

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2022-852

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC,
WASHINGTON, AMENDING CITY COUNCIL RULES OF PROCEDURE**

WHEREAS, on January 26, 2004, the City Council adopted City Council Rules of Procedure; and

WHEREAS, the City Council amended its Rules of Procedure on January 28, 2013, and considered but did not adopt additional amendments in 2017; and

WHEREAS, the City Council has recently reviewed the City Council Rules of Procedure, which have not been amended since 2013, and crafted amendments to advance the goals and efficiency of the City Council; and

WHEREAS, the Council has determined that it is in its best interest of the City Council and the efficiency of its operations to amend the Council Rules of Procedure as set forth herein;

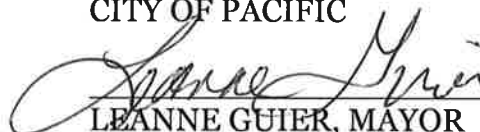
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON:

Section 1. Amendment. The City Council Rules of Procedure are hereby amended to read as attached hereto as Exhibit A, incorporated herein by this reference.


Section 2. This Resolution shall take effect and be in force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26th DAY OF SEPTEMBER, 2022.


CITY OF PACIFIC


LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:


LAURIE CASSELL, MMC
CITY CLERK

APPROVED AS TO FORM:


CHARLOTTE ARCHER, CITY ATTORNEY



Pacific City Council

Rules of Procedure

Pacific City Council: Rules of Procedure

Adopted:
January 26, 2004
September 26, 2022

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Part 1: General Provisions

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| A. | <p>Voting</p> <p>The votes during all meetings of the Council shall be transacted as follow:</p> <ol style="list-style-type: none">1. A roll call voting method will be used for all ordinances and resolutions. All council members must vote "aye", "nay" or "present" as the City Clerk calls his or her name. Unless otherwise provided for by statute, ordinance, or resolution, all other votes shall be taken by voice, except that at the request of any Council Member or Mayor, a roll call vote shall be taken by the Clerk.2. A council member abstaining from a vote shall not participate in discussion on that issue and must remain silent until the vote has concluded except to explain the reason for the abstention which is not subject to debate or further discussion.3. If any Council member declines to vote "aye" or "nay", or abstains from the vote without being considered a recusal, their vote shall be recorded as "present" but not counted as a "aye" or "nay" vote.4. Every member who was in attendance when the question was put shall give their vote unless a conflict of interest exists and that member recuses themselves from the vote.5. If a Conflict of Interest exist, or by reasonable means appears to exist, the member shall recuse him or herself as required by or follow the remedies as per the Appearance of Fairness Doctrine or chapter 42.23 RCW (RCW 42.23.030 and 42.23.040 apply to contracts; for quasi-judicial land use decision-making RCW 42.36.060). If member is recused from vote, that vote shall not be considered an abstention but a recusal. Members recusing themselves from a vote shall excuse themselves from that portion of the meeting until the vote has been taken before returning to the meeting. Recusals shall be treated as if the member were absent from that vote and recorded accordingly. Nothing prevents a member who is recused from voting on an issue from providing input to the council as a private citizen during the citizen input portion of the business at hand.6. A simple voice vote may be used for minute actions and amendments to motions.7. In the case of a tie in votes on any proposal in which the Mayor is absent or not permitted by RCW to cast the tie breaker vote, the proposal shall be considered lost.8. Per RCW 35A.12.100 – the Mayor shall preside over all (business) meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money. |
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| B. | <p>Election of Officers</p> <ol style="list-style-type: none">1. Annually, at the last first council meeting of the year, the members thereof shall choose a chair from among their number who shall have the title of President of the Council. He/ She shall have all the rights, privileges and immunities of a member of the Council. If a vacancy occurs in the Office of President, the members of the Council, within 30 days, shall select a President from among their number for the balance of the unexpired term.2. The duties of the council president include the following:<ol style="list-style-type: none">a. Attend and participate at council meetingsb. Vote on all questions before councilc. Preside at council meetings in the absence of mayor and mayor pro-temd. Act as mayor whenever the mayor and mayor pro-tem is unable to perform the functions of that officee. Represent city in absence of mayor and mayor pro-tem;f. Assign council members to committees and subcommittees, as well as, equalize the division of labor among council members when doing sog. Attend committee meetings when another councilmember is unable to attend or delegate to another councilmember to ensure council representationh. Coordinate with the city clerk for council workshop/meeting agendasi. Counsel individual members on issues in violation of these rules, on matters of decorum, and other unwanted behavior3. In conjunction with the above election, a Mayor Pro Tempore shall also be elected in a like manner.4. The duties of the mayor pro-tem include the following:<ol style="list-style-type: none">a. Attend and participate at council meetingsb. Vote on all questions before councilc. Preside at council meetings in the absence of mayord. Act as mayor whenever the mayor is unable to perform the functions of that officee. Represent city in absence of mayorf. Preside at workshop and COW meetings in the absence of the president5. The above elections shall be by affirmative motion. |
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| C. | <p>City Council Committees</p> <p>The committee structure of the council and the procedure governing all committees shall be as follows:</p> <ol style="list-style-type: none">1. Committee of the Whole (COW): The entire Council sitting as a legislative study committee in which staff shall report at least monthly to council on their respective departments. This committee is the opportunity for members of the council to ask questions and discuss matters germane to past, present and future business of the city. The COW shall replace council's standing committees listed in section 2 below. The Council President shall be presiding officer at all meetings of the COW. No action takes place at this meeting.2. Council committees: The following committees shall be stood up if the council eliminates Section 1 above regarding committee of the whole (COW).<ol style="list-style-type: none">a. Finance Committee: The Finance Committee shall review all demands against the City and make recommendation to the City Council regarding payment or non-payment of each demand. The Committee shall review the proposed budget ordinances of the City, make recommendation to the Council regarding approval or |
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non-approval of all budget ordinances, and other business as determined by the council.

- b. **Public Works Committee:** The Public Works Committee shall conduct the initial review of public works issues and shall make recommendations to the Council. Public works issues that may be reviewed may include, but are not limited to, water supply sources, water system improvements, garbage collection contracts, street capital improvements and surface water management.
- c. **Public Safety Committee:** The Public Safety Committee works with the Police to ensure the safety of the City's citizens and to address department needs. Public Safety meetings will be held in the Public Safety Building unless otherwise noted.
- d. **Human Services Committee:** The Human Services Committee shall review the social needs of the city that should be considered when appropriating federal revenue sharing funds and general funds, and also serve as advisors the on allocation and application for grant funds to be used for community development projects. The human services committee shall assist and advise the council as a whole in identifying the local social service needs and recommending priorities to meet those needs including but not restricted to proposing programs, reviewing and evaluating existing programs, encouraging citizen participation, and performing other assignments referred to the committee by the mayor or council as deemed appropriate. The committee shall establish necessary policies, goals, rules, and regulations to conduct the activities of the human services committee.
- e. **Claims Committee:** Shall be an extra duty of the Finance Committee when necessary. Shall review all claims against the City and make recommendations to the City Council regarding payment or non-payment of each claim. Claim for damages include, but not limited to, vehicle damage, property damage, litigation, and employee litigation
- f. **Council Committee vacancies shall be filled as follows:**
 - i. All committees shall meet not less than quarterly for the purposes of fulfilling their obligations
 - ii. Council Member appointment to a committee shall be for the duration of their term with an option to change at the next election cycle.
 - iii. When a Council Member is appointed to fill a vacant Council position, the appointee fills the seat on committees left vacant by the departing Council Member.
 - iv. Each committee shall consist of three council members and the appropriate staff member(s) as delegated by the mayor.
 - v. Council members shall express their interest in sitting on all committees and members will be assigned by vote of the council.
 - vi. In the event that there is not enough interest from council members to fill vacant committee positions, the council president shall assign council members to those vacancies by fairly distributing the workload among all council members.
 - vii. Ad hoc committees may be formed by majority vote of the council.

D. City Council Committee Chairs

Each City Council Committee shall elect among its membership a committee chair. No council member shall serve as Chair of the same City Council Committee for more than twenty-four (24)



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consecutive months and no council member may serve as chair of more than one City Council Committee at any given time. Committee of the Whole and Ad Hoc Committees are exempt from this rule.

E. City Council Committee chair responsibilities

1. Presides, schedules, and sets agenda (with assistance from assigned staff members) for committee meetings.
2. Provides a verbal report to the council of the whole at the next council meeting.

F. External Council Committees and special positions

1. **Valley Regional Fire Authority:** The Mayor and two council members will serve as the representatives of the people of Pacific on the Valley Regional Fire Authority Governing Board. The council shall select two council members to serve. They will, along with three members each from Algona and Auburn, be responsible for appropriate oversight and funding of the VRFA. All changes in funding levels must be agreed upon by a majority of the council membership. The representatives will report back to their peers as well as the people of the City of Pacific.
2. **Council Parliamentarian:** When requested, advises the presiding officer on questions of parliamentary procedure. Parliamentarians do not "rule": only the meeting chair has the power to rule on a question of order. If the parliamentarian has expressed an opinion at the request of the chair, the chair must still make the ruling. Also assist the presiding officer by keeping track of the order of those wishing to speak, motions, amendments, voting, etc., during meetings.
3. **Special Ad Hoc Council Study Committees:** Special Committees may be created by the Council to study and recommend on specific areas, concerns or projects.
4. **Hotel/Motel Advisory Committee:** The Hotel/Motel Advisory Committee shall make recommendations to the Council regarding the use of funds received through the hotel/motel tax. Pursuant to RCW 67.28.1817 the Committee shall have five members: two members from businesses required to collect the hotel/motel tax; two members from activities authorized to receive the funds from the hotel/motel tax; and one councilmember who shall serve as the committee chair. Persons eligible to be appointed representing a collecting business may not be eligible for appointment representing a funded activity. A person eligible to represent a funded activity is not eligible to represent a collecting business.
5. **Council Liaisons:** In order to provide a liaison and give the City Council representation before various boards, commissions and community based groups, the Council ~~shall~~ may elect liaisons at the beginning of each fiscal year to serve as a liaison to one or more community based groups, boards or commissions affecting the City as follows:
 - a. Planning commission
 - b. Park board
 - c. Cities and Schools Forum
 - d. Suburban Cities Association (SCA)
 - e. South County Area Transportation Board (SCATBd)
 - f. Pierce County Regional Council (PCRC)
 - g. Any other board, commission, or community based group as deemed necessary by a majority of council



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| G. | <p>Special Ad Hoc Citizen Advisory Committees</p> <p>The Council may create special ad hoc citizen advisory committees for a particular purpose. The Council President, with the advice and consent of Council, shall appoint committee members. Citizen Advisory Committees shall dissolve at the end of their mission, but not later than the end of each calendar year, unless specifically continued by the Council for a specified time period. At least one council member should be assigned to chair the committee to ensure the committee is meeting its obligations to the city.</p> |
| H. | <p>The public is welcome to attend all committee meetings (subject to limitations for executive sessions per RCW 42.30.110). Minutes need not be taken at committee meetings other than the Committee of the Whole.</p> |



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Part 2: Meetings

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| A. | Pacific COW and City Council Workshops will be held in succession on 1st and 3rd Mondays of each month with COW commencing at 6:30pm and Council workshop commencing immediately after. These meetings are a briefing session for the purposes of receiving staff reports on matters of interest, background information from staff regarding matters on the advance agenda for the next week's meeting and for that day's agenda, and making any adjustments to the agenda. Upon consensus of the membership present at a workshop, an item on the administrative agenda will shall be carried over to the legislative session. Because no action will be taken, a quorum is not necessary for these meetings to proceed. |
| B. | Pacific City Council Meetings will be held of 2nd and 4th Mondays of each month commencing at 6:30pm. These meetings are a legislative session for the purpose of taking public testimony, discussing and taking action on those items which were placed on that agenda. A quorum must be present for the meeting to proceed. |
| C. | If any meeting falls on a legal holiday or city furlough, the regular workshop or meeting shall be held on the following business day. |
| D. | The Council, by majority vote, may continue any regular or special meeting to a time specified in the motion. |
| E. | All meetings shall be open to the Public except as provided under Chapter 42.30 RCW. |
| F. | <p>Special meetings, or any change in the time or location of a regular meeting, shall be called by the City Clerk on the written or digital request of the Mayor, Council President, or a majority of the City Council.</p> <ol style="list-style-type: none">1. Official calls shall be by written notice, delivered personally or by mail, to each member of the Council and the Mayor; and to each local newspaper of general circulation and other media that has on file with the City Clerk a written request to be notified of special meetings.2. Such notice must be delivered personally or by mail at least 24 hours before the time of such meeting.3. The call and notice shall specify the time and place of the special meeting and the business to be transacted.4. Action shall not be taken on any other business.5. Such written notice shall be dispensed with if the meeting is called for at a regular business meeting so long as all members are notified.6. Members not present at a meeting where the Special meeting is called, and media requesting notification, must then be notified in writing.7. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage. (RCW 42.30.080) |
| G. | A quorum shall be present when four or more Council members are present and voting. |



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Part 3: Presiding Officer's Duties

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| A. | <p>Conduct of Council Business Meetings:</p> <ol style="list-style-type: none">1. The presiding officer at all business meetings of the City Council shall be the Mayor.2. In the Mayor's absence the presiding officer shall be the Mayor Pro Tempore, who shall conduct the business and deliberations of the Council under these rules.3. If both the Mayor and the Mayor Pro Tempore are absent, the presiding officer shall be the City Council President.4. In the absence of the Mayor, Mayor Pro Tempore, and Council President, the presiding officer shall be selected from the members present. |
| B. | <p>Conduct of COW and Council Workshop Meetings:</p> <ol style="list-style-type: none">1. The presiding officer of all Council Workshops shall be the Council President.2. In the absence of the Council President, the presiding officer shall be the Mayor Pro Tempore.3. If both the Council President and the Mayor Pro Tempore are absent, the presiding officer shall be selected from the members present to serve until the Council President returns. |
| C. | <p>The Presiding Officer shall:</p> <ol style="list-style-type: none">1. Preserve order and decorum in the Council Chambers;2. Observe and enforce all rules adopted by the Council for its government;3. Decide all questions on order, in accordance with these rule, subject to appeal by any member of the Council4. Recognize members of the Council in the order in which they request the floor.5. No member shall be recognized and given the floor to speak on the same matter more than once until all other members of the Council have had an opportunity to be recognized and be heard. |
| D. | <p>The Presiding Officer shall have only those rights and shall be governed in all matters by these same rules and restrictions as councilmembers.</p> |
| E. | <p>Questioning: Any member of the Council shall have the right to question any individual, including members of the staff, on matters germane to the issue properly before the Council for discussion. That member shall have the floor until that member's question has been fully answered which may require follow-up clarifying questions.</p> |



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Part 4: Council Agenda

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| A. | <p>Functions of agenda</p> <p>The agenda serves to introduce items to the Council, to establish the order of business and to give notice to the public. The notice of special meeting is the agenda for such meeting.</p> |
| B. | <p>Introduction and removal of items</p> <ol style="list-style-type: none">1. The Council President or any three Councilmembers may place items on a regular meeting agenda.2. The Council President, any three Council members, mayor, department directors, or boards and commissions may place items on the workshop agenda.3. A Council member may not utilize administrative staff for the preparation of an item for the agenda without direction by the Council or authorization from the Mayor.4. No item, once moved forward from Council Workshop to a Council Meeting, may be removed from the agenda.5. The council shall have the option of deleting any item from the agenda, or deferring an item on the agenda to a subsequent council meeting or workshop.6. Any member may present new items to be included on the agenda at the beginning of the meeting.7. The agenda for all meetings are prepared by the office of the City Clerk in the manner and format prescribed by the Council President. The Mayor determines for each kind of item, which administrative officials need to sign off on the agenda items indicating it, and any accompanying packet material is complete and ready for Council consideration.8. Information regarding a special meeting shall be forwarded to the City Clerk by the Councilmember(s) requesting such meeting for preparation by the City Clerk to provide notice of meeting to the public. |
| C. | <p>Agenda deadlines</p> <ol style="list-style-type: none">1. The deadline for submitting an advance agenda item is 5: 00 pm on the Wednesday ten days preceding the meeting to which the item will be introduced. Items submitted after this deadline may not appear in the printed council packet and should be distributed in person at the meeting.2. Subsequent to the advance agenda deadline a member of management staff designated by the Mayor must notify the Council President of the proposed agenda item and gain approval for addition to the agenda.3. Claims and other items calling for the payment of money where delay might subject the City to interest or delinquent penalty may be added to the current agenda.4. For good cause and under emergent circumstances, an item may be added to the agenda after the deadline and can be acted upon if the Council finds such action necessary. |
| D. | <p>Distribution of agenda and packet</p> <ol style="list-style-type: none">1. The City Clerk is responsible for making sufficient copies of the agenda and agenda packets available to be picked up and distributed.2. A digital copy of the agenda for each regular meeting, special meeting, COW and workshop shall be emailed to council members as the Mayor may prescribe in final form by end of business on the Friday immediately preceding the meeting. |



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3. A printed copy of the agenda packet shall also be made available to council members upon request.
4. The final agenda, when possible, will be posted on the City's website by end on business on the Friday preceding the meeting.



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Part 5: Remarks and Debate

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| A. | Speaking to Motion No member of the Council shall speak more than twice on the same motion except by consent of the majority of the Council Members present. |
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| B. | Interruption No member of the Council or the Mayor shall interrupt or argue with any other member while such member has the floor. |
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| C. | Courtesy <ol style="list-style-type: none">1. All speakers, including members of the Council, the Mayor and Staff in the discussion, comments or debate of any matter or issue shall be courteous in their language and deportment, and shall not engage in or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, member of the Staff or the public.2. At all times, remarks will be confined to those facts which are germane and relevant as determined by the presiding officer, to the question or matter of discussion. |
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| D. | Transgression <ol style="list-style-type: none">1. If a member of the Council or others transgresses on these rules of debates, the presiding officer shall call such offender to order, in which case the member or other shall be silent except to explain or continue in order.2. If the presiding officer shall transgress these rules on debate or fail to call such an offender to order, any Council member may, under a point of order, call the presiding officer or other offender to order.3. If the Presiding Officer or Member or other refuses to remain in order, such offender will be removed from the meeting. |
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| E. | Challenge to Ruling Any member of the Council shall have the right to challenge any action or ruling of the presiding officer, or member as the case may be, in which case the decision of the majority of the members of the Council present, including the presiding officer, shall govern. |
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| F. | Any Councilmember shall have the right to express dissent from or protest against any ordinance or resolution of the Council and have the reason therefore entered into the minutes. |
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Part 6: Order of Business

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| A. | <p>The business of all regular business meetings of the Council shall be transacted as follows provided, however that the Presiding Officer may, during Council meetings, re-arrange items on the agenda to conduct the business before the Council more expeditiously.</p> <ol style="list-style-type: none">1. Call to order by the Presiding Officer2. Pledge of Allegiance3. Roll Call4. Approval of Agenda5. Citizen comments<ol style="list-style-type: none">a. Public comment is allowed during Council Meetings only and intended for items not on the Council Meeting agenda. Part 9 of the Rules of Procedure govern public comment for items on the Council Meeting agenda.b. Any member of the public may request time to address the Council after stating their name, address, and subject of their comments.c. Public comment shall be limited to 3 minutes per person and no person may convey or donate his or her time for speaking to another person.d. The Presiding Officer shall encourage public comments to be submitted in writing.e. Immediately following such comments, the Presiding Officer shall then place the item on the agenda, move to a future agenda, refer the matter to the appropriate administrative staff member or committee, or clearly state that the item will not be taken up for future action.f. No person may rebut or argue with any person presenting public comments on items not on the Council Meeting agenda.6. Public Hearings7. Reports of Mayor, Staff, Committees, and City Councilmembers8. Unfinished Old Business9. New Business10. Ordinances and Resolutions Consent Agenda<ol style="list-style-type: none">a. The Council President shall place matters on the Consent Calendar that are so routine or technical in nature that passage is likely.b. The Clerk of the Council shall read the Consent Agenda if requested by any member.c. Any member may request that an item be removed from the Consent Agenda and discussed and voted on separately. These items to be moved to the Agenda or dispensed with before moving on.11. Executive Session (as required)12. Agenda Review13. Adjournment |
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Part 7: Precedence of Motions

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| A. | <p>When a question is under consideration, no motion shall be entertained except as follows, such motions having precedence in order as stated:</p> <ol style="list-style-type: none">1. Motion to Adjourn (Not debatable)2. Motion for a Call of the Council (to compel the attendance of unexcused absent members in order to obtain a quorum). (Not debatable)3. To Remove an Item from the Agenda.4. Motion to Table. (Not debatable)5. For the Previous Question. (The "Previous question" shall be as follows: "Shall the main question be put and until such motion has been put and decided, all amendments or debate shall be precluded. The Main question shall be on the passage of an ordinance, resolution or motion, but when amendments are pending, the questions shall be taken first upon such amendments, in their order). (Requires 2/3rds vote)6. To Limit Debate. (Requires 2/3rds vote)7. To Table to a Time Specific8. To Amend9. To Substitute10. To Postpone Indefinitely11. Main Motion12. To remove or pull from the Table (not debatable)13. Motion to Reconsider. No motion to reconsider a vote shall be in order except at the following meeting, and by a member who voted with the prevailing side. A motion to reconsider, having been put and lost, shall not be renewed either by the mover or any other member of the Council. |
| B. | <p>Vote</p> <p>The procedural motions above enumerated shall be decided by majority vote of Council Members present at the meetings, except as otherwise noted.</p> |
| C. | <p>Debate</p> <p>The motions above enumerated are debatable except where otherwise designated.</p> |



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Part 8: Suspension of Rules

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| A. | No rule shall be suspended except by a majority vote of Council Members present at the meeting. A motion to suspend the rules is not debatable. |
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| B. | All votes to suspend rules will be by voice vote. |
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Part 9: Ordinances and Resolutions

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| A. | No ordinance or resolution shall appear on the agenda of a business meeting until reviewed as to form and legality by the City Attorney. |
| B. | Reading of ordinances and resolutions at all Council Meetings shall be deemed sufficient by reading of the brief synopsis of the title of the ordinance or resolution. |
| C. | <p>Public Comment</p> <ol style="list-style-type: none">1. Every person shall have the opportunity to speak on any item on the agenda.2. Following the staff briefing, Council motions, and questions the Presiding Officer shall invite members of the public to comment on the item before the Council. Council debate, comments, and vote will take place after the public has spoken on the topic at hand.3. No person shall be given the opportunity to speak more than once on the same matter. Remarks shall be germane and relevant to the matter under discussion. No speaker may convey or donate his or her time speaking to another speaker.4. The Council may, at its discretion, specify a time limit for individuals providing public comment. Time limits shall be uniformly applied to all public comments on the item before the Council, and shall be imposed prior to any public comment on the item at hand.5. Where an item on the agenda has been substantially modified and changed a person may address the changes. <p>Written Comments shall be considered in the same manner as oral comments.</p> |
| D. | <p>The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, or any resolution pertaining to personnel actions shall require the affirmative vote of at least a majority of the whole Council (4 yes votes regardless of number of members present). Per RCW 35A.12.120.</p> <p>Every ordinance which passes the council to become valid must be presented to the mayor, if he or she approves it, he or she shall sign it, but if not, he or she shall return it with his or her written objections to the council and the council shall cause his or her objections to be entered at large upon the journal and proceed to reconsideration thereof. If upon reconsideration a majority plus one of the whole membership (5 yes votes regardless of the number of members present), voting on a call of ayes and nays, favor passage, the ordinance shall become valid notwithstanding the mayor's veto. If the mayor fails for ten days to either approve or veto an ordinance, it shall become valid without his or her approval. Ordinances shall be signed by the mayor and attested by the clerk. RCW 35A.12.130.</p> |
| E.. | <p>The passage of any emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity or violence of nature or riot or insurrection or war, and provisions for a lesser emergency such as a budget amendment shall require the affirmative vote of at least a majority plus one of the whole Council (5 yes votes regardless of the number of members present). An ordinance passed by a majority plus one of the council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace, may be made effective upon adoption, but such ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money. RCW 35A.12.130. Any emergency ordinance that does not receive the necessary majority plus one vote but receives at least a majority vote still passes but will not become effective immediately but rather will become effective as other ordinary or non-emergency ordinances.</p> |



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| F. | The passage of any motion or resolution not subject to the provisions of state or local law, or these rules, shall require the affirmative vote of at least the majority of the membership of the Council who are present and eligible to vote. |
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Part 10: Council Access to Staff

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| A. | Council Members shall have access to staff members at reasonable times. However a member's request will not take precedence over normal duties or interfere with staff's ability to perform their duties. |
| B. | At the request of a department head, the Councilmember may be asked to go through the Mayor's office. However, the Mayor cannot prevent access to staff or information so long as rules are followed. |
| C. | While Council members may direct queries to legal staff, all requests for information from legal staff shall be routed through the Council President or made during normal Council meetings with council approval. Council members, at the direction of the Council President, will work with the Mayor's office to coordinate the proper avenue to direct such queries. This does not include specific requests required for Council committees to perform their duties. Council Members shall direct queries through the Council President or the request shall be approved by a majority of the Council Members. |



Pacific City Council

Rules of Procedure

Part 11: Filling of Staff and Departmental Vacancies

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| A. | Council shall establish policies and guidelines for the interviewing and filling of non-represented staff positions. This policy will include such items as the posting of position, application, interview process, selection of finalist(s), and timeline. |
| B. | Written Job Descriptions will be required for all positions. |
| C. | Non-represented positions may not be filled, other than for Emergency Need, without the consultation and agreement of Council; in such cases, the Mayor will set out the basis for the emergency, and the appointment shall be subject to Council review and confirmation. |



Pacific City Council

Rules of Procedure

Part 12: Filling of Board and Commission Vacancies

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| A. | When a vacancy occurs on any board or commission, the City Council shall be notified at the next regularly scheduled workshop (or meeting). The position shall then be advertised for a period of not less than one week. The Mayor will interview and select nominees and present candidates to the City Council for appointment. When presented, an application for board or commission, resume and any other pertinent paperwork must be provided to the Council. No appointment will be considered without above-mentioned paperwork. |
| B. | Council will not disapprove or block appointment of qualified candidates for personal or political reasons. If candidate is disqualified, the Mayor will then remove that person's name from consideration. |



Pacific City Council

Rules of Procedure

Part 13: Filling of City Council Vacancies

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| A. | When a vacancy occurs on the City Council, for any reason, the Council shall require the position to be advertised for a period of not less than two weeks (Council can require more time). |
| B. | <p>The Council will follow all Rules and Procedures as outlined in RCW 35A.12.050. The office of a mayor or councilmember shall become vacant if the person who is elected or appointed to that position fails to qualify as provided by law, fails to enter upon the duties of that office at the time fixed by law without a justifiable reason, loses residency in the city, or as provided in RCW 35A.12.060 or RCW 42.12.010. A vacancy in the office of the mayor or in the council shall be filled as provided in chapter 42.12 RCW. An incumbent councilmember is eligible to be appointed to fill a vacancy in the office of mayor. RCW 35A.12.060. In addition a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council. RCW 35A.12.060.</p> <p>A vacancy shall be filled as follows unless the provisions of law provide otherwise:</p> <p>(1) Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position.</p> <p>(2) Where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment.</p> <p>(3) If less than two members of a governing body remain in office, the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person or persons to the governing body until the governing body has two members.</p> <p>(4) If a governing body fails to appoint a qualified person to fill a vacancy within ninety days of the occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease and the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person to fill the vacancy.</p> <p>(5) If the county legislative authority of the county fails to appoint a qualified person within one hundred eighty days of the occurrence of the vacancy, the county legislative authority or the remaining members of the governing body of the city, town, or special district may petition the governor to appoint a qualified person to fill the vacancy. The governor may appoint a qualified person to fill the vacancy after being petitioned if at the time the governor fills the vacancy the county legislative authority has not appointed a qualified person to fill the vacancy.</p> <p>(6) As provided in chapter 29A.24 RCW, each person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected. The person elected shall take office immediately and serve the remainder of the unexpired term.</p> |
| C. | Qualified applicants will be interviewed by the City Council during an open meeting. Council may go into Executive Session to discuss qualifications and Consensus of Council. All voting must be made by <u>voice roll call</u> vote in open session of a regular or special meeting. |



Pacific City Council

Rules of Procedure

Part 14: Miscellaneous

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| A. | Roberts Rules of Order 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 Newly Revised shall prevail. |
| B. | Amendments to these rules Amendments to these rules shall be made by resolution and shall require two readings. |
| C. | Failure to abide by these rules Any member or the Presiding Officer for a meeting who grossly fails to enforce or abide by these rules shall be found out of order. Failure to return to order may result in the expulsion of that person for the balance of the meeting. That expulsion shall then be considered an unexcused absence unless otherwise noted by the clerk upon a voice vote of the Council. Refusal to leave the meeting shall be considered Disturbance of the Peace and be subject to punishment under PMC 9A.84.030 |
| D. | Severability If any part of these rules is found to be unconstitutional or otherwise in violation of law, the remaining part of these rules will remain in effect. |