

CITY OF PUYALLUP

CITY COUNCIL

RULES OF PROCEDURE

ADOPTED: February 4, 1980 (Resolution No. 265)

AMENDED: October 17, 1994 (Resolution No. 1186)

AMENDED: May 1, 1995 (Resolution No. 1245)

AMENDED: December 1, 1997 (Resolution Nos. 1435 and 1436)

MOTION TO CLARIFY RESOLUTION NO. 1436: December 15, 1997

AMENDED: April 20, 1998 (Resolution Nos. 1462 and 1463)

AMENDED: June 18, 2001 (Resolution No. 1685)

AMENDED: August 18, 2003 (Resolution No. 1816)

AMENDED: May 19, 2008 (Resolution No. 2096)

AMENDED: July 15, 2008 (Resolution No. 2105)

AMENDED: April 21, 2009 (Resolution No. 2131)

AMENDED: March 9, 2010 (Resolution No. 2146)

AMENDED: March 9, 2010 (Resolution No. 2147)

AMENDED: July 13, 2010 (Resolution No. 2154)

AMENDED: February 1, 2011 (Resolution No. 2169)

AMENDED: January 17, 2012 (Resolution No. R-2197)

AMENDED: April 3, 2012 (Resolution No. R-2205)

AMENDED: May 15, 2012 (Resolution No. R-2209)

AMENDED: May 10, 2016 (Resolution No. 2306)

AMENDED: April 4, 2017 (Resolution No. 2328)

SECTION 1 **AUTHORITY**

Pursuant to statutory authority derived from RCW 35A.13.170 and RCW 35A.12.120, the City Council of the City of Puyallup hereby determines its own rules and order of business, and rules for the conduct of council meetings and the maintenance of order.

SECTION 2 **COUNCIL MEETINGS**

2.1 DAY, TIME AND LOCATION OF MEETINGS

- (1) The City Council and Mayor shall meet regularly, at least once a month, at a place and at such times as may be designated by the City Council through resolution or other final action.
- (2) Regular Council meetings will begin at the hour of 6:30 p.m., and will adjourn no later than 9:30 p.m. To continue past this time of adjournment, a majority of the Council must concur.
- (3) If possible, only one or two major topics (defined as issues of a high interest, controversial, or those which would take an extraordinary amount of City Council meeting time) will be scheduled per meeting.
- (4) If a regular meeting is scheduled to occur on a legal holiday or at a time when the City is closed for business, the City Council may reschedule the meeting to another time.

2.2 MEETING MINUTES

The City Clerk will keep an account of all proceedings of the Council in accordance with statutory requirements. Proceedings will be entered into a minute book constituting the official record of the Council. Regularly scheduled Council meetings will be taped and retained for six years after the meeting. City Council meeting minutes will not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

2.3 CONDUCT OF MEETINGS

The Mayor has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct and to enforce the Rules of the Council. The Mayor may command assistance of any peace officer of the City to enforce all lawful orders of the Mayor to restore order at any meeting.

2.4 VOTE OF THE COUNCIL:

- (1) Voice vote: A generalized verbal indication by the Council as a whole of an "aye" or "nay" (or yes or no) vote on a matter, the outcome of which vote shall be recorded in the official minutes of the City Council.

In the absence of objections, the mayor may “shall order” a motion which will be recorded as a unanimous vote. If a member objects to a unanimous vote, a roll call shall be ordered.

- (2) Roll call vote: The formal recording of each "aye" or "nay" vote of each individual Councilmember as called by the City Clerk, which vote shall be recorded on an individual basis in the official minutes of the City Council. At the desire of any Councilmember, any question shall be voted upon by roll call and the ayes and nays shall be recorded in the official minutes of the Council.
- (3) Abstentions: Although it is the duty of each Councilmember to vote on final action items, he or she cannot be compelled to vote, and thus he or she may abstain. A member should abstain from discussion and voting on a matter when the member is prohibited from so doing under RCW 42.23 or when a member has a conflict of interest under Washington’s common law.

2.5 TYPES OF MEETINGS:

The regular meetings, special meetings and emergency meetings of the City Council shall have the meanings as defined in, and be governed by, RCW 42.30, the Open Public Meetings Act of 1971.

2.6 AGENDA PREPARATION

- (1) The City Manager, with input from the Council, will prepare a preliminary agenda for each Council meeting setting forth a brief general description of each item to be considered by the Council. A copy of the preliminary agenda and supporting materials shall be prepared for councilmembers and distributed prior to 3:00 p.m. three business days prior to a scheduled regular Council meeting.
- (2) Upon the joint request of two or more Councilmembers, a proposed agenda item shall be placed under the agenda approval section of a preliminary agenda for the Council to consider whether the item shall be made part of an approved agenda. The request shall be communicated to the City Manager or City Clerk by the Wednesday before preliminary agenda publication, and shall be accompanied by a written description of the proposed agenda item. If the Council adds the proposed item to an approved agenda, and the item will require the use of staff resources, then the Council shall defer further scheduling of the item to the City Manager. A Councilmember may not utilize administrative staff for the preparation of an item for the agenda without prior direction of the City Manager.
- (3) A preliminary or approved agenda item may be removed from a preliminary or approved agenda by a majority vote of the Council. Likewise, a proposed agenda item may be added to an agenda during the agenda approval section of a meeting by a majority vote of the Council.

2.7 ITEMS FOR INCLUSION FOR REGULAR COUNCIL MEETING AGENDA:

- (1) Call Meeting to Order: The Mayor shall call the meeting to order. The City Clerk shall conduct a roll call. Councilmembers will inform the Mayor, the City Manager or City Clerk if they are unable to attend any Council meeting, or if they knowingly will be late to any meeting. An absence should be excused by the Council if the Councilmember provides advance notice of his or her absence and a valid excuse for the absence. However, the Council retains its discretion to approve or deny all requests for excused absences. The minutes shall reflect absences and whether or not they are excused.
- (2) Pledge of Allegiance: The Pledge of Allegiance will be conducted at regular meetings.
- (3) Moment of Silence or Reflection: The Mayor may call for a moment of silence or reflection.
- (4) Approval of Agenda: The Mayor shall call for additions or deletions of items of business to the preliminary agenda. A motion to approve the preliminary agenda or preliminary agenda as amended is required to pass with a majority affirmative vote of the Council. Upon approval, the preliminary agenda or preliminary agenda as amended shall become the agenda of the Council for the meeting.

New issues raised following approval of the agenda may be discussed but no final action may be taken upon these items unless, by a two thirds vote of the full Council, the Council allows final action to occur on the new issue.

- (5) Citizen Comments: Members of the audience may comment on matters over which the City Council has jurisdiction or are germane to City business.

Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and provide their address or council district in which they reside, and limit their remarks to three minutes. All remarks will be addressed to the Council as a whole.

Citizens with complaints, concerns or questions, will be encouraged to refer the matter to the appropriate City Department or to the City Manager for clarification or action. The matter may be scheduled for consideration at a future City Council meeting at the discretion of Council.

- (6) Consent Agenda: Consent Agenda items are considered to be routine, non-controversial and requiring no discussion, and may be approved by one motion. Items on the Consent Agenda include, but are not limited to, resolutions, final passage of ordinances (per Puyallup Municipal Code), bid awards and previously discussed agreements or matters. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action. Public hearings

required by state statute will be set by Council action on the Consent Agenda.

(7) Public Hearings: Before a public hearing occurs, the Council may call upon city staff for remarks or an introductory presentation. In order to formally open the public hearing, the Mayor will announce the public hearing and solicit the participation of the public. The testimony, comments or materials of participants that choose to speak or provide submittals shall be limited to the topic for which the hearing has been called. The Council may limit the testimony or comment time of participants. The Council may require participants to consolidate testimony or join or second the testimony of another participant where the testimony will be repetitious.

(8) Ordinances: Discussion and debate by the City Council will be held at this time. All ordinances shall have two readings at two separate meetings, unless Council deems it expedient to suspend this rule. Amendments to an ordinance may be made at first and second reading. A roll call vote shall follow second reading.

Emergency Ordinances: Public emergency ordinances require a vote of a majority plus one of the whole Council membership, and may be made effective upon adoption, as per state law.

A "public emergency ordinance" is one designed to protect public health and safety, public property, or the public peace; it may not levy taxes, grant review, or extend a franchise or authorize the borrowing of money.

(9) Resolutions: A resolution is a statement of a City policy or decision that is adopted by a majority voice vote of the Council.

(10) Considerations & Requests: Those items other than resolutions and ordinances requiring Council action.

(11) City Manager Report: The City Manager may update the Councilmembers on current issues or items of Council interest, and may include other staff participation.

(12) Councilmember Reports: Councilmember Reports provide an opportunity for Councilmembers to report on significant activities since the last regular meeting, to inquire on matters of general City business, or to initiate investigation or action on a matter of concern.

(13) Mayor's Report: The Mayor may report on topics of interest to the Council as a whole, and may include a calendar of events, upcoming or on-going programs, or projects, and other reports of a general nature.

(14) Executive Session: The Council may recess to a closed session from which the public is excluded at either a regular or special Council meeting, in accordance

with the provisions of the Washington State Open Meetings Act. Final disposition of a matter shall take place in an open session of the Council.

Before convening the Executive Session, the Mayor shall announce the purpose of the session and the anticipated time when the session will be concluded and whether further action is anticipated. Should the session require more time, a public announcement shall be made that the session will be extended.

- (15) Adjournment: Council meetings may be adjourned by a majority vote of a quorum of the Council. Optionally, the Mayor may adjourn the meeting if upon inquiry, no Councilmember has any further business.

2.8 SUSPENSION AND AMENDMENT OF RULES

- (1) All City Council meetings shall be governed by ***Robert's Rules of Order, Newly Revised***, with the City Attorney serving as parliamentarian; provided, however, that in the event of a conflict between the Council Rules of Procedure and Robert's Rules, the Council Rules of Procedure shall prevail.
- (2) Any provision of these rules, may be temporarily suspended by a two-thirds vote of the Council, except when suspension would conflict with state law or an ordinance of Puyallup.
- (3) These rules may be amended, or new rules adopted, by a majority vote of the Council.

2.9 RECONSIDERATION OF A PREVIOUS VOTE

A motion to reconsider a previous vote must be made no later than the next regular meeting by a member who voted with the prevailing side. Once the motion to reconsider has been made and approved by a majority vote, the matter to be reconsidered is again before the council in the same form as it was at the previous meeting.

SECTION 3 **COUNCIL REPRESENTATION**

If a Councilmember appears on behalf of the City before another governmental agency, a community organization, or through the media, or otherwise speaks to an issue on which the Council has taken a position, the Councilmember will state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position.

SECTION 4 **CONFIDENTIALITY**

Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers

outside of Executive Sessions when the information is considered to be exempt from disclosure under exemptions as set forth in the Public Disclosure Act of the Revised Code of Washington (RCW).

SECTION 5 **PUBLIC RECORDS**

Public records created or received by the Mayor or any Councilmember will be transferred to the City Clerk's office for retention by the City in accordance with the Public Disclosure Act. 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 or City Clerk who serves as the City's public records officer.

SECTION 6 **MAYOR/DEPUTY MAYOR SELECTION PROCESS**

- 6.1 Biennially at the first meeting of a new council, a presiding officer shall be designated, and such person shall be titled Mayor. The Councilmember designated for this position shall be the Councilmember who has served the highest number of continuous years on the City Council (such person is hereinafter referenced in this rule as the "Member with Seniority"), subject to the requirement for rotation described below.
- 6.2 Should the Member with Seniority decline the position of Mayor, the position shall go to the Councilmember with the next highest number of continuous years. In the event that the Councilmember with the second highest years of service also declines the position, it will continue to be extended to the Councilmember with the next highest number of continuous years of service on the Council until the position is accepted.
- 6.3 At the end of any mayoral two year term, the position of Mayor will be rotated to the Councilmember with the next highest number of years of service on the Council, and the outgoing Mayor, for the purposes of the selection process, will be placed after the Councilmember with the least number of years on the City Council.
- 6.4 The Mayor shall continue to have all the rights, privileges and immunities of a member of the Council and shall serve for a two-year term.
- 6.5 At the same meeting of the new Council, the Councilmembers thereof, by majority vote, may designate one of themselves as Mayor Pro Tempore or Deputy Mayor for a two-year term to serve in the absence or temporary disability of the Mayor.
- 6.6 If a vacancy occurs in the office of Mayor, the position shall go to the Councilmember with the next highest number of continuous years on the Council.

SECTION 7 **COUNCIL POSITION VACANCY**

- 7.1 A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12 and RCW 35A.12.060, including but not limited to, resignation, removal, forfeiture, or death of a Councilmember.

- 7.2 Upon a vacancy in office, and direction from the City Council, the City Clerk shall begin the appointment process and establish an interview and appointment schedule so that the position may be filled at the earliest opportunity.
- 7.3 Should the Council fail to make an appointment to the vacancy within the 90 days as provided by RCW 42.12.070(4), the vacancy shall be filled by the county legislative authority pursuant to state law.

SECTION 8 **COUNCIL & CITIZEN APPOINTMENTS**

- 8.1 **Council Appointments:** The Mayor shall fill positions on committees, councils, boards and similar associations or entities that require Councilmember participation by appointment, subject to confirmation of the Council. Before appointing Councilmembers to positions, the Mayor shall, in an open meeting, or through the administrative staff, solicit comments from Councilmembers concerning their preferences for appointment. The Mayor shall then prepare a preliminary list of appointments and circulate the list to the Council. After the Council has an opportunity to comment about the proposed appointments in an open meeting, the Mayor shall be authorized to make appointments, subject to confirmation of the Council.
- 8.2 **Citizen Appointments:** An Appointments Committee composed of three members of Council shall be filled as set forth in Section 8.1. The Committee shall review applications, perform interviews and make recommendations to the Mayor and Council concerning candidates for vacancies on citizen boards and commissions. The term of service on the Appointments Committee shall be two years. Meetings of this Committee will be convened in advance of the general March expiration of the terms of members of citizen boards and commissions, and on an ad hoc, or as needed, basis.

The City Clerk shall inform the Appointments Committee of pending vacancies on boards and commissions and shall schedule meetings as necessary for the Committee to consider applications for appointment. Committee recommendations on appointments shall be submitted to the Mayor and Council and shall be filled pursuant to applicable state law or city ordinance.

Vacancies for citizen boards and commissions shall be publicized by the City Clerk so that any interested citizen may submit an application. In most cases, applicants must be residents of the City of Puyallup, but applications from residents living outside of the corporate boundaries also receive consideration under certain circumstances. Councilmembers are encouraged to solicit applications from qualified citizens. Applications shall be available from the Office of the City Clerk.

Applications of citizens not recommended for appointment to board or committee will be filed in the Office of the City Clerk for reconsideration whenever a position becomes available consistent with the applicant's qualifications or interests.

No committee board or commission shall have official or legal status until such committee or board or commission has first been approved by resolution or ordinance of the City Council, or is otherwise established by State or Federal law

SECTION 9 **TRAVEL AND EXPENSES**

- 9.1 The City Council shall be bound by Policy 4.3.8 and the policies and procedures as established herein or by other resolution concerning travel authorization and reimbursement for travel-related expenses.
- 9.2 Each member of the City Council shall be limited to discretionary travel expenses by the budgeted amount set each year by the City Council during the annual budget adoption process.
- 9.3 City policy is to allow for the cost of reasonable refreshments for public events.

SECTION 10 **REQUESTS FOR STAFF WORK**

A Councilmember who desires staff work shall make the request to the City Manager.

SECTION 11. **COUNCIL-SPONSORED NEIGHBORHOOD MEETINGS**

11.1 PURPOSE

- (1) Councilmembers shall have the opportunity to communicate with citizens in their respective districts via Council District Neighborhood Meetings. These meetings may be scheduled to occur up to twice per calendar year per council district. In addition, one city-wide Council Neighborhood Meeting may be conducted per calendar year as a means to allow all citizens within the city to address issues pertinent to their district or to the city as a whole.
- (2) City/Council funds may be used to notify citizens of the time and place of the neighborhood meetings and to provide light refreshments.
- (3) Staff members will be assigned by the City Manager to attend neighborhood meetings for the exclusive purposes of organizing, identifying attendees and their addresses, recording, and taking minutes.
- (4) Communication with citizens will be considered the exclusive domain of the Councilmembers. However, Councilmembers may refer questions to city staff.
- (5) Councilmembers may refer specific questions emanating from the neighborhood meetings to the City Manager for a response.
- (6) The City Manager or designee will be the point of contact for Councilmembers to

coordinate neighborhood meetings.

- (7) It is the policy of the Council that neighborhood meetings be informal. While notice of such meetings may be made to assure compliance with requirements of Washington's Open Public Meetings Act, the scope of the meeting shall be limited to dialog and discussion between neighborhood citizens and their elected representatives and/or city staff.
- (8) No business or action (other than discussion) may be taken or considered by Councilmembers present at any neighborhood meeting. This prohibition on taking action includes, but is not limited to, action on any contract; a promise or the appearance of a promise to expend public funds regardless of type or source; action to recommend, pass, or adopt legislation; and action promising specific staff response, except as provided for in subsection (4) above.
- (9) The two (2) Councilmembers representing the district for which the meeting is held plus the at-large Councilmember shall determine the format for their neighborhood meeting.

11.2 COUNCIL RIGHTS AND RESPONSIBILITIES

- (1) Councilmembers have the right to express their personal opinions on a topic; provided, however, that whenever doing so outside of a Council meeting, the Councilmember must carefully distinguish between his or her opinion and the Council's policy or majority position, when such difference exists. Councilmembers, when expressing personal opinions or positions, should be careful to avoid undue influence of citizen boards and commissions.
- (2) Councilmembers must be careful not to make statements that obligate City funds without the prior approval of the City Council.