



City of Tukwila
**Finance and Governance
 Committee**

- ◆ Zak Idan, Chair
- ◆ Kathy Hougardy
- ◆ Cynthia Delostrinos Johnson

<u>Distribution:</u>	
Z. Idan	Mayor Ekberg
K. Hougardy	D. Cline
C. Delostrinos Johnson	R. Bianchi
K. Kruller	C. O'Flaherty
V. Seal	A. Youn
D. Quinn	L. Humphrey
T. McLeod	

AGENDA

MONDAY, APRIL 12, 2021 – 5:30 PM

HAZELNUT CONFERENCE ROOM
 (At east entrance of City Hall)

**THIS MEETING WILL NOT BE CONDUCTED AT CITY FACILITIES
 BASED ON THE GOVERNOR'S PROCLAMATION 20-28.**

**THE PHONE NUMBER FOR THE PUBLIC TO LISTEN TO THIS
 MEETING IS: 1-253-292-9750, Access Code 458647898#**

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For Technical Support during the meeting call: 1-206-431-2179.

Item	Recommended Action	Page
1. BUSINESS AGENDA		
a. City Council procedures update: Ordinance and Resolution. <i>Laurel Humphrey, Legislative Analyst</i>	a. Forward to 4/26 C.O.W. and 5/3 Regular Mtg.	Pg.1
b. Department 20 (non-departmental expenditures) discussion. <i>Vicky Carlsen, Finance Director</i>	b. Discussion only.	Pg.43
c. Update on Enterprise Resource Planning (ERP) implementation. <i>Vicky Carlsen, Finance Director</i>	c. Discussion only.	Pg.45
2. MISCELLANEOUS		

Next Scheduled Meeting: April 26, 2021



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INFORMATIONAL MEMORANDUM

TO: Finance and Governance Committee
FROM: Laurel Humphrey, Legislative Analyst
DATE: April 6, 2021
SUBJECT: City Council Rules of Procedure Update

ISSUE

Legislation to adopt new Rules of Procedure of the Tukwila City Council

DISCUSSION

The City Council's procedures for conduct of its business are largely included in TMC 2.04. This Chapter hasn't been updated since 2003 and contains many sections that are confusing and poorly written, or that describe outdated practices that must be addressed. As previously discussed with the Committee, staff has prepared an ordinance to re-enact Tukwila Municipal Code 2.04 by removing much of the current content yet retaining key elements. Staff has also prepared a draft Rules of Procedure document as well as a resolution that would adopt the new Rules. A Rules of Procedure adopted by resolution is in alignment with many other jurisdictions and considered a best practice as recommended by City Attorneys as well as by Ann Macfarlane at a previous City Council Retreat. Adopting the Rules by resolution as well as establishing an expectation for regular review will pave the way to make future updates simpler to accomplish.

The proposed Rules of Procedure is organized until the following main sections:

- I. City Council Powers and Duties
- II. City Council Meetings
- III. Legislative Process
- IV. Meeting Conduct
- V. Public Participation
- VI. City Council Committees
- VII. Council Vacancies
- VIII. Public Records Compliance

Staff believes this establishes a good framework for this document, and these sections can be expanded or added to in future updates. The City Attorney and City Clerk's Office both provided thorough review and comment on the legislative package before the Council. Attached to this memo is a table that explains the proposed Rules in greater detail, identifying which language is new and which is currently in the TMC and can be retained or should be updated as shown.

RECOMMENDATION

Staff is seeking a Committee recommendation on the proposed legislation to forward to the Committee of the Whole on April 26, 2021.

ATTACHMENTS

Draft Ordinance
Draft Resolution
Draft Rules of Procedure
Table explaining proposed Rules
TMC 2.04

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
TUKWILA, WASHINGTON, REPEALING ORDINANCE NOS.
2024 AND 2209; REENACTING TUKWILA MUNICIPAL CODE
CHAPTER 2.04, “CITY COUNCIL”; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, written procedures of the City Council help to guide and facilitate the business of the City Council, as well as provide the public with an understanding of the Council’s functions; and

WHEREAS, periodic review of the Council’s internal management and procedures is appropriate to ensure consistency with current statutes and best governmental practices; and

WHEREAS, the City Council’s procedures for the conduct of meetings and other required functions are more appropriately formalized in the form of a City Council resolution;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Repealer. Ordinance Nos. 2024 and 2209 are hereby repealed.

Section 2. TMC Chapter 2.04 Reenacted. Tukwila Municipal Code (TMC) Chapter 2.04 is hereby reenacted to read as follows:

**CHAPTER 2.04
CITY COUNCIL**

- Sections:
- 2.04.010 Composition; Duties
 - 2.04.020 Meetings Declared Open and Public
 - 2.04.030 Rules of Procedure of the City Council

Section 3. TMC Section 2.04.010 is hereby reenacted to read as follows:

2.04.010 Composition; Duties

A. The City of Tukwila is a non-charter code city under the laws and statutes of the State of Washington, and its City Council shall consist of seven members who shall be elected at large and serve for four-year terms.

B. The duties of Councilmembers shall be those prescribed in RCW 35A.11.020 and as otherwise provided by law.

Section 4. TMC Section 2.04.020 is hereby reenacted to read as follows:

2.04.020 Meetings Declared Open and Public

A. All meetings of the Tukwila City Council and its committees shall be open and public, and all persons shall be permitted to attend any meeting of these bodies except as otherwise provided in the Washington State Open Public Meetings Act.

B. Notice of meetings shall be provided in accordance with the requirements of Chapter 42.30 RCW, the Washington State Open Public Meetings Act. The City Clerk or designee shall prepare meeting minutes containing an account of all official actions of the City Council.

C. Emergency meetings may be called by the Mayor or Council President when by reason of fire, flood, earthquake, or other emergency there is a need for expedited action by the City Council to meet the emergency, in which case, the meeting site notice requirements otherwise applicable shall not apply.

D. The City Council may hold an Executive Session during a Regular Meeting, Special Meeting or Committee of the Whole meeting to consider certain matters as set forth in RCW 42.30.110.

Section 5. TMC Section 2.04.030 is hereby reenacted to read as follows:

2.04.030 Rules of Procedure of the City Council

The Rules of Procedure of the City Council of the City of Tukwila, Washington, shall be adopted by resolution as approved by a majority vote of the City Council and periodically reviewed for consistency with applicable statutes and best governmental practices.

Section 6. Corrections by City Clerk or Code Reviser Authorized. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 7. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 8. Effective Date. This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this _____ day of _____, 2021.

ATTEST/AUTHENTICATED:

Christy O’Flaherty, MMC, City Clerk

Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____
Passed by the City Council: _____
Published: _____
Effective Date: _____
Ordinance Number: _____

Office of the City Attorney

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TUKWILA, WASHINGTON, ADOPTING RULES OF
PROCEDURE OF THE CITY COUNCIL.**

WHEREAS, RCW 35A.11.020 gives the City Council of each code city the power to organize and regulate its internal operations within the provisions of Title 35A RCW; and

WHEREAS, the City Council is committed to the highest standard of governance; and

WHEREAS, written rules and procedures of the City Council help to clarify and facilitate the business of the City Council, as well as provide the public with an understanding of the Council's functions; and

WHEREAS, the City Council's meeting procedures have not been updated since 2003; and

WHEREAS, the City Council seeks to update its meeting and other business procedures to align with the current environment and modern best practices; and

WHEREAS, the City Council intends to periodically review and modify its Rules of Procedure to ensure consistency with emerging realities, practices, trends, and laws;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Rules of Procedure of the City Council, attached hereto as Exhibit A, is adopted.

Section 2. The Rules of Procedure shall be reviewed on at least a biennial basis and updated as necessary.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this _____ day of _____, 2021.

ATTEST/AUTHENTICATED:

Christy O'Flaherty, MMC, City Clerk

Kate Kruller, Council President

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____

Passed by the City Council: _____

Resolution Number: _____

Office of the City Attorney

Attachment: Exhibit A, Rules of Procedure of the Tukwila City Council (dated 4-5-21)

Rules of Procedure of the Tukwila City Council

Introduction

The Rules of Procedure set forth herein are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These Rules of Procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act.

I. City Council Powers and Duties

A. City Council Authority

1. As the legislative branch of city government, the City Council establishes policy for the City of Tukwila.
2. Decisions are made as a collective body and no individual member has any extraordinary powers beyond those of other members, except as described in Section I.B.
3. Members of the Council shall refrain from becoming directly involved in the administrative affairs of the City, including intervening in staff decision-making, scheduling or directing work, and executing priorities without the prior knowledge and approval of the City Council as a whole.
4. The City Council has no policy direction over judicial matters and members may not interfere with judicial processes or decisions.

B. Council President – Mayor Pro Tempore

1. At the first Regular Meeting in January of each year, members of the City Council shall elect from their number a Council President who shall hold office at the pleasure of the Council. The general practice is to elect presidents in a rotating order by seniority, which is determined by the:
 - a. Greatest consecutive number of years served;
 - b. Greatest consecutive number of years plus months or years served prior to the current term(s);
 - c. Number of votes when elected.
2. If the Councilmember who is next in line is unable to serve as Council President, he or she will notify the City Council in writing by the last Regular Meeting of the previous year. If this opt-out request is approved by the City Council, service will fall to the next Councilmember in the order of seniority. The Councilmember whose opt-out was accepted by the City Council will remain at the top of the rotation with the opportunity to serve as Council President the following year.

3. In the absence of the Mayor, the Council President shall become the Mayor Pro Tempore and perform the duties of the Mayor except that the Council President shall not have the power to appoint or remove any officer or to veto any ordinance.
4. If a vacancy occurs in the office of Council President, the City Council, at their next Regular Meeting, shall select a new Council President to serve the remainder of the year.
5. If a vacancy occurs in the office of the Mayor, the City Council, at their next Regular Meeting, shall elect from their number a Mayor who shall serve until a Mayor is elected and certified at the next municipal election.

II. City Council Meetings

A. Regular Meetings

1. The City Council shall meet regularly on the first and third Mondays of each month, except those designated as City holidays, at 7:00 p.m. unless an alternative starting time is set and notice is provided to the public.
2. Regular Meetings will be held at Tukwila City Hall, 6200 Southcenter Boulevard, unless otherwise publicly announced.
3. During Regular Meetings the City Council may take formal actions including, but not limited to, adopting ordinances or passing motions or resolutions.

B. Committee of the Whole Meetings

1. The City Council shall meet as a Committee of the Whole on the second and fourth Mondays of each month, except those designated as City holidays, at 7:00 p.m. unless an alternate starting time is set and notice is provided to the public.
2. The Committee of the Whole shall meet at Tukwila City Hall, 6200 Southcenter Boulevard, unless otherwise publicly announced.
3. Meetings of the Committee of the Whole shall be held primarily to discuss policy matters in detail. The Committee of the Whole will have no power to take final actions including, but not limited to, adopting ordinances or passing motions or resolutions.

C. Special Meetings

Special meetings may be called by the Mayor, Council President, or any three Councilmembers by delivering written notice personally, by mail, by fax, or by electronic mail to each member of the Council at least 24 hours before the time specified for the proposed meeting and with public notice made pursuant to RCW 42.30.080.

D. Executive Sessions

1. The City Council may hold an Executive Session during a Regular Meeting, Special Meeting, or Committee of the Whole to consider certain matters as set forth in RCW 42.30.110.
2. Councilmembers must keep confidential all written materials and verbal information provided during Executive Sessions.

E. Retreats and Work Sessions

1. The full Council may meet periodically in a retreat or work session setting as deemed appropriate by the Council President or a quorum of the Council.
2. No final action will be taken at a retreat or work session.
3. Retreat and work session meetings are open to the public and subject to the requirements of RCW 42.30.

F. Attendance

1. Councilmembers are expected to maintain reliable attendance at all types of meetings described above.
2. Pursuant to RCW 35A.12.060, a City Council position shall be forfeited if the Councilmember fails to attend three consecutive Regular Meetings without being excused by the Council.
3. A Councilmember wishing to be excused from a Regular Meeting will provide advance notice in writing to the Council President and Legislative Analyst, who will in turn notify the other members of the City Council in advance of the meeting.

G. Remote Meetings

1. In the event of an emergency as declared by the City, State and/or Federal government, the City Council may arrange for electronic participation at a Regular Meeting, Committee of the Whole, Special Meeting, Executive Session, Retreat, standing committee meeting, or work session.
2. During a remote meeting, Councilmembers may attend by phone or other electronic means that allow all participants to hear one another.
3. Remote meetings are open to the public and arrangements must be conducted such that the public can hear the meeting while it is occurring, subject to the requirements of RCW 42.30.

III. Legislative Process

A. City Council Business

1. Matters to be considered by the Council shall be placed on a standing committee, Committee of the Whole, or Regular Meeting agenda and include items required by law to be presented to Council, items requested by a majority of the Council, staff-initiated items in accordance with the City's strategic priorities and work plan, and items referred from previous meetings.
2. In general, items to come before the City Council for a decision should appear first before a standing committee, then the Committee of the Whole, then a Regular Meeting. Informational items not requiring a decision may be scheduled with more flexibility as the situation requires.
3. Items may be placed directly on the agenda of a Committee of the Whole or a Regular Meeting when the items are approved by the Council President, and the items are routine or in the event of an emergency.

B. Legislative Actions

1. Ordinances are legislative items used to regulate matters of local concern, such as land use, animal control, local law enforcement and health and safety issues. Ordinances must comply with the terms of the U.S. and Washington State constitutions and the general laws of the City and State. Many ordinances are classified as "codifiable," meaning the ordinance will be incorporated into the Tukwila Municipal Code, which makes the laws of the City easily accessible by subject matter. Examples of non-codifiable ordinances include the annual property tax levy and adoption of the budget. Public emergency ordinances may take effect immediately upon final passage if passed by an affirmative vote of 5 Councilmembers.
2. Resolutions are legislative items that are advisory or policy-oriented in nature. Resolutions may be used to offer support for ballot measures, set hearing dates for a street vacation or update fee schedules. Resolutions are not a part of the Tukwila Municipal Code. Resolutions are signed by the Council President but are sometimes signed jointly with the Mayor, or prepared for signature by all Councilmembers, particularly when ceremonial or honorary in nature.
3. Motions are generally short statements adopted by the Council to direct that a specific course of action be taken on behalf of the City.
4. All proposed ordinances and resolutions shall be reviewed by the City Attorney and bear the Attorney's certification that they are in correct form before final passage.

C. Meeting Agendas

1. The City Clerk shall be responsible for preparing agendas for Regular, Special, and Committee of the Whole meetings, and presented to the Council President or designee for approval. After the proposed agenda has been approved, the City Clerk shall publish the final agenda in accordance with the provisions of RCW 42.30.
2. The order of a **Regular Meeting** agenda shall be:
 - a. *Call to Order*
 - b. *Pledge of Allegiance*
 - c. *Roll Call*
 - d. *Land Acknowledgement*
 - e. *Public Comments*
 - f. *Appointments and Proclamations*
 - g. *Presentations — Items pertinent to the City but not relating to other agenda business, including honoring of guests, special awards, or speakers external to the City.*
 - h. *Consent Agenda — Items that are routine or non-controversial in nature approved for inclusion by the Council President, Committee of the Whole, or forwarded by unanimous Committee action. Any Councilmember may request to remove an item from the Consent Agenda and place under New Business for further discussion.*
 - i. *Public Hearings — May be required by City, State, or Federal law or directed by the Council. Examples include but are not limited to Local Improvement Districts, zoning changes, biennial budget, annexation, moratoria, and quasi-judicial decisions.*
 - j. *Unfinished Business — Items of a general nature, including resolutions and ordinances previously before a standing committee, the Committee of the Whole or full Council.*
 - k. *New Business — Items of a general nature, including resolutions and ordinances not previously before a standing committee, the Committee of the Whole or full Council*
 - l. *Reports — Brief summaries of significant City-related activities from the Mayor, City Council, and City Administrator.*
 - m. *Miscellaneous — Significant City-related items that may need further Council discussion, action, or City Administration follow-up.*
 - n. *Executive Session*
 - o. *Adjournment*

3. The order of a **Committee of a Whole meeting** agenda shall be:
 - a. *Call to Order*
 - b. *Pledge of Allegiance*
 - c. *Land Acknowledgment*
 - d. *Public Comments*
 - e. *Presentations*
 - f. *Public Hearings*
 - g. *Special Issues — Items referred from Council committees, referred at a previous Council meeting, or approved for discussion by the Council President.*
 - h. *Reports*
 - i. *Miscellaneous*
 - j. *Executive Session*
 - k. *Adjournment or Adjournment to a Special Meeting*
4. The order of a **Special Meeting** agenda follows the same order of Regular Meetings based on what items need to be addressed. The City Council may not take action on anything not listed on a Special Meeting agenda.

IV. Meeting Conduct

A. Presiding Officer

1. All Regular and Special Meetings of the City Council shall be presided over by the Mayor or, in the Mayor's absence, by the Mayor Pro Tempore.
2. If neither the Mayor nor the Mayor Pro Tempore is present at a Regular or Special Meeting, the presiding officer for that meeting shall be appointed by a majority vote of those Councilmembers present, provided there is a quorum, and the appointment of a Councilmember as Mayor Pro Tempore shall not abridge their right to vote on matters before the Council.
3. All Committee of the Whole meetings shall be presided over by the Council President. If the Council President is temporarily absent, the Council shall elect a Councilmember to serve in that capacity until the Council President returns.
4. The presiding officer shall preserve strict order and decorum, state all questions coming before the Council, provide opportunity for discussion on each item on the table, and announce the decision of the Council on all subjects. Procedural decisions made by the presiding officer may be overruled by a majority vote of the Council.

B. Parliamentary Procedure

Questions of parliamentary procedure not covered by these Rules of Procedure shall be governed by Robert's Rules of Order, Newly Revised (latest edition).

C. Quorum

1. At all meetings of the City Council, four members shall constitute a quorum for the transaction of business.
2. Confirmations of appointments by the Mayor, budget transfers, personnel levels, and formal motions, resolutions, ordinances and amendments thereto shall require the affirmative votes of four Councilmembers.

D. Seating

Members of the City Council will be seated at the Council dais in order of seniority, except that the Council President will be seated in the center during Committee of the Whole Meetings and at the right of the Mayor during Regular and Special Meetings.

E. General Meeting Decorum

1. While the City Council is in session, the members must preserve order and decorum and a member shall neither delay nor interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking.
2. Meeting participants should focus on the meeting agenda and confine remarks to the question or matter under discussion.
3. A Councilmember desiring to speak shall address the presiding officer and when recognized shall confine their remarks to the question under debate. Councilmembers will be recognized in the order in which they request the floor or, if that is difficult to determine, by seating position.
4. Councilmembers shall not be interrupted unless it is to be called to order.
5. No Councilmember shall speak a second time on the same item until each Councilmember has been given an opportunity to speak.

F. Motions, Debate, and Voting

1. Prior to discussion of an action item, a Councilmember must make a motion, which must be seconded by another Councilmember, to place it on the table, except those motions described in 2 below, which do not require a second.
2. Motions not requiring a second include nominations, withdrawal of a motion, request for a roll call vote, and point of order.
3. After a motion has been made and seconded (if required), Councilmembers may discuss their opinions on the issue prior to the vote, including why they will vote for or against the motion.
4. Councilmembers may request a presentation or ask clarifying questions of staff prior to beginning debate.
5. If a resolution or ordinance, the City Clerk may read the item by title only or, if requested by any Councilmember, the document may be read in its entirety.

6. A motion may be withdrawn by the maker of the motion at any time, without the need for a “second” per item 2 above.
7. 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.
8. A motion to call for the question shall close debate on the main motion and is nondebatable. This motion requires a second and fails without a two-thirds majority. Debate is reopened if the motion fails.
9. Motions shall be entertained in the order of precedence outlined in the current edition of Robert’s Rules of Order Newly Revised (latest edition).
10. The Regular or Special Meeting Consent Agenda is adopted by a single motion.
11. When the discussion is concluded, the presiding officer shall repeat the motion prior to voting.
12. Unless otherwise provided for by statute, ordinance, or resolution, votes will be taken by voice, unless a roll call vote is requested by the Presiding Officer or any Councilmember.
13. Each member present must vote on all questions before the Council and may abstain only by reason of conflict of interest.
14. Silence of a Councilmember during a voice vote shall be recorded as an affirmative vote except where such a Councilmember abstains because of a stated conflict of interest.
15. No vote may be cast by proxy.
16. The City Council votes on the motion as restated. If the vote is unanimous, the presiding officer shall state that the motion has been passed unanimously by the number of Councilmembers present, such as “7-0.” If the vote is not unanimous, the presiding officer shall state the number of Councilmembers voting in the affirmative and the number voting opposed and whether the motion has passed or failed.
17. In case of a tie vote on any motion, the motion fails.
18. In cases where there seems to be no opposition, or on questions of little importance, the presiding officer may seek approval by unanimous consent.
19. When the Council concurs with an item that does not require a formal motion, the presiding officer will summarize the Council’s consensus at the conclusion of the discussion.

G. Reconsidering a Vote

After the question has been decided, any Councilmember who voted in the majority may move for reconsideration of the motion. The motion being reconsidered must be made at the same or next Regular Meeting.

H. **Questions of Order**

All questions of order shall be decided by the presiding officer with the right of appeal to the majority of Councilmembers present.

I. **Adjournments**

1. All meetings of the Council shall adjourn no later than 11:00 p.m. If the Council desires to extend the meeting, a motion shall be required of a majority plus one vote of Councilmembers present. Items not acted on by the 11:00 p.m. deadline shall be deferred to the next respective Council meeting as Unfinished Business, unless Council, by a majority vote of members present, determines otherwise.
2. Any Committee of the Whole, Regular, adjourned Regular, Special or adjourned Special Meeting may be adjourned in the manner as set forth in RCW 42.30.090.

V. **Public Participation**

- A. **Public Hearings:** The following procedures shall apply to public hearings, except public hearings subject to Tukwila Municipal Code Chapters 18.104 through 18.116, which shall be subject to the procedures specified therein.
1. City staff will provide a report summarizing and providing context to the issue at hand.
 2. The proponent shall speak first and is allowed 15 minutes to make a presentation. The Council may ask questions.
 3. The opponent is allowed 15 minutes to make a presentation. The Council may ask questions.
 4. Each side is then allowed 5 minutes for rebuttal.
 5. After the proponents and opponents have used their speaking time, the Council may ask further clarifying questions of the speakers.
 6. Members of the public who wish to address the Council on the hearing topic may speak for 5 minutes each.
 7. Speakers are asked to sign in on forms provided by the City Clerk.
 8. The Council may ask clarifying questions of speakers and the speakers may respond.
 9. Speakers should address their comments to the City Council.
 10. Once the presiding officer closes the public hearing, no further comments will be accepted, and the issue is open for Councilmember discussion.
 11. Any hearing being held or ordered to be held by the City Council may be continued in the manner as set forth by RCW 42.30.100.

B. Public Comment

1. Time is set aside at each Committee of the Whole and Regular Meeting for members of the public to address the Council about items both included and not included on the agenda.
2. Public comment is to allow members of the community to provide input to the City Council and should not interfere with the ability of the City Council to conduct its business.
3. Speakers are asked to sign in on forms provided by the City Clerk.
4. Speakers must wait to be recognized by the presiding officer.
5. Speakers should first state their name for the record.
6. Speakers should limit their remarks to 5 minutes or less, unless granted additional time by the presiding officer or majority of the Council.
7. All remarks should be addressed to the Council as a whole and not to individual Councilmembers, City staff, or members of the audience.
8. No speaker may donate speaking time to another individual.
9. If a large number of people wish to speak to a particular issue, the Council may limit the total amount of comment time dedicated to that issue.
10. Comments should not be taken on items subject to quasi-judicial consideration unless it is during a specified public hearing.
11. Written comments may be submitted to the City Clerk or designee for distribution to the City Council. If seven copies are not provided by the submitter, copies will be distributed by the next day.
12. The Council has the right to invite anyone to speak at times other than the public comment period, which is done by unanimous consent or majority vote.
13. Councilmembers should refrain from engaging in dialogue with commenters.

C. Disruptions

1. Disruptions of a Council meeting are prohibited and include but are not limited to the following:
 - a. Failure of a speaker to comply with the allotted public comment time.
 - b. Outbursts from members of the public who have not been recognized by the presiding officer.
 - c. Interfering with other individuals desiring to provide public comment.
 - d. Behavior that intentionally disrupts or impedes attendance or participation at a meeting.

2. If an individual is disruptive, the presiding officer may terminate that individual's comment period, request assistance to direct an individual to their seat or, in extreme cases, request assistance in removing the individual from the meeting room.
3. If a meeting has become disrupted to the point of a failure of resuming business, the presiding officer should call for a motion to recess.
4. If order cannot be restored, the City Council may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members pursuant to RCW 42.30.050.

VI. City Council Committees

A. Standing Committees

1. The City Council may choose to implement a framework of four standing committees, comprising three Councilmembers each, to aid in the transaction of its business.
2. The standing committee titles, scopes of authority, and schedule will be adopted by resolution in January of each year.
3. The scopes of the standing committees will be balanced in accordance with the City's workload as established by the biennial budget.
4. The Council President shall appoint the chair and membership of each Committee by the second Regular Meeting of each year.
5. The standing committees shall consider and make policy recommendations to the City Council as a whole. Committees may at times refer items to the full Council with no recommendation.
6. Each Committee Chair shall report to the Council the findings of the committee.
7. Each Committee Chair may review and approve the Committee agenda and will approve Committee minutes before distribution. The Committee Chair can authorize the cancellation of a Committee meeting.
8. In the event a Committee member is unable to attend a meeting, another Councilmember may attend in the absent member's place. If no replacement can be found, the meeting may still take place with two members.

B. Ad Hoc Committees

The City Council may establish such ad hoc committees as may be appropriate to consider special matters that do not readily fit the standing committee structure or that require a special approach or emphasis.

VII. Council Vacancies

A. Vacancy

A Council position becomes vacant upon the resignation, recall, forfeiture of position, or death of a Councilmember. The remaining members of the governing body shall appoint a qualified person to fill the vacant position.

B. Resignation

1. A written resignation including an effective date must be submitted to the City Council in writing.
2. The City Council accepts a resignation by a motion and vote.

C. Appointment

If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 35A.12.050. To fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure, and any application form for applying. The application forms will be used in conjunction with an interview of each candidate to aid the Council selection of the new Councilmember.

VIII. Public Records Compliance

A. Compliance

1. Each Councilmember is responsible for complying with laws that govern public records.
2. Paper and electronic records that relate to the functional responsibility of the recipient or sender as a public official constitute a public record, which is subject to public inspection in accordance with RCW 42.56.
3. Councilmembers should send and receive messages related to City business through the City's email system
4. Emails and/or text messages transmitted through personal accounts and devices are public records and must be retained accordingly.
5. Councilmembers shall not communicate in any electronic format with another Councilmember during a Council meeting.
6. Social media posts are a public record. Wherever possible, posting should contain links directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct official City business.
7. Public records created or received by a Councilmember will be transferred to the Legislative Analyst for retention by the City in accordance with retention requirements under state law.
8. Public records that are duplicates of those in the possession of City staff, such as meeting agendas, are not required to be retained.

Attachment 1

Number	Rule	Description
I. City Council Powers and Duties		
A. City Council Authority		
I(A)	<ol style="list-style-type: none"> 1. As the legislative branch of city government, the City Council establishes policy for the City of Tukwila. 2. Decisions are made as a collective body and no individual member has any extraordinary powers beyond those of other members, except as described in Section I.B. 3. Members of the Council shall refrain from becoming directly involved in the administrative affairs of the City, including intervening in staff decision-making, scheduling or directing work, and executing priorities without the prior knowledge and approval of the City Council as a whole. 4. The City Council has no policy direction over judicial matters and members may not interfere with judicial processes or decisions. 	New
B. Council President – Mayor Pro Tempore		
I(B)1	<p>Council President – Mayor Pro Tempore</p> <p>At the first Regular Meeting in January of each year, members of the City Council shall elect from their number a Council President who shall hold office at the pleasure of the Council. The general practice policy of the City Council is to elect presidents in a rotating order by seniority, which is determined by the: based upon seniority.</p> <ol style="list-style-type: none"> a. Greatest consecutive number of years served; b. Greatest consecutive number of years plus months or years served prior to the current term(s); c. Number of votes when elected. 	TMC 2.04.060 and 2.04.070
I(B)2	<p>If the Councilmember who is next in line is unable to serve as Council President, he or she will notify the City Council in writing by the last Regular Meeting of the previous year. If this opt-out request is approved by the City Council, service will fall to the next Councilmember in the order of seniority. The Councilmember whose opt-out was accepted by the City Council will remain at the top of the rotation with the opportunity to serve as Council President the following year.</p>	Existing Policy CC 03, condensed for brevity.
I(B)3	<p>In the absence of the Mayor, the Council President shall become the Mayor Pro Tempore and perform the duties of the Mayor except that the Council President shall not have the power to appoint or remove any officer or to veto any ordinance.</p>	TMC 2.040.070(B)
I(B)4	<p>If a vacancy occurs in the office of Council President, the City Council, at their next Regular Meeting, shall select a new Council President to serve the remainder of the year.</p>	TMC 2.040.070(A)
I(B)5	<p>If a vacancy occurs in the office of the Mayor, the City Council, at their next Regular Meeting, shall elect from their number a Mayor who shall serve until a Mayor is elected and certified at the next municipal election.</p>	TMC 2.04.070(B)

II. City Council Meetings		
A. Regular Meetings		
II(A)1	The City Council shall meet regularly on the first and third Mondays of each month, except those designated as City holidays, at 7:00 p.m. unless an alternative starting time is set and notice is provided to the public. pursuant to TMC 2.04.040, if at any time any Regular Meeting falls on a holiday, the Council shall meet on the next business day at the same hour.	TMC 2.04.020 updated to address holidays
II(A)2	<u>Regular Meetings will be held at Tukwila City Hall, 6200 Southcenter Boulevard, unless otherwise publicly announced. The City Council shall meet at Tukwila City Hall, unless otherwise publicly announced.</u>	TMC 2.04.020
II(A)3	During Regular Meetings the City Council may take formal actions including, but not limited to, adopting ordinances or passing motions or resolutions.	New
B. Committee of the Whole Meetings		
II(B)1	The Council shall sit as a Committee of the Whole on the second and fourth Monday of each month, <u>except those designated as City holidays, at 7:00 pm., unless an alternate starting time is set and notice is provided to the public. published, except if at any time any committee meeting falls on a holiday, the Council shall meet on the next business day at the same hour.</u>	TMC 2.04.030 updated to address holidays
II(B)2	The Committee of the Whole shall meet at Tukwila City Hall, 6200 Southcenter Boulevard, unless otherwise publicly announced. The City Council shall meet at Tukwila City Hall, unless otherwise publicly announced.	TMC 2.04.030
II(B)3	Meetings of the Committee of the Whole shall be held primarily <u>to discuss policy matters in detail. for the purpose of considering current issues of the City, coordinating the work of the City Council, and discussing draft ordinances, resolutions and policy issues in detail.</u> The Committee of the Whole will have no power to take final actions, including but not limited to adopting ordinance or passing motions or resolutions.	TMC 2.04.030(C) updated to simplify description.
C. Special Meetings		
II(C)	Special Meetings may be called by the Mayor, Council President, or any three Councilmembers <u>by delivering written notice personally, by mail, by fax, or by electronic mail by written notice delivered by City employee(s) to each member of the Council at least 24 hours before the time specified for the proposed meeting and with public notice made pursuant to RCW 42.30.080.</u>	TMC 2.04.040 updated to match state law.
D. Executive Sessions		
II(D)1	The City Council may hold an Executive Session during a Regular Meeting, Special Meeting or Committee of the Whole Meeting to consider certain matters as set forth in RCW 42.30.110.	TMC 2.04.140
II(D)2	Councilmembers must keep confidential all written materials and verbal information provided during Executive Sessions.	New
E. Retreats and Work Sessions		

II(E)	<p><u>1. The full Council may meet periodically in a retreat or work session setting as deemed appropriate by the Council President or a quorum of the Council.</u></p> <p><u>2. No final action will be taken at a retreat or work session.</u></p> <p><u>3. Retreat and work session meetings are open to the public and subject to the requirements of RCW 42.30. The Committee of the Whole may meet in a retreat setting to plan their work at the beginning of the year or at any time beneficial to in-depth deliberations by the Council. Results of the Committee of the Whole's retreats will be discussed with the Mayor and administration in order to establish and understand City goals. A report summarizing the proceedings will be made available following each retreat. No official action will be taken at a retreat.</u></p>	TMC 2.04.030(C) updated to match current practices.
II(F)	<p>F. Attendance</p> <p>1. Councilmembers are expected to maintain reliable attendance at all types of meetings described above.</p> <p>2. Pursuant to RCW 35A.12.060, a City Council position shall be forfeited if the Councilmember fails to attend three consecutive Regular Meetings without being excused by the Council.</p> <p>3. A Councilmember wishing to be excused from a Regular Meeting will provide advance notice in writing to the Council President and Legislative Analyst, who will in turn notify the other members of the City Council in advance of the meeting.</p>	New
II(G)	<p>G. Remote Meetings</p> <p>1. In the event of an emergency as declared by the City, State and/or Federal government, the City Council may arrange for electronic participation at a Regular Meeting, Committee of the Whole, Special Meeting, Executive Session, Retreat, standing committee meeting, or work session.</p> <p>2. During a remote meeting, Councilmembers may attend by phone or other electronic means that allow all participants to hear one another.</p> <p>3. Remote meetings are open to the public and arrangements must be conducted such that the public can hear the meeting while it is occurring, subject to the requirements of RCW 42.30.</p>	New
III.	Legislative Process	
III(A)1	<p>A. City Council Business</p> <p>Matters to be considered by the Council shall be placed on a standing committee, Committee of the Whole, or Regular Meeting agenda and include items required by law to be presented to Council, items requested by a majority of the Council, staff-initiated items in accordance with the City's strategic priorities and work plan, and items referred from previous meetings.</p>	New
III(A)2	<p>The City Council desires to provide adequate time for administration and staff analysis, fact finding and presentation. 1. Items to come before the City Council should first be placed on the agenda of the appropriate committee for discussion before they are placed on the agenda of a Regular Council Meeting.</p>	TMC 2.04.110(A)(1) updated to match current practice

	In general, items to come before the City Council for a decision should appear first before a standing committee, then the Committee of the Whole, then a Regular Meeting. Informational items not requiring a decision may be scheduled with more flexibility as the situation requires.	
III(A)3.	Items may be placed directly on the agenda of a Regular Meeting when the items are approved by the Council President, and: 1) The items are routine in nature, such as approval of vouchers, proclamations, acknowledgement or receipt of petitions or documents, or discussion of claims for damages. 2) An emergency condition exists that represents a personnel hazard, impending deadline, or risk of immediate financial loss. In such instances, the CAS summary or staff memo should clearly define why the special procedure is necessary. Items may be placed directly on the agenda of a Committee of the Whole or a Regular Meeting when the items are approved by the Council President, and the items are routine or in the event of an emergency.	TMC 2.04.110(C)
B. Legislative Actions		
III(B)1	Ordinances are legislative items used to regulate matters of local concern, such as land use, animal control, local law enforcement and health and safety issues. Ordinances must comply with the terms of the U.S. and Washington State constitutions and the general laws of the City and State. Many ordinances are classified as “codifiable,” meaning the ordinance will be incorporated into the Tukwila Municipal Code, which makes the laws of the City easily accessible by subject matter. Examples of non-codifiable ordinances include the annual property tax levy and adoption of the budget. Public emergency ordinances may take effect immediately upon final passage if passed by an affirmative vote of 5 Councilmembers.	New
III(B)2	Resolutions are legislative items that are advisory or policy-oriented in nature. Resolutions may be used to offer support for ballot measures, set hearing dates for a street vacation or update fee schedules. Resolutions are not a part of the Tukwila Municipal Code. Resolutions are signed by the Council President but are sometimes signed jointly with the Mayor, or prepared for signature by all Councilmembers, particularly when ceremonial or honorary in nature. F. Resolutions of the City Council shall be signed by the Council President. G. A joint resolution of the City Council and the Mayor may be proposed when: 1) The subject of the resolution is of broad City concern, and the subject contains Council policy and administrative procedure; or 2) the subject of the resolution is of a ceremonial or honorary nature. H. Joint resolutions will be subject to the voting rules in TMC 2.04.130 and will be signed by the Mayor and Council President. The Council may provide for all Councilmembers to sign the joint resolution enacted under TMC 2.04.110-G.	TMC 2.04.110F, G updated to expand upon the definition of a resolution.
III(B)3	Motions are generally short statements adopted by the Council to direct that a specific course of action be taken on behalf of the City.	New
III(B)4	All proposed ordinances and resolutions shall be reviewed the by the City Attorney and bear the Attorney’s certification that they are in correct form before final passage. All accompanying documents shall be available before ordinances and resolutions can be passed.	Existing TMC 2.04.110E, removes unnecessary reference.

C. Meeting Agendas	
III(C)1	<p>The City Clerk shall be responsible for preparing agendas for Regular, Special, and Committee of the Whole meetings, and presented to the Council President or designee for approval. After the proposed agenda has been approved, the City Clerk shall publish the final agenda in accordance with the provisions of RCW 42.30.</p>
III(C)2	<p>The order of a Regular Meeting agenda shall be:</p> <ol style="list-style-type: none"> a. <i>Call to Order</i> b. <i>Pledge of Allegiance</i> c. <i>Roll Call</i> d. <i>Land Acknowledgement</i> e. <i>Public Comments</i> f. <i>Appointments and Proclamations</i> g. <i>Presentations — Items pertinent to the City but not relating to other agenda business, including honoring of guests, special awards, or speakers external to the City.</i> h. <i>Appointments and Proclamations</i> i. <i>Consent Agenda — Items that are routine or non-controversial in nature approved for inclusion by the Council President, Committee of the Whole, or forwarded by unanimous Committee action. Any Councilmember may request to remove an item from the Consent Agenda and place under New Business for further discussion.</i> j. <i>Public Hearings — May be required by City, State, or Federal law or directed by the Council. Examples include but are not limited to Local Improvement Districts, zoning changes, biennial budget, annexation, moratoria, and quasi-judicial decisions.</i> k. <i>Unfinished Business — Items of a general nature, including resolutions and ordinances previously before a standing committee, the Committee of the Whole or full Council.</i> l. <i>New Business — Items of a general nature, including resolutions and ordinances not previously before a standing committee, the Committee of the Whole or full Council</i> m. <i>Reports — Brief summaries of significant City-related activities from the Mayor, City Council, and City Administrator.</i> n. <i>Miscellaneous — Significant City-related items that may need further Council discussion, action, or City Administration follow-up.</i> o. <i>Executive Session</i> p. <i>Adjournment</i>
	<p>New</p> <p>Reworking of existing TMC 2.04.100 agenda order that:</p> <ul style="list-style-type: none"> • Adds Land Acknowledgement • Moves Public Comments and Appointments & Proclamations to BEFORE Presentations • Removes Bid Awards as they do not need to be called out separately • Removes City Attorney and Legislative Analyst from Reports

III(C)3	<p>The order of a Committee of a Whole meeting agenda shall be:</p> <ol style="list-style-type: none"> a. <i>Call to Order</i> b. <i>Pledge of Allegiance</i> c. <i>Land Acknowledgment</i> d. <i>Public Comments</i> e. <i>Presentations</i> f. <i>Public Hearings</i> g. <i>Special Issues — Items referred from Council committees, referred at a previous Council meeting, or approved for discussion by the Council President.</i> h. <i>Reports</i> i. <i>Miscellaneous</i> j. <i>Executive Session</i> k. <i>Adjournment or Adjournment to a Special Meeting</i> 	<p>Reworking of existing 2.04.110(B) to match current practice, add Land Acknowledgement, move Public Comment to before Presentations, and changes Reports.</p>
III(C)4	<p>The order of a Special Meeting agenda follows the same order of Regular Meetings based on what items need to be addressed. The City Council may not take action on anything not listed on a Special Meeting agenda.</p>	<p>New</p>
IV. Meeting Conduct		
A. Presiding Officer		
IV(A)1	<p>All Regular and Special Meetings of the City Council shall be presided over by the Mayor, or his/her in the Mayor's absence, by the Mayor Pro Tempore.</p>	<p>TMC 2.04.080 A</p>
IV(A)2	<p>If neither the Mayor nor the Mayor Pro Tempore is present at a <u>Regular or Special Meeting</u>, the presiding officer for that meeting shall be <u>appointed</u> elected by a majority of the vote of those Councilmembers present, provided there is a quorum, and the appointment of a Councilmember as Mayor Pro Tempore shall not abridge his/her <u>their</u> right to vote on matters before the Council. at such meeting.</p>	<p>TMC 2.04.080A and D</p>
IV(A)3	<p>All Committee of the Whole meetings shall be presided over by the Council President. If the Council President is temporarily absent, the Council shall elect a Councilmember to serve in that capacity until the Council President returns.</p>	<p>TMC 2.04.080 B</p>
IV(A)4	<p>The presiding officer shall preserve strict order and decorum, state all questions coming before the Council, provide opportunity for discussion on each item on the table, and announce the decision of the Council on all subjects. Procedural decisions made by the presiding officer may be overruled by a majority vote of the Council.</p>	<p>TMC 2.04.080 E</p>
B. Parliamentary Procedure		
IV(B)	<p>Questions of parliamentary procedure not covered by TMC Chapter 2.04 these Rules of Procedure shall be governed by Robert's Rules of Order, Newly Revised (latest edition).</p>	<p>TMC 2.040.170</p>

C. Quorum		
IV(C)1	At all meetings of the City Council, four members shall constitute a quorum for the transaction of business.	TMC 2.04.050
IV(C)2	Confirmations of appointments by the Mayor, budget transfers, personnel levels, and formal motions, resolutions, ordinances and amendments thereto shall require the affirmative votes of four Councilmembers.	TMC 2.04.130
D. Seating		
IV(D)	Members of the City Council will be seated at the Council table ais according to seniority of the Council, in order of seniority, except that the Council President will be seated in the center during Committee of the Whole Meetings and at the right of the Mayor during Regular and Special Meetings.	TMC 2.04.060 A updated to match current practice. <i>The Council could consider changing seniority to position number.</i>
E. General Meeting Decorum		
IV(E)1	While the City Council is in session, the members must preserve order and decorum and a member shall neither delay nor interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking.	New
IV(E)2	Meeting participants should focus on the meeting agenda and confine remarks to the question or matter under discussion.	New
IV(E)3	A Councilmember desiring to speak shall address the <u>presiding officer</u> and when <u>recognized chair</u> and, upon recognition by the presiding officer, shall confine <u>him/herself</u> their remarks to the question under debate. Recognition of Councilmembers shall be by seniority. Councilmembers will be recognized in the order in which they request the floor, or if that is difficult to determine, by seating position.	TMC 2.04.120(A)1
IV(E)4	Any member, while speaking, shall not be interrupted unless it is to call him or her to order. Councilmembers shall not be interrupted unless it is to be called to order.	TMC 2.04.120(A)2
IV(E)5	No Councilmember shall speak a second time on the same <u>item</u> until each Councilmember has been <u>given an opportunity to speak.</u> motion before an opportunity has been given each Councilmember to speak on that motion.	TMC 2.04.120(A)3
F. Motions, Debate, and Voting		
IV(F)1	Prior to discussion of an action item, a Councilmember must make a motion, which must be seconded by another Councilmember, to place it on the table, except those motions described in 2 below, which do not require a second.	New
IV(F)2	Motions not requiring a second include nominations, withdrawal of a motion, request for a roll call vote, and point of order.	New
IV(F)3	After a motion has been made and seconded (if required), Councilmembers may discuss their opinions on the issue prior to the vote, including why they will vote for or against the motion.	New
IV(F)4	Councilmembers may request a presentation or ask clarifying questions of staff prior to beginning debate.	New

IV(F)5	If a resolution or ordinance, the City Clerk may read the item by title only or, if requested by any Councilmember, the document may be read in its entirety.	New
IV(F)6	A motion may be withdrawn by the maker of the motion at any time, without the need for a "second" per item 2 above.	New
IV(F)7	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.	New
IV(F)8	A motion to call for the question shall close debate on the main motion and is nondebatable. This motion requires a second and fails without a two-thirds majority. Debate is reopened if the motion fails.	New
IV(F)9	Motions shall be entertained in the order of precedence outlined in the current edition of Robert's Rules of Order Newly Revised (latest edition).	New
IV(F)10	The Regular or Special Meeting Consent Agenda is adopted by a single motion.	New
IV(F)11	When the discussion is concluded, the presiding officer shall repeat the motion prior to voting.	New
IV(F)12	A roll-call vote may be requested by the presiding officer or any member of the Council. Voting normally shall be by seniority; however this procedure may be changed by the presiding officer. <u>Unless otherwise provided for by statute, ordinance, or resolution, votes will be taken by voice, unless a roll call vote is requested by the Presiding Officer or any Councilmember.</u>	TMC 2.04.130(B)
IV(F)13	Each member present must vote on all questions before the Council and may abstain only by reason of conflict of interest.	TMC 2.04.130(A)
IV(F)14	Silence of a Councilmember during a voice vote shall be recorded as an affirmative vote except where such a Councilmember abstains because of a stated conflict of interest.	TMC 2.04.130(A)
IV(F)15	No vote may be cast by proxy.	New
IV(F)16	The City Council votes on the motion as restated. If the vote is unanimous, the presiding officer shall state that the motion has been passed unanimously by the number of Councilmembers present, such as "7-0." If the vote is not unanimous, the presiding officer shall state the number of Councilmembers voting in the affirmative and the number voting opposed and whether the motion has passed or failed.	New
IV(F)17	In case of a tie vote on any motion, the motion fails.	New
IV(F)18	In cases where there seems to be no opposition, or on questions of little importance, the presiding officer may seek approval by unanimous consent.	New

IV(F)19	When the Council concurs with an item that does not require a formal motion, the presiding officer will summarize the Council's consensus at the conclusion of the discussion.	New
G. Reconsidering a Vote		
IV(G)	After the question has been decided, any Councilmember who voted in the majority may move for reconsideration of the motion. The motion being reconsidered must be made at the same or next Regular Meeting.	New
H. Questions of Order		
IV(H)	All questions of order shall be decided by the presiding officer with the right of appeal to the majority of Councilmembers present.	New
I. Adjournments		
IV(I)1	All meetings of the Council shall adjourn no later than 11:00 p.m. If the Council desires to extend the meeting, a motion shall be required of a majority plus one vote of Councilmembers present. Items not acted on by the 11:00 p.m. deadline shall be deferred to the next respective Council meeting as Unfinished Business, unless Council, by a majority vote of members present, determines otherwise.	TMC 2.04.160(B)
IV(I)2	Any Committee of the Whole, Regular, adjourned Regular, Special or adjourned Special Meeting may be adjourned in the manner as set forth in RCW 42.30.090.	TMC 2.04.160(A)

<p>V. Public Participation</p>	<p>A. Public Hearings</p> <p>The following procedures shall apply to public hearings, except public hearings subject to Tukwila Municipal Code Chapters 18.104 through 18.116, which shall be subject to the procedures specified therein. The presiding officer may exercise a change in the procedures, but said decision may be overruled by a majority vote of the City Council.</p> <ol style="list-style-type: none"> 1. <u>City Staff will provide a report summarizing and providing context to the issue at hand.</u> 2. The proponent spokesman shall speak first and be is allowed 15 minutes to make a presentation. The Council may ask questions. 3. The opponent spokesman shall be is allowed 15 minutes for to make a presentation. and the <u>The Council may ask questions.</u> 4. Each side shall then be is then allowed 5 minutes for rebuttal. 5. After the proponents and opponents have used their speaking time, the Council may ask further <u>clarifying questions of the speakers.</u> questions of the speakers, who may respond. 6. <u>Members of the public who wish to address the Council on the hearing topic may speak for 5 minutes each.</u> 7. <u>Speakers are asked to sign in on forms provided by the City Clerk.</u> 8. <u>The Council may ask clarifying questions of speakers and the speakers may respond.</u> 9. <u>Speakers should address their comments to the City Council.</u> 10. <u>Once the presiding officer closes the public hearing, no further comments will be accepted, and the issue is open for Councilmember discussion.</u> 11. Any hearing being held or ordered to be held by the City Council may be continued in the manner as set forth by RCW 42.30.100. <p>At public hearings and for issues where a public meeting is required or requested, and a general audience is in attendance to present arguments for or against a public issue:</p> <ol style="list-style-type: none"> (1) A signup sheet for speakers will be available, and all citizens considering speaking will be asked to write their name and address legibly. If they speak without signing up, they will be asked to sign in after speaking (2) A person may speak for five minutes. No one may speak for a second time until everyone wishing to speak has had an opportunity to speak. (3) After the speaker has used the allotted time, Council may ask questions of the speaker and the speaker may respond, but may not engage in further debate. (4) Speakers should address their comments to the City Council and should not address other audience members. No disparaging remarks or remarks directed to opponents will be allowed. (5) The hearing will then be closed to public participation by the presiding officer and open for Councilmember discussion.
<p>V(A)</p>	<p>TMC 2.04.100(9)b, 2.04.150 updated for clarity and to add staff report.</p>

B. Public Comment	
V(B)1	<p>Time is set aside at each Committee of the Whole and Regular Meeting for members of the public to address the Council about items both included and not included on the agenda.</p> <p>New. In the current code, provisions relating to public comment are in a confusing section called "Speaking Procedures" that combines rules for public commenters with Councilmembers.</p>
V(B)2	<p>Public comment is to allow members of the community to provide input to the City Council and should not interfere with the ability of the City Council to conduct its business.</p> <p>New</p>
V(B)3	<p>Speakers are asked to sign in on forms provided by the City Clerk.</p> <p>New</p>
V(B)4	<p><u>Speakers must wait to be recognized by the presiding officer.</u></p> <p>No person shall be permitted to enter into any discussion from the floor without first being recognized by the presiding officer</p> <p>TMC 2.01.120 (A) (3)</p>
V(B)5	<p><u>Speakers should first state their name for the record.</u></p> <p>In addressing the Council, each person shall advance to the podium and, after recognition, give name and address, and unless further time is given by the presiding officer shall limit his/her address to five minutes.</p> <p>TMC 2.04.120 (A)2 rewritten and to remove the address requirement</p>
V(B)6	<p><u>Speakers should limit their remarks to 5 minutes or less, unless granted additional time by the presiding officer or majority of the Council.</u></p> <p>In addressing the Council, each person shall advance to the podium and, after recognition, give name and address, and unless further time is given by the presiding officer shall limit his/her address to five minutes.</p> <p>TMC 2.04.120(A)2</p>
V(B)7	<p><u>All remarks should be addressed to the Council as a whole and not to individual Councilmembers, City staff, or members of the audience.</u></p> <p>All remarks shall be made to the Council as a body and not to any individual member or to the audience.</p> <p>TMC 2.04.120(A)2</p>
V(B)8	<p>No speaker may donate speaking time to another individual.</p> <p>New</p>
V(B)9	<p>If a large number of people wish to speak to a particular issue, the Council may limit the total amount of comment time dedicated to that issue.</p> <p>New</p>
V(B)10	<p>Comments should not be taken on items subject to quasi-judicial consideration unless it is during a specified public hearing.</p> <p>New</p>
V(B)11	<p>Written comments may be submitted to the City Clerk or designee for distribution to the City Council. If seven copies are not provided by the submitter, copies will be distributed by the next day.</p> <p>New</p>

V(B)12	The Council has the right to invite anyone to speak at times other than the public comment period, which is done by unanimous consent or majority vote.	New
V(B)13	Councilmembers should refrain from engaging in dialogue with commenters.	New
C. Disruptions		
V(C)1	Disruptions of a Council meeting are prohibited and include but are not limited to the following: <ul style="list-style-type: none"> a. Failure of a speaker to comply with the allotted public comment time. b. Outbursts from members of the public who have not been recognized by the presiding officer. c. Interfering with other individuals desiring to provide public comment. d. Behavior that intentionally disrupts or impedes attendance or participation at a meeting. 	New
V(C)2	If an individual is disruptive, the presiding officer may terminate that individual's comment period, request assistance to direct an individual to their seat or, in extreme cases, request assistance in removing the individual from the meeting room.	New
V(C)3	If a meeting has become disrupted to the point of a failure of resuming business, the presiding officer should call for a motion to recess.	New
V(C)4	If order cannot be restored, the City Council may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members pursuant to RCW 42.30.050.	New
VI. City Council Committees		
A. Standing Committees		
VI(A)1	The City Council may choose to implement a framework of four standing committees, comprising three Councilmembers each, to aid in the transaction of its business. There are four standing committees of the Council consisting of three members each.	TMC 2.04.180 (A) rewritten to provide more flexibility
VI(A)2	The standing committee titles, scopes of authority, and schedule will be adopted by resolution in January of each year.	New
VI(A)3	The scopes of the standing committees will be balanced in accordance with the City's workload as established by the biennial budget.	New
VI(A)4	The Council President shall appoint the membership of each committee and the committee chair and membership of each Committee by the second Regular Meeting of each year.	TMC 2.04.180 (A)
VI(A)5	The standing committees shall consider and may make policy and legislative recommendations to the City Council as a whole. on items referred to the committee by the Council President, the Council, administrative departments, boards or commissions. Council committees shall consider all matters referred. Committees may at times refer items to the full Council with no recommendation.	TMC 2.04.180(B) and (C)

VI(A)6	Each Committee Chair shall report to the Council the findings of the committee.	TMC 2.04.180(C)
VI(A)7	Each Committee Chair may review and approve his/her the Committee agenda and will approve Committee minutes before distribution. The Committee Chair can authorize the cancellation of a Committee meeting. An affirmative vote of three members of Finance and Safety Committee is required when the committee approves unbudgeted items.	TMC 2.04.180(D) updated to remove outdated unbudgeted item reference.
VI(A)8	In the event a Committee member is unable to attend a meeting, that member may ask another Councilmember to attend in his/her place, another Councilmember may attend in the absent member's place. <u>If no replacement can be found, the meeting may still take place with two members.</u>	TMC 2.04.180(A) updated to add detail.
B. Ad Hoc Committees		
VI(B)	The City Council Council President may establish such ad hoc committees as may be appropriate to consider special matters that do not readily fit the standing committee structure or that require a special approach or emphasis. The Council President shall appoint Council representatives to intergovernmental councils, boards and committees as needed.	TMC 2.04.180(B) updated to match current practice.
VII. Council Vacancies		
A. Vacancy		
VII(A)	A Council position becomes vacant upon the resignation, recall, forfeiture of position, or death of a Councilmember. The remaining members of the governing body shall appoint a qualified person to fill the vacant position.	New
B. Resignation		
VII(B)	1. A written resignation including an effective date must be submitted to the City Council in writing. 2. The City Council accepts a resignation by a motion and vote.	New
C. Appointment		
VII(C)	If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 35A.12.050. In order to <u>To</u> fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure, and any application form for applying. The Council will draw up an application form, which contains relevant information to answer set questions posed by the Council. The application forms will be used in conjunction with an interview of each candidate to aid the Council selection of the new Councilmember.	TMC 2.04.190 updated to remove unnecessary detail.

VIII. Public Records Compliance		
A. Compliance		
VIII(A)	<ol style="list-style-type: none"> 1. Each Councilmember is responsible for complying with laws that govern public records. 2. Paper and electronic records that relate to the functional responsibility of the recipient or sender as a public official constitute a public record, which is subject to public inspection in accordance with RCW 42.56. 3. Councilmembers should send and receive messages related to City business through the City's email system 4. Emails and/or text messages transmitted through personal accounts and devices are public records and must be retained accordingly. 5. Councilmembers shall not communicate in any electronic format with another Councilmember during a Council meeting. 6. Social media posts are a public record. Wherever possible, posting should contain links directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct official City business. 7. Public records created or received by a Councilmember will be transferred to the Legislative Analyst for retention by the City in accordance with retention requirements under state law. 8. Public records that are duplicates of those in the possession of City staff, such as meeting agendas, are not required to be retained. 	New

Existing TMC Provisions proposed for Deletion		
TMC 2.04.080(C) and 2.04.090	These sections describe City Clerk staffing and administrative procedures for processing agendas.	
TMC 2.04.110(C)3	This describes an outdated practice that does not make sense in the context of current workflow and agenda procedures. Councilmembers must give direction in public meetings, and if there is an issue that an individual Councilmember would like the City to consider, they may seek consensus during a meeting. Removing this would not interfere with that right.	
TMC 2.04.110(D)	The City Council President has the authority to approve the Committee of the Whole and Regular Meeting agendas, which includes providing input into the amount of time given to specific items. Calling this out specifically seems unnecessary.	
TMC 2.04.120(B)1	TMC 2.04.120 combines speaking procedures for the City Council and for the public in the same section, which is totally inappropriate. Subsection B is outdated and does not match current public comment procedures or best practices. The new draft Rules of Procedure separates public comment into its own section and provides better description on how it works.	
TMC 2.04.120(B)4	This section is not appropriate or in alignment with current laws and best practices pertaining to First Amendment rights. The new draft Rules includes a section about how to handle interruptions in the Council Chamber.	

TMC 2.04.180(B)	This describes an obsolete practice that should be removed. The City Council adopted a comprehensive new Purchasing Policy at the end of 2020 that outlines appropriate spending procedures and authorities. This section also contains reference to the old standing committees that are no longer in service (Transportation, Utilities, Finance & Safety, Community Affairs and Parks).
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CHAPTER 2.04
CITY COUNCIL

Sections:

- 2.04.010 Meetings Declared Open and Public
- 2.04.020 Regular Meetings
- 2.04.030 Committee of the Whole Meetings
- 2.04.040 Special Meetings
- 2.04.050 Quorum
- 2.04.060 Seating
- 2.04.070 Council President—Mayor Pro Tempore
- 2.04.080 Presiding Officer
- 2.04.090 Agenda for Regular or Special Council Meetings
- 2.04.100 Agenda Format
- 2.04.110 Miscellaneous Agenda Procedures
- 2.04.120 Speaking Procedures
- 2.04.130 Voting
- 2.04.140 Executive Sessions
- 2.04.150 Continuances
- 2.04.160 Adjournment
- 2.04.170 Questions of Parliamentary Procedure
- 2.04.180 Council Committees and Representatives
- 2.04.190 Filling Council Vacancies

2.04.010 Meetings Declared Open and Public

All meetings of the Tukwila City Council and its committees shall be open and public, and all persons shall be permitted to attend any meeting of these bodies, except as otherwise provided in TMC 2.04.140.

(Ord. 2024 §1 (part), 2003)

2.04.020 Regular Meetings

The City Council shall meet regularly on the first and third Mondays of each month at 7:00PM, unless an alternative starting time is set and notice is provided to the public pursuant to TMC 2.04.040. If at any time any Regular Meeting falls on a holiday, the Council shall meet on the next business day at the same hour. The City Council shall meet at Tukwila City Hall, unless otherwise publicly announced.

(Ord. 2024 §1 (part), 2003)

2.04.030 Committee of the Whole Meetings

A. The Council shall sit as a Committee of the Whole on the second and fourth Monday of each month at 7:00PM, unless an alternate starting time is published; except, if at any time any committee meeting falls on a holiday, the Council shall meet on the next business day at the same hour. The City Council shall meet at Tukwila City Hall, unless otherwise publicly announced.

B. Meetings of the Committee of the Whole shall be held primarily for the purpose of considering current issues of the City, coordinating the work of the City Council, and discussing draft ordinances, resolutions and policy issues in detail. The Committee of the Whole will have no power to take final actions, including but not limited to adopting ordinances or passing motions or resolutions.

C. The Committee of the Whole may meet in a retreat setting to plan their work at the beginning of the year or at any time beneficial to in-depth deliberations by the Council. Results of the Committee of the Whole's retreats will be discussed with the Mayor and administration in order to establish and understand City goals. A report summarizing the proceedings will be made available following each retreat. No official action will be taken at a retreat.

(Ord. 2024 §1 (part), 2003)

2.04.040 Special Meetings

Special meetings may be called by the Mayor, or any three Councilmembers, by written notice delivered by City employee(s) to each member of the Council at least 24 hours before the time specified for the proposed meeting and with public notice made pursuant to RCW 42.30.080.

(Ord. 2024 §1 (part), 2003)

2.04.050 Quorum

At all meetings of the City Council, four members shall constitute a quorum for the transaction of business.

(Ord. 2024 §1 (part), 2003)

2.04.060 Seating

A. Members of the City Council will be seated at the Council table according to seniority of the Council, except that the Council President will be seated at the right of the Mayor.

B. Seniority shall be determined by the:

1. Greatest consecutive number of years served.
2. Greatest consecutive number of years plus months or years served prior to the current term(s).
3. Number of votes when elected.

(Ord. 2024 §1 (part), 2003)

2.04.070 Council President--Mayor Pro Tempore

A. At the first Regular Meeting in January of each year, members of the City Council shall elect from their number a Council President who shall hold office at the pleasure of the Council. The general policy of the City Council is to elect presidents in a rotating order, based upon seniority. If a vacancy occurs in the office of Council President, the City Council, at their next Regular Meeting, shall select a new Council President to serve the remainder of the year.

B. In the absence of the Mayor, the Council President shall become the Mayor Pro Tempore and perform the duties of the Mayor, except that the Council President shall not have the power to appoint or remove any officer or to veto any ordinance. If a vacancy occurs in the office of the Mayor, the City Council – at their next Regular Meeting – shall elect from their number a Mayor who shall serve until a Mayor is elected and certified at the next municipal election.

(Ord. 2209 §1, 2009; Ord. 2024 §1 (part), 2003)

2.04.080 Presiding Officer

A. All Regular and Special Meetings of the City Council shall be presided over by the Mayor or, in his/her absence, by the Mayor Pro Tempore. If neither the Mayor nor the Mayor Pro Tempore is present at a meeting, the presiding officer for that meeting shall be elected by a majority of the vote of those Councilmembers present, provided there is a quorum.

B. All Committee of the Whole meetings shall be presided over by the Council President. If the Council President is temporarily absent, the Council shall elect a Councilmember to serve in that capacity until the Council President returns.

C. The City Clerk or his/her designee will staff Regular and Special Council meetings and Committees of the Whole meetings. In the absence of the Clerk, Deputy Clerk or other qualified staff member appointed by the Clerk, the Mayor or Council may appoint a staff person to act in that capacity.

D. The appointment of a Councilmember as Mayor Pro Tempore shall not in any way abridge his/ her right to vote on matters coming before the Council at such meeting.

E. The presiding officer shall preserve strict order and decorum at all meetings of the Council. The presiding officer shall state all questions coming before the Council, provide opportunity for discussion on each item on the table, and announce the decision of the Council on all subjects. Procedural decisions made by the presiding officer may be overruled by a majority vote of the Council.

(Ord. 2024 §1 (part), 2003)

2.04.090 Agenda for Regular or Special Council Meetings

All items to be included on the agenda for Council consideration must be submitted to the City Clerk in full by 12:00PM noon on the Wednesday preceding each Council meeting. The City Clerk shall then prepare a proposed agenda, with attachments, according to the order of business. After the proposed agenda has been approved by the Council President or, in his/her absence, by his/her designated member of the City Council, the City Clerk shall prepare the final agenda, which shall be distributed to the Mayor, Councilmembers, City Attorney and Department Heads no later than Noon on the Friday preceding the Council Meeting. A copy of the agenda and subsequent documents shall be posted on the lobby bulletin board at City Hall. A copy of the Agenda face sheet will be posted on the City's website.

(Ord. 2024 §1 (part), 2003)

2.04.100 Agenda Format

The format of a Regular or Special City Council agenda shall be as follows:

1. *Call to Order.*
2. *Pledge of Allegiance.*
3. *Roll Call.*
4. *Special Presentations on key agenda items.*
5. *Appointments and Proclamations of the Mayor.*
6. *Citizens' Comments.* This is an opportunity for the audience to comment on items not listed on the agenda.
7. *Consent Agenda:*

a. Contains all consent agenda items approved by the Council President, from a Committee of the Whole, or forwarded by unanimous committee action, and routine items such as, but not limited to, approval of minutes and approval of vouchers. No ordinances, resolutions or bid awards, will be included on the consent agenda.

b. The following rules shall apply to the consent agenda:

(1) Any member of the City Council may, by request and without a Council vote, have any items removed from the consent agenda. That item will, by automatic procedure, be placed under New Business for further discussion.

(2) The remaining items shall be approved by motion.

8. *Bid Awards.* All competitive bid awards shall comply with RCW Title 39, and those that require Council approval shall include the contractor/vendor name, the project name, and the total dollar amount of the award. The award may or may not include Washington State Sales Tax.

9. *Public Hearings:*

a. For public hearings required by City, State or Federal law or as the Council may direct. Examples may include, but not be limited to:

- (1) LID
- (2) Zoning

- (3) Budget
- (4) Revenue sharing grants
- (5) Annexation
- (6) Moratoria
- (7) Quasi-judicial decisions

b. The following procedures shall apply to public hearings, except public hearings subject to TMC Chapters 18.104 through 18.116, which shall be subject to the procedures specified therein:

(1) The presiding officer may exercise a change in the procedures, but said decision may be overruled by a majority vote of the City Council.

(2) The proponent spokesman shall speak first and be allowed 15 minutes. The Council may ask questions.

(3) The opponent spokesman shall be allowed 15 minutes for presentation and the Council may ask questions.

(4) Each side shall then be allowed 5 minutes for rebuttal.

(5) After the proponents and opponents have used their speaking time, Council may ask further questions of the speakers, who may respond.

c. At public hearings and for issues where a public meeting is required or requested, and a general audience is in attendance to present arguments for or against a public issue:

(1) A signup sheet for speakers will be available, and all citizens considering speaking will be asked to write their name and address legibly. If they speak without signing up, they will be asked to sign in after speaking.

(2) A person may speak for five minutes. No one may speak for a second time until everyone wishing to speak has had an opportunity to speak.

(3) After the speaker has used the allotted time, Council may ask questions of the speaker and the speaker may respond, but may not engage in further debate.

(4) Speakers should address their comments to the City Council and should not address other audience members. No disparaging remarks or remarks directed to opponents will be allowed.

(5) The hearing will then be closed to public participation by the presiding officer and open for Councilmember discussion.

10. *Unfinished Business.* This section of the agenda shall include items of a general nature, including resolutions and ordinances previously discussed at a Council meeting. The following procedures shall apply during this section of the agenda:

a. The item will be put on the table by motion.

b. The committee chair, sponsor or a designated spokesman of each item may give a presentation.

c. If a resolution or ordinance, the City Attorney or City Administrator may read the item by title only or, if requested by any Councilmember, the document may be read in its entirety. A motion by Council shall rule.

d. The Council may then question the sponsor or designated spokesman of the presented item.

e. When discussions conclude, the Council, by motion, will act upon the resolution, ordinance or other item.

11. *New Business.* This section of the agenda shall include all items of a general nature -- including resolutions and ordinances previously discussed at a Committee Meeting and put forward to the Regular Meeting -- and items that have been removed from the consent agenda. The procedures that apply during this section shall be the same as those under Unfinished Business.

12. *Reports.* Reports on special interest items from the Mayor, City Council, staff, City Attorney, and intergovernmental representatives.

13. *Miscellaneous.*

14. *Executive Session.*

15. *Adjournment.*

(Ord. 2024 §1 (part), 2003)

2.04.110 Miscellaneous Agenda Procedures

A. The City Council desires to provide adequate time for administration and staff analysis, fact finding and presentation.

1. Items to come before the City Council should first be placed on the agenda of the appropriate committee for discussion before they are placed on the agenda of a Regular Council Meeting.

2. All items that are not routine in nature and presented shall include a completed Council Agenda Synopsis (CAS), a staff report, and Committee Minutes. The City Clerk or a designated person shall be responsible for attaching a CAS number, keeping the original CAS, and maintaining an index for future reference.

B. The agenda and provision for the Committee of the Whole shall be citizen comments, committee reports, discussion of items referred from committees, items referred by three Councilmembers, and items set by the Council President. The agenda and any attachments will be approved by the Council President or his/her designee, and shall be prepared by the City Clerk for distribution to the Council by 12:00PM noon on Friday.

C. Items may be placed directly on the agenda of a Regular Meeting when the items are approved by the Council President, and:

1. The items are routine in nature, such as approval of vouchers, proclamations, acknowledgement or receipt of petitions or documents, or discussion of claims for damages.

2. An emergency condition exists that represents a personnel hazard, impending deadline, or risk of immediate financial loss. In such instances, the CAS summary or staff memo should clearly define why the special procedure is necessary.

3. In the event the sponsor of any items to come before the City Council feels it both appropriate and beneficial to the City, that sponsor may bring such items directly to the Regular Meeting with the concurrence of three Councilmembers.

D. The Council President may affix an approximate time limit for each agenda item at the time of approval of the agenda.

E. All proposed ordinances and resolutions shall be reviewed by the City Attorney and bear the Attorney's certification that they are in correct form before final passage. All accompanying documents shall be available before ordinances and resolutions can be passed.

F. Resolutions of the City Council shall be signed by the Council President.

G. A joint resolution of the City Council and the Mayor may be proposed when:

1. The subject of the resolution is of broad City concern, and the subject contains Council policy and administrative procedure; or

2. The subject of the resolution is of a ceremonial or honorary nature.

H. Joint resolutions will be subject to the voting rules in TMC 2.04.130 and will be signed by the Mayor and Council President. The Council may provide for all Councilmembers to sign the joint resolution enacted under TMC 2.04.110 G.

(Ord. 2024 §1 (part), 2003)

2.04.120 Speaking Procedures

A. Speaking procedure for agenda items under consideration is as follows:

1. A Councilmember desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine him/herself to the question under debate. Recognition of Councilmembers shall be by seniority.

2. Any member, while speaking, shall not be interrupted unless it is to call him or her to order.

3. No Councilmember shall speak a second time on the same motion before an opportunity has been given each Councilmember to speak on that motion.

B. Addressing the Council for items under Council discussion shall proceed as follows:

1. Any person, with the permission of the presiding officer, may address the Council, but the presiding officer shall be required to recognize speakers in the following order:

a. A person designated by the presiding officer to introduce the subject under discussion.

b. Those whose request to be heard is contained in the written agenda.

c. Those who have submitted their request to be heard in writing or to the City Clerk before the meeting.

d. Those who ask recognition from the floor.

2. In addressing the Council, each person shall advance to the podium and, after recognition, give name and address, and -- unless further time is given by the presiding officer -- shall limit his/her address to five minutes. All remarks

shall be made to the Council as a body and not to any individual member or to the audience.

3. No person shall be permitted to enter into any discussion from the floor without first being recognized by the presiding officer.

4. Any person making personal, impertinent or slanderous remarks while addressing the Council shall be barred from further audience participation by the presiding officer unless permission to continue is granted by a majority vote of the Council.

(Ord. 2024 §1 (part), 2003)

2.04.130 Voting

A. Silence of a Councilmember during a voice vote shall be recorded as an affirmative vote except where such a Councilmember abstains because of a stated conflict of interest. Each member present must vote on all questions before the Council and may abstain only by reason of conflict of interest.

B. A roll-call vote may be requested by the presiding officer or any member of the Council. Voting normally shall be by seniority; however, this procedure may be changed by the presiding officer.

C. Confirmations of appointments by the Mayor, budget transfers, personnel levels, and formal motions, resolutions, ordinances and amendments thereto shall require the affirmative votes of four Councilmembers.

(Ord. 2024 §1 (part), 2003)

2.04.140 Executive Sessions

The City Council may hold an Executive Session during a Regular Meeting, Special Meeting or Committee of the Whole meeting to consider certain matters as set forth in RCW 42.30.110.

(Ord. 2024 §1 (part), 2003)

2.04.150 Continuances

Any hearing being held or ordered to be held by the City Council may be continued in the manner as set forth by RCW 42.30.100.

(Ord. 2024 §1 (part), 2003)

2.04.160 Adjournment

A. Any Committee of the Whole, Regular, adjourned Regular, Special or adjourned Special Meeting may be adjourned in the manner as set forth in RCW 42.30.090.

B. All meetings of the Council shall adjourn no later than 11:00PM. If the Council desires to extend the meeting, a motion shall be required of a majority plus one vote of Councilmembers present. Items not acted on by the 11:00PM deadline shall be deferred to the next respective Council meeting as unfinished business, unless Council, by a majority vote of members present, determines otherwise.

(Ord. 2024 §1 (part), 2003)

2.04.170 Questions of Parliamentary Procedure

Questions of parliamentary procedure not covered by TMC Chapter 2.04 shall be governed by Robert's Rules of Order, Newly Revised (latest edition).

(Ord. 2024 §1 (part), 2003)

2.04.180 Council Committees and Representatives

A. There are four standing committees of the Council consisting of three members each. The Council President shall appoint the membership of each committee and the committee chair by the second Regular Meeting of each year. The chair for each committee shall set the schedule of meetings and cause them to be published. In the event a committee member is unable to attend a meeting, that member may ask another Councilmember to attend in his/her place.

B. The standing committees shall consider and may make policy and legislative recommendations to the City Council on items referred to the committee by the Council President, the Council, administrative departments, boards or commissions. If budgeted in an amount less than or equal to \$25,000, a committee can approve a bid or negotiation award by an affirmative vote of three committee members. If a unanimous committee vote is not obtained, the award will be referred to the City Council for action. The standing committees, their scopes of authority, and the supporting City departments are as follow:

1. Transportation Committee, which shall consider matters related to transportation, transportation plans, traffic, transit, streets, street lighting, signals, street LIDs, and rights-of-way in coordination with the Public Works Department and Department of Community Development.

2. Utilities Committee, which shall consider matters related to water; sewer; electric power; natural gas; telephone; cable television; telecommunications; solid waste reduction, reuse and recycling; river basins; and levies, in coordination with the Public Works Department.

3. Finance and Safety Committee, which shall consider matters related to the general fiscal and financial operations of the City; budget and financial reports; and policy matters related to personnel including, but not limited to, the salary grade schedule, position classifications and salary changes in coordination with the Finance Department, Administrative Services Department, and City Administrator. They will consider library issues, tourism, administrative matters, and information technology issues in conjunction with the City Clerk, Library Advisory Board, Lodging Tax Advisory Board, Chamber of Commerce, and Information Services. They shall consider matters related to police and fire protection; the municipal court; emergency services; and animal control in coordination with the Police Department, Fire Department, Civil Service Commission, Public Works Department, and Community-Oriented Policing Board.

4. Community Affairs and Parks Committee, which shall consider matters related to the planning of the physical, economic, aesthetic, cultural and social development of the City; and Comprehensive Plan, Zoning Code, Building Code, code enforcement, Sign Code and annexation policies, in coordination with the Department of Community Development, Human Services, Planning Commission, Hearing Examiner, Sister Cities Committee, Human Services Advisory Board, and the Equity and Diversity Commission. They shall consider matters relating to parks and park plans, recreation facilities and community activities, in coordination with the Parks and Recreation Department, the Arts Commission, and Park Commission.

B. The Council President may establish such ad hoc committees as may be appropriate to consider special matters that do not readily fit the standing committee structure or that require special approach or emphasis. The Council President shall appoint Council representatives to intergovernmental councils, boards and committees as needed.

C. Council committees shall consider all matters referred. Each committee chair shall report to the Council the findings of the committee. Committees may refer items to the Council with no committee recommendation.

D. Each committee chair may review and approve his/her committee agenda and will approve committee minutes before distribution. The committee chair can authorize the cancellation of a committee meeting. An affirmative vote of three members of Finance and Safety Committee is required when the committee approves unbudgeted items.

(Ord. 2024 §1 (part), 2003)

2.04.190 Filling Council Vacancies

If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 35A.12.050. In order to fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure and any application form for applying. The Council will draw up an application form, which contains relevant information to answer set questions posed by the Council. The application forms will be used in conjunction with an interview of each candidate to aid the Council selection of the new Councilmember.

(Ord. 2024 §1 (part), 2003)



INFORMATIONAL MEMORANDUM

TO: Finance and Governance Committee

FROM: Vicky Carlsen, Finance Director

CC: Mayor Ekberg

DATE: April 6, 2021

SUBJECT: Department 20 (non-departmental expenditures) Discussion

ISSUE

Provide information on the purpose of Department 20, a department within the general fund that records accounting transactions related to transfer of money to other funds.

BACKGROUND

During budget discussions with City Council in late 2020, a request was made to provide information on Department 20, which is a department in the general fund that records non-departmental transactions.

DISCUSSION

The general fund is the main operating fund for the City and is used to account for all financial resources except those that are required to be accounted for in another fund. The general fund categorizes expenditures by department in an attempt to demonstrate how much it costs to provide various services that are not required to be accounted for in another fund.

An example would be the Public Works department. Public Works provides a number of services, including road and street maintenance, traffic control devices, street cleaning, bus stop maintenance, streetscape, median landscaping, street lighting, snow and ice removal, video and fiber, minor structural repairs, and sidewalks. All of these services are captured in the Public Works department within the general fund. However, Public Works also provides infrastructure improvements which are capital projects. Capital projects are required to be accounted for in a capital projects fund. Public Works also provides water, sewer, and surface water services. These are utilities and are required to be accounted for as enterprise funds.

Department 20 captures transactions that are city-wide in nature and not specific to any one department. Department 20 is only used to record transfers of general fund revenue to other funds for expenditures that are required to be accounted for in a different fund. This is a very common accounting practice and most, if not all, cities account for transfers in this manner. Transfers are categorized as follows:

- Transfers for debt service payments for LTGO bonds. LTGO bonds are authorized by Council and are paid for with general fund revenue sources.
- Transfers for capital projects that are at least partially funded by general fund revenue.

- Transfers to the golf course to support operations.

In the past, Department 20 had been utilized to record other expenditures not specific to any one department. This included claims & judgements and liability insurance. However, several years ago this practice was changed. Liability insurance is now allocated to departments based on claims experience and claims & judgements was moved to the Finance department.

RECOMMENDATION

Information only.



INFORMATIONAL MEMORANDUM

TO: Finance and Governance Committee

FROM: Vicky Carlsen, Finance Director

CC: Mayor Ekberg

DATE: April 6, 2021

SUBJECT: Update on ERP Project

ISSUE

Provide an update on the status of the ERP implementation project.

BACKGROUND

At the December 14, 2020 special meeting, City Council authorized the Mayor to sign contracts with CentralSquare Solutions and NeoGov to replace the City's existing financial software system. CentralSquare Solutions is providing a full suite of financial software modules including general ledger, accounts payable, accounts receivable, payroll, bank reconciliation, fixed assets, grant and contract management, among others. NeoGov will be providing a complete Human Resource Information System that incorporates Recruiting, Onboarding, Core HR, Time and Attendance, Performance Management, Learning Management System, and Offboarding. .

DISCUSSION

As soon as the contract were signed, staff began working with the vendors to begin the implementation.

Finance Enterprise

Finance Enterprise is the software solution that is being provided by CentralSquare Solutions. The software will be implemented in a total of five phases.

Phase I: The first phase is a complete review of existing processes, identification of where improvements can be made, and decisions for changes documented. This phase has begun and is expected to be wrapped up in the next two months. Phase one also includes revamping the chart of accounts (COA). The COA is a listing of all accounts used in the general ledger to track accounting transactions (both revenue and expenditure) by fund, department, and type. The new COA will allow for better reporting capabilities and greater transparency.

Phase II: The second phase includes implementing the general ledger, accounts payable, accounts receivable, cashiering, and bank reconciliation modules. Along with these modules will be reporting and dashboard capabilities for all departments. While this is a very aggressive schedule, we are hoping to have these modules online by August 1 of 2021. Phase two will begin in April, once the new COA has been drafted.

Phase III: Phase III will be the implementation of the remaining financial modules including fixed assets, grant and contract management, purchasing, budgeting, and the CAFR and budgeting reporting tool. Phase three will not begin until Phase two has been completed. At this time, we are scheduled to complete Phase 3 by the end of 2021.

Phase IV: This phase will be the implementation of the utility billing module. Due to limited staffing, it is not possible to begin this phase until the other financial modules are completed. It is expected that the utility billing module implementation will begin late in 2021 and be completed in the early fall of 2022.

Payroll: Payroll implementation will be the most complex module to implement, and due to the complexity, will take the most effort and time to fully implement. Payroll cannot begin until Phase I is completed but we do expect to begin this process sometime this fall. Estimated go-live for payroll will be summer or fall of 2022.

NeoGov

Note: All NeoGov phases are dependent on Finance's implementation and their timeline, therefore implementation of each NeoGov phase is predicated on the larger ERP implementation.

Phase I: Implementing the NeoGov Onboard module. Creating the payroll documents in NeoGov, including all on-boarding documents, and ensuring plans are in place to integrate with and route correctly to Finance Enterprise. This involves the development of numerous forms and workflows in NeoGov along with working with finance to identify employee codes, job classification codes, position numbers, and populating the NeoGov HR core module with this information.

Phase II: Implement the NeoGov Perform module. Develop the employee evaluation system in NeoGov. Develop forms, workflows and testing. Transfer former evaluations from Lanteria.

Phase III: Fully integrating E-Forms module for use in recruitment process, such as offer letters, interview questions, etc.

Phase IV: Implement NeoGov Learn module as the City's new Learning Management System to offer and track training, learning and other employee development opportunities.

Interfaces with Other Systems

As part of the implementation, there are a number of other applications utilized throughout the City that will need to interface with our new systems. Some of the major systems that will need interfaces built include:

- Telestaff, which is utilized by the Fire Department for timekeeping, must interface with both NeoGov and Finance Enterprise (FE).
- Laserfiche will be utilized to store contracts, among other documents that will need to be accessible by users of FE.

- The Recreation Department utilizes two separate solutions for transactions for the community center as well as the golf course. Financial transactions from both of these systems will need to be imported to FE on a daily basis.
- TRAKiT is utilized by DCD to record permit activity. These transactions will need to be imported daily to FE.
- NeoGov will need to be able to send data to FE and vice versa.
- Lucity, used to record asset information will need to sync with FE so that duplication of data entry is eliminated.

Each system will require its own analysis and process for moving data between systems.

RECOMMENDATION

Information only at this time

