favor of the Councilmember called to order, he/she 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 his or her 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. 1518, adopted March 18, 2019, 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 15th day of March 2021.

Mayor William L. Pugh

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

City Attorney Andrea Marquez

CITY COUNCIL AGENDA CALENDAR**Updated January 5, 2022**

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

March 5 – Council Retreat

JANUARY 18 RCM (Tuesday)

- CA Resolution No. XXXX – ILA with Bonney Lake for Building Inspector Services
- CA Approval of Purchase and Sale Agreement – NAPA for Wood Ave Intersection
- CA WWTF Biosolids Equipment Modernization - Consultant Services Agreement
- CA Water Rights Pilot Project - Consultant Amendment
- NB Ordinance No XXXX – SMC 2.112 Contract Approval Code Amendment
- NB Ordinance No. 2804 Amending the 2021/2022 Biennial Budget
- NB Resolution No. XXXX – Pierce County Lodging Tax Grant Acceptance
- NB Resolution No. XXXX – Therapeutic Court ILA with Bonney Lake
- NB Ordinance No. XXXX – Public Records Act Code Update
- NB Resolution No. XXXX - PSAR Grant Acceptance White River Restoration Project

JANUARY 24 SS

- Parks Master Plan Discussion For Seibenthaler / Bennett Property
- 2022 Refuse and Recycling Rates
- Ryan House Update

FEBRUARY 7 RCM

- CA Resolution No. XXXX – ILA with EPFR for Investigation Services
- CA Operations Facility Design Supplement
- NB Ordinance No. XXXX Parking Code Updates Mailboxes and Bike Lanes
- NB Ordinance No. XXXX - 2022 Refuse and Recycling Rates
- NB Ordinance No. XXXX – Budget Amendment LTAC Recommendation Ryan House

FEBRUARY 14 SS

- Fiber Optics Study
- Ordinance No. XXXX – Senior Housing Amendments
- Multi Family Tax Exemption
- 2022 Comp Plan Amendments

FEBRUARY 22 RCM (Tuesday)

- CA Consultant Svcs. Agreement – Maple Street Ped. Signal and Backplates Installation

FEBRUARY 28 SS

- CWA project update
- Body Worn Camera Update

MARCH 7 RCM

- NB Ordinance No. XXXX – Senior Housing Amendments

MARCH 14 SS

- Lahar Evacuation Drill Briefing

MARCH 21 RCM

MARCH 28 SS

- CWA project update

APRIL 4 RCM

APRIL 11 SS

APRIL 18 RCM

APRIL 25 SS

- CWA review & presentation of documents

MAY 2 RCM

MAY 9 SS

MAY 16 SS

MAY 23 SS

Pending

MISC.	MISC.	WHITE RIVER RESTORATION PROJECT
ROW Vacation Code Amendment		PH - Surplus Utility Property South of 24 th Street East
Community Float Discussion	Operations Facility Design Presentation Operations Facility Design Supplement Bond Issuance for Operations Facility	UB - Resolution No. XXXX - Surplus Utility Property South of 24 th St E
	Temporary Use Permit – Food Trucks	
Sign Code Update		BNSF Agreement
	Update electronic signatures code	CWA Agreement
CTR Ordinance Update	Sumner Fiber Optic Study	CA - Water Rights Cost Reimbursement Agreement
Development Agreement Code updates	Houston Road Annexation	
Resolution No. XXXX – Amending Bonney Lake ILA for Court Services	Ordinance No. XXXX – Authorizing Condemnation 14403 29 th Street East	
	Heritage Park Expansion property acquisition	

January 2022

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
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3	4	5	6	7	8
6:00PM Regular Council Meeting (Virtual)	4:00 PM Public Works Committee (Virtual) 6:00 PM American Rescue Plan Comm. (Virtual)	5:30PM Finance Committee (Virtual)	6:00PM Planning Commission (Virtual)		
10	11	12	13	14	15
6:00PM Study Session (Virtual)		6:30PM Design Commission (Virtual)	4:30PM Forestry/Parks Commission (Virtual)		
17	18	19	20	21	22
RECOGNIZED HOLIDAY CITY HALL CLOSED	6:00PM Regular Council Meeting (Virtual)	5:00PM Public Safety Committee (Virtual)			
24	25	26	27	28	29
6:00PM Study Session (Virtual)		5:00PM CD Committee (Virtual)	5:30PM Cultural Arts Commission (Virtual)		
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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 accommodations, 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
Ph: (253) 299-5500 Fax: (253) 299-5509
Website: www.sumnerwa.gov