

CITY OF CENTRALIA

CITY COUNCIL RULES & PROCEDURES



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Chapter 1

Introduction and Overview

As a City Council Member, you not only establish important and often critical policies for the community, you are also a board member of a public corporation having an annual budget of several million dollars. The scope of services and issues addressed by the city organization go well beyond those frequently reported in the newspaper or discussed at City Council meetings.

1.01 Council-Manager Form of Government

The City of Centralia is a Council-Manager form of government. As described in the municipal code and Revised Code of Washington, certain responsibilities are vested in the City Council and the City Manager. Basically, this form of government prescribes that a City Council's role is that of a legislative policy-making body which determines local laws, determines public policy and gives direction to the City Manager to administer the affairs of the city government.

1.02 Association of Washington Cities and Municipal Research & Services Center of Washington

The Code City Handbook, Report No. 37, published by the Municipal Research & Services Center, provides a wealth of general information on the major functions of a Council Member's job as a locally elected official. Another publication that goes hand in hand with the handbook is, *Knowing the Territory, Basic Legal Guidelines for Washington Municipal Officials*, published by Municipal Research & Services Center of Washington. This report discusses basic powers; basic duties, liabilities, and immunities of officers; conflict of interest and appearance of fairness; prohibited uses of public funds, property, or credit; competitive bidding requirements; the Open Public Meetings Act; Open Government-Public Records-Freedom of Information; immunities from tort liability. These documents are available on-line at www.mrsc.org to Council Members.

1.03 Purpose of City Council Rules & Procedures

The City of Centralia has prepared its own rules and procedures to assist the City Council by documenting accepted practices and clarifying expectations. Administration of City Council affairs is greatly enhanced by the agreement of the City Council and staff to be bound by these practices. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Council Members in their actions.

1.04 Overview of Basic City Documents

These rules & procedures provide a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council direction.

A. Centralia Municipal Code (CMC)

The municipal code contains local laws and regulations adopted by ordinances. Title 2 of the code addresses appointment of certain city staff positions and advisory boards and commissions. Title 2 also addresses advisory boards and commissions. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to; zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

B. Revised Code of Washington (RCW)

The state laws contain many requirements for the operation of city government and administration of meetings of city councils throughout the state. Centralia is classified as a non-charter code city under the "optional municipal code," which means it operates under the general laws of the state. As an optional code city of the State of Washington, Centralia is vested with all the powers of incorporated cities as set forth in the Revised Code of Washington (RCW), Constitution of the State of Washington, and Centralia Municipal Code. There are also 1st, 2nd, 3rd, and 4th Class cities that have variable statutory authority based on population. (Please see RCW Titles 35 and 35A in general, and RCW 35.18 and 35A.13 for more specific information relating to the Council-Manager Plan of Government.) The City of Centralia is also a 2nd class city.

C. Annual Budget

The annual budget is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the annual budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.

D. Annual Financial Report

The City prepares an annual report, including financial statements and supplemental schedules, in accordance with RCW 43.09.230. The financial statements for the utility funds are prepared in conformity with accounting principles generally accepted in the United States of America applicable to proprietary funds of local government. The financial statements for the remaining funds of the City are prepared on the basis of accounting that demonstrates compliance with Washington State statutes and the *Budgeting, Accounting and Reporting System* (BARS) manual prescribed by the State Auditor, which is a comprehensive basis of accounting other than generally accepted accounting principles.

E. Comprehensive Plan

A state-mandated comprehensive plan addresses the City's long-range planning needs relative to land use, transportation, economic development, and other planning elements. The City's comprehensive plan is reviewed on an ongoing basis, but may only be revised once a year, except as provided by State law.

F. Six-year Capital Improvement Program

The Six-year Capital Improvement Program serves as a guide for determining priorities, planning, financing, and constructing capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of city services.

G. Emergency Management Plan

The City maintains an Emergency Management plan that outlines actions to be taken during times of extreme emergency. The Mayor is called upon to declare the emergency, and then the City Manager or his/her designee directs all disaster response activities. The City Council may be called upon during an emergency to establish policies related to a specific incident.

1.05 Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Manager will host an orientation program that provides an opportunity for members to tour municipal facilities and meet with key staff. Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected official's orientation. At any time, if there are facilities or programs about which a member of the City Council would like more information, arrangements will be made to increase their awareness of these operations.

Chapter 2

Centralia City Council: General Powers and Responsibilities

2.01 Rules of Procedure

The Council shall be governed by the most current version of Robert's Rules of Order Newly Revised, hereinafter referred to as RONR, a copy of which is maintained in the office of the Centralia City Clerk. Accordingly, these rules establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, City Administration, staff, news media, citizens and visitors. Exceptions to RONR shall be at the Council's discretion, but shall be clearly articulated within the City Council Rules and Procedures.

The Mayor, or his/her designee, shall serve as parliamentarian at all City Council meetings. When parliamentary inquiries arise which the Mayor or her/his designee is unable to immediately answer, they may request a sufficient period of time to review RONR and/or consult with a Registered Parliamentarian in order to provide an appropriate response. Alternatively, the Mayor may defer to the City Attorney or City Clerk.

2.02 Organization

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; and to provide for the health, safety and general welfare of the citizenry. The City Council is the policy making and law making body of the City. State law and local ordinances grant the powers and responsibilities of the Council.

The Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor has some additional ceremonial and presiding officer responsibilities as described below, when it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. Council Members should respect adopted Council policy. In turn, it is staff's responsibility to ensure the policy of the Council is upheld.

Actions of staff to pursue the policy direction established by a majority of Council do not reflect any bias against Council Members who held a minority opinion on an issue.

In order to uphold the integrity of the council-manager form of government, and to provide proper checks and balances, members of the City Council shall refrain from becoming directly involved in the administrative affairs of the City. As the Council is the policy making body and the maker of local laws, its involvement in enforcement of ordinances would only damage the credibility of the system. RCW 35A.13.120 specifically prohibits interference by Council Members in the city's administrative

service, including the hiring, firing, and work of city staff, with the exception of the City Manager.

Except for the purpose of inquiry, the Council and its members will deal with the administrative service solely through the City Manager or designee, and neither the Council nor any committee or member of a committee shall give orders to any subordinate of the City Manager.

2.03 Swearing In of New Councilors

The City Clerk, or his/her designee, shall swear in councilors at the first regular meeting of the even-numbered calendar year, or at the first regular meeting when a councilor has been chosen to fill a vacant position.

2.04 Election of Mayor and Mayor Pro-Tem

The Council shall on the first regular meeting of each even-numbered year, elect a Mayor and Mayor Pro-Tem. The election shall be held immediately after an Oath of Office is administered to all elected and re-elected Councilors.

The City Clerk shall serve as Chair Pro-Tem for the first regular meeting of each even-numbered year and will call the meeting to order, preside over the roll call, flag salute, swearing in of Councilors and election of Mayor and Mayor Pro-Tem. Following the election of Mayor and Mayor Pro-Tem, the new Mayor shall assume the role of Chair.

A. Nomination Process

The City Clerk shall first call for nominations for the Office of Mayor. Councilors may not nominate more than one person for any given office until every member wishing to nominate a candidate has had an opportunity to do so.

The City Clerk shall repeat the call for nominations until all nominations have been made. Nominees wishing to decline the nomination shall make their declination known immediately.

When it appears no further nominations will be made, the City Clerk will call once more for further nominations; and, if there are none, they shall declare nominations closed. A motion to close nominations is not required.

B. Election Process

After nominations are closed, a vote is conducted for the Office of Mayor in the order nominations were made. Each nominated member will be granted up to three minutes to speak. The Chair Pro-Tem shall conduct a voice vote to determine the Councilor being elected to the Office of Mayor. Uncertainty in the voice vote shall result in a showing of hands vote.

When one nominee receives a majority vote of those present, the Chair Pro-Tem will declare him/her elected. No votes will be taken on the remaining nominees. The Chair Pro-Tem shall announce the results of the election. All Councilors present must vote.

If none of the nominees receives a majority vote, the Chair Pro-Tem will call for nominations again and repeat the process until a single candidate receives a majority vote before the Office of Mayor Pro-Tem is opened for nominations. A tie vote results in a failed nomination. All Councilors present must vote.

If after three rounds of voting, a Mayor is not elected, the previous Mayor Pro-Tem, or if that person is no longer a Councilor, the Councilor with the highest seniority, shall serve as Acting Mayor.

The Acting Mayor shall continue in office and exercise such authority as is described in RCW 35A.13.030 until the City Council agrees on a Mayor. Elections shall be held at each subsequent Regular Meeting, or a Special Meeting, until a Mayor is elected.

The Mayor Pro-Tem shall not be elected until a permanent Mayor is selected. After the election of the newly elected Mayor Pro-Tem, the Chair Pro-Tem shall relinquish the gavel to the newly elected Mayor. The Mayor shall preside over the remainder of that meeting.

2.05 Term of Office

The positions of Mayor and Mayor Pro-Tem shall be elected every two years. Their terms shall run concurrently.

2.06 Removal from Position

A vote of five members shall be required to approve a motion to remove the Mayor or Mayor Pro-Tem from their position. Removal from the position of Mayor or Mayor Pro-Tem does not constitute a removal from the position of Councilor.

2.07 Quorum

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

2.08 Voting

Voting, during all Council meetings, shall be conducted as follows:

The Chair shall conduct a voice vote on all items unless otherwise requested by any Councilor. In the case of a tie vote on any motion, the motion shall be considered lost.

There are two situations which may prevent a Councilor from voting on an issue. The first exception is when a conflict of interest exists. The second exception lies within the confines of the Appearance of Fairness Doctrine where challenges for cause are exercised by the City Attorney or any member of the public who may voice a valid concern or reason as to why a Councilor should not vote on an issue. In either case, a Councilor may still choose to vote on an issue, although they are strongly advised against it.

Any Councilor may abstain from voting on any question; provided, at the time of declaring his/her abstention, he/she shall state the reason. No vote shall be recorded in the minutes for a member who has abstained. In such a case, a motion must receive a majority of voting Councilors to carry.

2.09 Attendance, Excused Absences, Unexcused Absences

Members of the Council may be excused from attending any City Council meeting by contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend. If the Councilor is unable to contact the Mayor, they shall contact the City Manager or City Clerk, who shall convey the message to the Mayor. Following roll call, the Mayor shall inform the Council of the member's absence and state the reason for such absence. The City Clerk will make an appropriate notation in the minutes. Councilors not following the above process will be considered unexcused and it shall be so noted in the minutes.

Three consecutive unexcused absences from Regular meeting shall cause a Council position to become vacant. (RCW 35A.12.060).

Three unexcused late arrivals of 30 minutes or more, or three unexcused departures of 30 minutes or more from any Regular meeting shall be considered equal to one unexcused absence.

During their service on the City Council, members may have acquired or been provided with equipment such as computers or other items entailing a significant expense, as well as the front door key. These items are to be returned to the City Manager at the conclusion of a member's term, resignation or removal.

2.10 Filling of Council Vacancies.

RCW 42.12 states, in part, that should a Council position become vacant for any reason (recall, death, resignation, conviction of a felony, removal, etc.) before the expiration of the Councilor's term of office, the position shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.

A. Appointment Process.

A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall,

forfeiture, written intent to resign, or death. The Councilor vacating his/her position cannot participate in the appointment process.

The City Council shall direct staff to begin the appointment process. The City Clerk's Office shall prepare and submit a notice to the City's official newspaper, with courtesy copies to other local media. The notice shall be published once a week for two (2) consecutive weeks. The notice shall contain information, including but not limited to, position requirements, time to be served in the vacant position, salary information, powers and duties of Councilors, application deadlines, and any other information the City Council deems appropriate.

The City Clerk's Office shall prepare an application form requesting the appropriate information for City Council consideration. Copies of the notice and application form shall be made available at City Hall, on the City's website, and at other venues deemed appropriate by the Council.

The City Clerk's Office shall publish the required Public Notice(s) for the meetings scheduled to interview applicants for the vacant position. This meeting may be a regularly scheduled Council meeting or a Special meeting.

B. Voting

Upon completion of applicant interviews, the Council may convene an Executive Session to discuss the qualifications of applicants. Consistent with Washington State law, all interviews, nominations, and votes shall be conducted by the Council in an open public meeting.

1. The Mayor shall ask for nominations by way of a motion from the Council Members.
2. If more than one candidate is nominated the Mayor shall proceed with a vote in the order of which they were nominated.
3. Elections will continue until a nominee receives a majority vote.
4. Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the applicant/candidate qualifications.
5. The Mayor shall declare the nominee receiving the majority vote as the new Council Member and he or she shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled City Council meeting.
6. If the City Council does not appoint a qualified person to fill the vacancy within 90 days of the declared vacancy, the Revised Code of Washington delegates appointment powers to Lewis County.

2.11 Officers

A. *Presiding Officer- Mayor*

The Mayor shall preside at all Council meetings and be recognized as head of the City for ceremonial events and proceedings. The Mayor has no regular administrative or executive duties except as provided by law.

The Mayor, or in his or her absence, the Mayor Pro-Tem, shall serve as the Presiding Officer of the Council. In the absence of both the Mayor and the Mayor Pro-Tem, the Council shall appoint one Councilor to serve as a temporary Presiding Officer.

In the absence of the Mayor, the Mayor Pro-Tem shall perform the duties and responsibilities of the Mayor with regard to conduct of meetings and emergency business. In the event the Mayor is unable to serve the remainder of the term, the Mayor Pro-Tem shall serve as Mayor until a new Mayor is elected at the next regular meeting or a specially called meeting.

In the event the Mayor Pro-Tem is unable to serve the complete duration of their term, a new Mayor Pro-Tem shall be elected at the next Regular meeting or an advertised Special meeting.

B. *Duties*

Serving as a facilitator at Council meetings, the Mayor shall assist the City Council in focusing on agenda discussions and deliberations. To that end, it shall be the duty of the Mayor to:

1. Call the meeting to order.
2. Keep the meeting to its order of business.
3. Control discussion in an orderly manner.
 - a. Give every Councilor who wishes an opportunity to speak when recognized.
 - b. Permit audience participation at appropriate times (public comment, public hearings, or consideration of any ordinance).
 - c. Require all Councilors and speakers to keep issues germane to the pending issue and to observe the rules of order.
 - d. Make suggestions, yet not make motions.
 - e. Introduce each agenda item and entertain a motion on that item before it is discussed. Agenda items shall be introduced by motion before being discussed or debated.
 - f. Put the question to a vote after making clear the exact question before the Council and announce the outcome. In announcing results of any vote, the Mayor shall state the names of those Councilors voting in the negative.

C. *Mayor Participation*

The Mayor may relinquish the gavel, (or "turn over the meeting") to the Mayor Pro-Tem so they (the Mayor) may make a motion, or for other good cause, yield the Chair.

2.12 Duties and Privileges of Councilors.

A. *Forms of Address*

The Mayor may be addressed as "Mayor (surname)" or "Your Honor." The Mayor Pro-Tem may be addressed as "Mayor Pro-Tem (surname)." Members of the Council may be addressed as "Councilor (surname)."

B. *Seating Arrangement*

The Mayor shall choose where they will sit at the dais upon being elected to the position and after taking the Oath of Office. The Mayor Pro-Tem shall choose to sit to the right or left of the Mayor. Other Councilors are seated in a manner acceptable to Council. If a dispute arises, Council seating will be at the discretion of the Mayor.

C. *Dissents and Protests*

Any Councilor shall have the right to express dissent from or protest against any ordinance or resolution of the Council and have the reason therefore entered in the minutes.

Chapter 3

Councilor Conduct

3.01 Respect Speaker.

While in session, all members of the Council must preserve order and decorum. No member shall, by conversation or other means, delay or interrupt the proceedings or the peace of the Council. Nor may any Councilor disrupt any member while speaking, or refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules.

3.02 Citizen Removal from Meeting.

Any community member, citizen or visitor making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the Council or attending any Council meeting, may be asked to leave by the Mayor and be barred from further attendance for the remainder of that meeting.

3.03 Councilor remarks - Appropriate Time.

A. Council Reports

During the Council Report portion of the Regular Meeting agenda, the Mayor shall ask if any Councilors wish to make comments. When recognized by the Mayor, Councilors may provide brief updates or reports from any regional committees on which they serve, or provide other information for the good of the order.

During Council Reports, Councilors shall not speak for more than 2 minutes each, without consent from the Mayor. Only one round of Council comments shall be allowed.

B. Agenda

During debate on all motions, Councilors shall not speak more than five minutes, nor more than twice on the same subject without permission from the Mayor. Further, no Councilor may be permitted to speak twice on any issue before all have had an opportunity to speak once. Moreover, no Councilor may relinquish his or her position as Councilor to make comments as a citizen.

Finally, debate must be confined to the merits of the pending question. Councilors should address their remarks to the Mayor or Mayor Pro-Tem, maintain a courteous tone, and should avoid injecting a personal note into debate.

3.04 Councilor Presentations.

If a Councilor appears on behalf of the City before another governmental agency, a community organization, or through the media, for the purpose of commenting on any City-related-business issue, the Councilor shall state the majority position of the Council, if known. Personal opinions and comments which differ from a majority of the Council may be expressed if the Councilor clearly states these statements do not represent the City's position.

3.05 Public Appearance.

A Councilor shall maintain decorum and set an example for conduct when representing the City in any official capacity.

Chapter 4

City Council Meetings

The City Council's collective policy and law-making powers are put into action at the council meetings. It is here that the Council conducts its business, citizens are heard and local officials are available to the citizenry.

4.01 Meetings and Hearings – Schedule and Public Notice

Pursuant to RCW 35.22.288, cities are charged with establishing a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by the City of Centralia is as follows:

A. Preliminary Agenda of Council Meeting

The public shall be notified of the preliminary agenda for the forthcoming regular City Council meeting by distributing it to the local media and posting a copy of the agenda in the following public places in the City at least 24 hours in advance of the meeting:

- Centralia City Hall
118 W. Maple St.
Centralia, WA 98531
- City of Centralia Website
www.cityofcentralia.com
- Timberland Regional Library
Centralia Branch

4.02 Meetings

All City Council meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30). All Regular meetings, Special meetings, and Workshops of the Council shall be open to the public regardless of time, place or location.

1. Regular Meetings and Workshops

The City Council shall conduct Regular meetings on the second and fourth Tuesday of each month. All Regular meetings shall begin at 7:00 p.m., in the Centralia Council Chambers, 118 W. Maple Street, and are open to the public. On instances where a Regular meeting coincides with a legally-observed holiday, that Regular meeting shall be rescheduled to the following day (Wednesday), at the same hour and location. Workshops shall be held in conjunction with the regular meeting schedule or as specified by a consensus of the Council. Workshops are for the benefit of staff and Council to openly discuss

items facing the City. Public comment may be taken at the end of the workshop at the Council's discretion.

2. Special Meetings

Special meetings may be held by the Council subject to notice requirements prescribed by State law. Special meetings may be called by the Mayor or by any three members of the City Council with notice being given to each member of the Council and the media at least twenty-four hours before the time specified in the meeting notice. Notice of such special meetings shall state the subjects to be considered at the meeting. No subjects other than those specified in the notice shall be considered. The Council may discuss and vote upon all issues contained on the Notice of special Meeting.

3. Executive Sessions

The City Council may hold executive sessions from which the public is excluded for those purposes set forth in RCW Chapter 42.30.110. Before convening an executive session, the Mayor shall announce the purpose of the session and the anticipated adjournment time of the session.

Should the Council require additional time to discuss executive session material, a public announcement shall be made that the session is being extended. The length of the extension (i.e., 10 minutes) shall also be included in the public announcement.

No vote(s) shall be taken in an executive session on any matter under consideration, nor shall any member of the City Council enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the City Council.

4. Retreats

The City Council may hold retreats with the City Manager and other City staff members to discuss one or more particular topics in an informal setting. Although Council Retreats are open, public meetings, there is no expectation of public input. And, pursuant to Washington State law, the City Council shall not take any legally binding action at any time during a City Council Retreat.

City Council retreats may be conducted within the City limits of Centralia. A potential location shall be selected between the Mayor and City Manager and shall be approved by a consensus of the Council. The City Clerk must publish notice of the City Council Retreat consistent with all applicable laws.

4.03 Placing Items on the Agenda

A. The City Manager is responsible for compiling the agenda. The City Manager, Mayor and Mayor Pro-Tem will review the agenda prior to the regular meeting. As a result of the meeting a draft of the agenda shall be sent to all Councilors.

B. City Council

A Councilor may request an item for a future agenda either by making an oral request at a City Council meeting or submitting a written request to the City Manager. The request should be specific as to the type of item (action, discussion, presentation, etc.). The requested item will be included on the agenda for the next meeting, or other date as appropriate. Requests must be made at least ten working days prior to the desired meeting date. Councilor requested items will be attributed to the requesting Councilor. Item titles will be coordinated between the City Manager and the requesting Councilor.

C. Emergency Items

Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disasters, and other severe emergencies. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting.

D. Proclamations

Proclamations are issued by the Mayor, per proclamation policy (attached as attachment B), as a ceremonial commemoration of an event or issue (i.e., National Night Out). Proclamations are not statements of policy, and do not require the approval or action of the Council. Proclamations are a manner in which the City can make special recognition of an individual, event, or issue.

4.04 Development of the Agenda

Staff is required to submit an agenda item for each topic of discussion on the City Council agenda. The deadline for submitting these forms to the City Clerk's Office is 8:00 a.m., the Wednesday prior to the date of the meeting for which the item is scheduled. The forms must include supporting documentation, including any information requested by Council at the previous Council meeting.

A. Order of Business.

1. Order of Business - Regular meetings

The order of business for each Regular meeting shall be as follows:

1. Call to Order
2. Flag Salute
3. Roll Call

4. Approval of Agenda
5. Public Comments on non agenda items
6. Proclamations/Presentations
7. City Manager/Council Reports
8. Consent Agenda
9. Public Hearings
10. General Business
11. Executive Session (as needed and when in compliance with the RCW's)
12. Adjournment

B. Consent Agenda

The City Manager shall place matters on the Consent Agenda which; (a) have been previously discussed by the Council, or (b) based on the information delivered to members of the Council, by the administration, can be reviewed by a Councilor without further explanation, or (c) are so routine or technical in nature that passage is likely.

The motion to adopt the Consent Agenda has the effect of adopting all items on the Consent Agenda in one motion. Since adoption of any item on the Consent Agenda implies unanimous consent, any member of the Council has the right to remove or "pull" any item contained thereon. If any matter is pulled, the Mayor shall consider the items (in order of placement) after the consent agenda is approved.

C. Executive Sessions.

At the request of the City Manager, City Attorney or Mayor, Executive Sessions may be conducted at any time when needed.

4.05 Public Testimony

A. Oral and Written Comments

The Mayor will call for public testimony at Regular meetings during public hearings and general business items.

Speakers shall be granted no more than five minutes. Suspension of this rule requires a majority vote of those present. The Mayor shall ask the rest of the Councilors if they have any comments or questions before the citizen stands down.

Written citizen comments may be submitted to the City Clerk's Office, until 3:00 pm on the date of any City Council meeting. The City Clerk shall copy and distribute those comments on the dais before the meeting is called to order. In cases where the citizen is unable to attend the meeting or is unable to present their statements verbally, a request may be made of the City Clerk to read the comments into the record at the appropriate time.

B. Identification of Speakers

Persons testifying on any matter, shall identify themselves for the record as to name, address (optional), city of residence and organization.

1. Rules for Public Testimony and Participation

a. General Discussion Items

Public input may only be obtained during the public comment periods at regular or special meetings.

The City Council will hear City staff presentation of the item before Council. The public will be invited to comment. The Mayor will entertain a motion to adopt the item as presented. If the motion receives a second, the Council shall pose question to the presenter and deliberate the merits of the item. Mayor will then conduct a vote on the motion. (Procedure is at the request of Council and is deviation from RONR)

In the event there is no public input, the vote would follow the first round of Council discussion.

b. Mayor's Instructions

Speakers will be advised by the Mayor that their testimony is being recorded and that all comments by proponents or opponents shall be made from the table.

Any individual making comments shall first give his/her name, address (optional) and city of residence. The Mayor shall also explain a second opportunity to address the Council exists during the consideration of proposed ordinances, or in cases where a public hearing is scheduled. Speakers shall also be reminded to sign an official sign-up sheet provided by the City Clerk.

It shall also be stated by the Mayor that: 1) comments shall be directed through the Mayor and not to any particular Councilor or City staff member, and 2) that this is not a question and answer session. Council and staff reserve the right to respond to a citizen's questions or concerns verbally, or in writing, within two weeks (14 calendar days) of the meeting at which they are testifying.

C. Public Hearings

The following rules shall be observed during any public hearing; the Mayor introduces the agenda item, City staff comes forward to explain the reason for the public hearing, the Mayor opens the public hearing, and announces the following process:

a. All comments by proponents or opponents of the issue being discussed shall be made from the table; and, any individual making comments shall first give his or her name, address (optional) and city of residence as part of the official record of the public hearing. Speakers shall sign in on the official sign-up sheet and deliver it to the City Clerk in advance of the Council meeting.

b. Individuals or organizations will be allowed five minutes to speak. Public comments shall be directed through the Mayor and not to a particular Councilor or City staff member. Written comments or evidence shall be submitted to the City Clerk to be included as part of the meeting's official record.

c. The City Clerk shall be the timekeeper.

d. When all persons wishing to speak at the public hearing have done so, the Mayor shall declare the public hearing closed.

D. Addressing Council through the Mayor

No person shall be allowed to address the Council while it is in session without recognition from the Mayor.

4.06 Audio Recording of Meetings

The City Clerk, or designee, shall make and keep audio recordings of all meetings of the Centralia City Council, except those meetings or portions of meetings conducted in Executive Session. Recordings and related records of all City Council meetings, except as referenced above, shall be retained by the City.

4.07 Minutes

Minutes of all Regular and Special City Council meetings will be created and maintained by the City Clerk. The minutes serve as the official record of the meeting and must be approved by the City Council. The minutes shall include, at a minimum, type of meeting, date, time, and place, those in attendance, late arrival(s) and early departure times of Councilors, names of speakers or presenters, their job titles (if available), all motions, names of those making motions, disposition of those motions, convening and adjourning times and opening and closing times of public hearings.

The City Clerk shall prepare draft minutes from Regular and Special meetings and will distribute those minutes in advance of the next Regular meeting in conjunction with their placement on the consent agenda. Upon approval of the consent agenda, the City Clerk shall present the original minutes to the Mayor for signature. The City Clerk shall also sign the minutes.

Chapter 5

Advisory Bodies

5.01 Appointments Made by the Council

Boards, commissions and citizen committees provide a great deal of assistance to the Centralia City Council when formulating public policy and transforming policy decisions into action. The City has several standing boards and commissions. In addition, special purpose committees and task forces are often appointed by the City Council to address issues of interest or to conduct background work on technical or politically sensitive issues. Special or ad hoc committees will be dissolved upon completion of the intended task.

The procedures established in this manual reflect the policy of the City Council regarding the appointment of volunteer citizens to the various advisory bodies of the City. The establishment of these procedures ensures that well-qualified, responsible, and willing citizens are given the opportunity to serve the City and participate in the governing of their community.

The City Council is specifically empowered to create all advisory boards and commissions pursuant to the provisions of Title 2 (Centralia Municipal Code), or such advisory boards or commissions not specifically enumerated, as the Council deems necessary or advisable. In the exercise of this power, it is the desire of the City Council to establish a consistent policy in its decision-making role to fairly and equitably evaluate those citizens of the community who demonstrate desire to serve on such boards or commissions.

As vacancies arise, the City Clerk will be notified by the department overseeing the board or commission and will publicly announce the vacancy at a Regular City Council meeting.

5.02 Qualifications, Terms of Service, Forms

Persons wishing to be considered for appointment or reappointment will submit to the City Clerk's Office an application on a form provided by that office. The Mayor will review applications, choose a candidate and submit applicant for approval from the Council as a whole at a Regular Council meeting.

Each applicant will be evaluated on an objective basis, utilizing the following criteria:

1. Residency - Residency requirements for advisory boards and commissions are noted in applicable sections of the Centralia Municipal Code.

2. Sectional Composition - Normally, consideration should be given toward maintaining an equitable balance of community representation on all boards and commissions.

The City Council will not appoint multiple members from the same family or household to a single board or commission, in order to avoid the reality or appearance of improper influence or favor.

The City Council will not appoint members of Council Members' families or households to boards or commissions to avoid the appearance of favor and to increase community representation.

3. Occupation - The Council will attempt to maintain a broad mix of occupational backgrounds on all boards and commissions.
4. Knowledge of Municipal and Planning Process - When ranking equally qualified applicants, the Council will consider background experience and knowledge of the municipal process as appropriate to the position, in reaching its decisions.
5. Contributive Potential - The Council will evaluate the potential contribution that each applicant may make if appointed to a board or commission. Criteria to guide the Council in its evaluation may include:
 - a. Ability to communicate
 - b. Desire to perform public service
 - c. Ability to express ideas, concepts, or philosophies
 - d. Desire to participate in decision-making process
6. Leadership Potential - Since each appointee may be called upon to serve as a Chair, the Council will evaluate leadership abilities, such as:
 - a. Past or present leadership experience (current employment, special interests, etc.)
 - b. Past or present participation in community services
 - c. Expressed interest in a leadership role
7. The City Council will not appoint persons to serve as members of more than one board or commission at the same time, with the exception of the Planning Commission and the Historic Preservation Commission. However, persons serving on any other board or commission who have requested appointment to another board or commission position may be appointed to such position if they, concurrent with the appointment, resign from the board or commission position they are holding at the time of the new appointment.

5.03 Reappointment Criteria

At such time as reappointment is considered, the Council will be guided by the following performance criteria:

1. Regularity of Attendance
2. Understanding of board or commission function
3. Demonstrated leadership
4. Effectiveness
5. Demonstrated contribution during past term of office on issues, programs, policies, etc., of the advisory board or commission
6. Objectivity

5.04 Resignations

In the interest of timely noticing of vacancies, and to minimize the impact of such vacancies on boards and commissions, the City Council delegates to the Mayor the authority to accept resignations. Following the Mayor's acceptance of the resignation, the City Clerk is authorized to announce such vacancies.

5.05 Rules of Conduct

By accepting appointment to any City board or commission, members thereby agree to conduct themselves in accordance with the following rules of conduct.

1. All members of City boards and commissions will abide by all applicable state laws, City ordinances, and other doctrines relating to the conduct of board or commission members, including, but not limited to, the Appearance of Fairness Doctrine, conflict of interest statutes, and the State Open Public Meetings Act.
2. Members of City boards and commissions will not testify in their capacity as a board or commission member, before any other board, commission, administrative officer or agency of the federal government, the State of Washington, or of any county or other municipal corporation, including cities and towns, except as hereinafter provided. Exceptions to the policy set forth above shall be as follows:
 - a. If the member is testifying in such a capacity pursuant to a lawfully issued subpoena; or
 - b. In the event the board or commission has designated the member or members to act as a spokesperson for the board or commission to explain the majority vote and recommendation of that board or commission; or

- c. In the event the City Council appoints the member or members to represent the City before another tribunal.
- 3. Notwithstanding the foregoing, nothing contained herein is intended to preclude a board or commission member from speaking as an individual citizen, so long as the following conditions are met:
 - a. The individual clearly identifies that he/she is speaking only as an individual citizen and is not in any manner representing or speaking on behalf of the board or commission of which he/she is a member; and
 - b. No board or commission member testifies orally or in writing as to any quasi-judicial matter being heard, or having the possibility of being heard, by the board or commission of which the person is a member.

5.06 Representation by Council Members on Boards or Commissions

The City Council is often requested to appoint Council Members to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies. The City Council appoints members to some of these groups on an as-needed or as-requested basis.

Membership appointment to these groups shall be made by the Mayor and confirmed by super-majority vote of the Council. Additions or deletions to the official list of committees shall be driven primarily by legal requirement and confirmed by super-majority vote of the Council. Membership appointments shall be concurrent with the Mayoral elections.

Where applicable, Council will appoint an alternate to attend outside boards, councils, commissions, or committees, if the main delegate to such group is unable to attend a meeting of the group. The main delegate will notify the alternate as soon as possible after the main delegate realizes they will be unable to attend an upcoming meeting of the outside group.

Council Members participating in policy discussions at regional meetings will represent the majority opinion of the Council, except where regional appointment requires regional opinion. Personal positions, when given, will be identified and not represented as the position of the City. Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

Chapter 6

Communications

6.01 Overview

Perhaps the most fundamental role of a Council Member is communication:

- Communication with the public to assess community opinions and needs, and to share the vision and goals of the City with constituents;
- Communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives.

Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

6.02 Correspondence from Council Members

Members of the City Council will often be called upon to write letters to citizens, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. Individual members of Council will often prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

On occasion, members may wish to correspond on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, members should clearly indicate that they are not speaking for the City Council as a whole, but for themselves as one member of Council.

City letterhead and staff support cannot be utilized for personal or political purposes.

6.03 Local Ballot Measures

At times, initiatives may be placed on the ballots that affect City Council policy. There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the City from using its personnel, equipment, materials, buildings, or other resources to influence the outcome of elections. What the City can do is distribute informational reports for the purpose of informing the public of the facts of an issue.

6.04 State Public Disclosure Act

To ensure that business communications submitted to and by elected and appointed officials comply with the State Public Disclosure Act, RCW 42.56, and the State Open Meetings Act, RCW 42.30, the following is set forth:

A. *Communications - Generally*

All letters, memoranda, and interactive computer communication involving City Council Members and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with few exceptions as stated by the Public Disclosure Act, are public records and disclosure shall be in accordance with RCW 42.56 and CMC 2.10.

B. *Written Communications*

Written letters and memoranda received by the City, addressed to a Council Member or the Council as a body, will be photocopied and provided to all Council Members, and a copy kept according to the City's Records Retention Schedule.

C. *Electronic Communications*

1. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes, do not constitute a public record. Users should delete these messages once their administrative purpose is served.
2. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.
 - If a citizen sends an e-mail to a Council Member and requests that it be included in the record of a particular public hearing, the Council Member will forward said e-mail to: All Council members, the City Manager, the City Attorney and the City Clerk.
 - If a Council Member wishes that an e-mail be distributed to a City staff member, the Council Member will forward said e-mail to the City Manager.
 - Staff will not review e-mail unless a public records request is received.
3. E-mail communications that are intended to be shared among four or more Council Members, whether concurrently or serially must be considered in light of the Open Public Meetings Act. If the intended purpose of the e-mail is to have a discussion that should be held at an open meeting, the electronic discussion should not occur. Further, the use of e-mail communication to form a collective decision of the Council is inappropriate.

4. E-mail should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other "confidential" City business. In general, e-mail is discoverable in litigation, and even deleted e-mail is not necessarily removed from the system. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.
5. E-mail between Council Members and between Council Members and staff shall be disclosable in accordance with RCW 42.56 and CMC 2.10.
6. E-mail will not be used for personal use, since Council Members' conventional e-mail addresses include the City's "return address."

Chapter 7

Conflicts of Interest, Appearance of Fairness Doctrine, and Liability of Elected Officials

7.01 Conflicts of Interest

The conflict of interest law is one of the most complicated laws on the books. To understand its effect on a Council Member's actions, it is suggested that members discuss the law and potential conflicts with a private attorney or the City Attorney. It is imperative that Council Members identify in advance what their conflicts are.

It is illegal to fail to declare a conflict of interest, or to participate or otherwise be involved in discussions on issues or contracts where such an interest exists. Violations of the conflict of interest law may result in significant penalties, including criminal prosecution.

In circumstances where only a "remote interest" (see below) exists, after disclosure of the interest to other Council Members and in the meeting minutes, the Council may approve the contract to which a Council Member has a remote interest, absent participation in the voting by the Council Member with the remote interest, but only if the Council Member refrains from any attempt to influence other members to approve the contract.

A. Applicability

All City officers, elected and appointed, are subject to the conflict of interest law in RCW 42.23. This includes Council Members.

B. Definition

Remote Interests are so minor that they do not constitute illegal conflicts of interest. Remote interests exist when a City official is:

- A non-salaried officer or member of a nonprofit corporation doing business or requesting money from the City. Therefore, being such an officer or member would not constitute a conflict.
- The landlord or tenant of a contracting party. For instance, a Council Member may lease office space to a party which has a private interest in a public matter without it resulting in a conflict of interest.
- The owner of less than 1 percent of the shares of a corporation or a cooperative doing business with the City.
- Being reimbursed only for actual and necessary expenses incurred in performance of official duties.

C. Acts not Constituting a Conflict of Interest

- Receiving municipal services on the same terms and conditions as if not a City official. Thus, when a Council Member who owns a business within the City votes for or against an increase in the business license fees, a conflict would

not exist because this action would apply to all businesses in the corporate limits.

- An officer or employee of another political subdivision or public agency unless it is the same governmental entity being served who is voting on a contract or decision which would not confer a direct economic benefit or detriment upon the officer. Therefore, a Council Member who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the Council Member.
- A member of a trade, business, occupation, profession, or class of persons and has no greater interest than the other members of that trade, business, occupation, or class of persons. A class must consist of at least ten members to qualify the interest as remote.

D. Declaration of a Conflict

When a substantial interest exists, the City official must:

1. Refrain from voting or in any way influencing a decision of the City Council; and
2. Declare that a conflict of interest exists and make it known in the official records of the City.

Should a situation arise wherein a majority of Council Members or a majority of a quorum of those present at a Council meeting have a substantial conflict of interest, state law provides that if the conflict of interest statutes prevent the City Council from acting as required by law in its official capacity, such action shall be allowed if the members of the Council with the apparent conflicts of interest make them known.

E. City Attorney Opinions

A Council Member's request for an opinion from the City Attorney concerning conflict of interest is confidential. However, formal final opinions are a matter of public record and must be filed with the City Clerk. This filing requirement does not apply to verbal communications between Council Members and the City Attorney.

Council Members may seek advice from a private attorney, at their own expense, concerning potential conflicts. In such cases, no disclosure policy would apply.

F. Filing of Disclosures

The City Clerk maintains a special file for all disclosures and legal opinions of conflicts of interest.

G. Prohibited Acts (RCW 42.23.070)

- No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.
- No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the

employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.

- No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

H. Apparent Conflict of Interest in Litigation Matters

A Council Member who is involved in support of a position contrary to an official City of Centralia action or position, as adopted or ratified by a majority of the City Council, must recuse themselves and not participate in any vote, deliberation, executive session, or distribution of confidential information regarding further consideration or action in that matter once litigation has been served or filed regarding the matter. Litigation shall include but is not limited to legal action or appeals of any type including Growth Management Hearings Board appeals.

- The fact that a Council Member voted in opposition or expressed an opinion in opposition to the official action or position prior to the filing or service of litigation shall not, by itself, be sufficient to trigger the need for recusal or non-participation.
- Once litigation has been served or filed, communication regarding the case with anyone other than City staff or legal counsel involved in the litigation of the case is strongly discouraged during the pendency of the litigation.
- Council Members shall voluntarily recuse themselves and choose not to participate under the conditions listed above; however, if Council Members fail to voluntarily recuse themselves or withdraw from participation, any other Council Member may challenge the ongoing participation and request the challenged Council Member to disclose any communication and participation with regard to the pending litigation.
- If the apparent conflict still cannot be resolved voluntarily after such challenge, a majority plus one of the council as a whole may vote to sanction and remove the challenged Council Member from further participation with regard to the pending litigation on the basis of an apparent conflict of interest.

Later legislative participation by a previously recused or sanctioned Council Member, related to the same issue, is not prevented by the provisions of this subsection once the conflict no longer exists or the litigation has terminated.

7.02 Appearance of Fairness Doctrine Defined.

When the law which calls for public hearings gives the public not only the right to attend but the right to be heard as well, the hearings must not only be fair, but must also appear to be so. It is a situation where appearances are as important as substance.

The test of whether the appearance of fairness doctrine has been violated is as follows: Would a disinterested person, having been apprised of the totality of a Councilor's personal interest in a matter being acted upon, be reasonably justified in thinking that partiality may exist? If answered in the affirmative, such deliberations, and any course of conduct reached thereon, should be avoided.

A. Types of hearings to which the doctrine applies.

1. The Appearance of Fairness Doctrine shall apply only to those actions of the Council which are quasi-judicial in nature. Quasi-judicial actions are defined as actions of the City Council which determine legal rights, duties, or privileges of specific parties in a hearing or other contested proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community or neighborhood plans or other land use planning documents of the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance.

2. Anyone seeking to disqualify a Councilor from participating on the basis of a violation of the appearance of fairness doctrine must raise the challenge as soon as the basis for disqualification is made known or reasonably should have been made known prior to the issuance of a decision. Upon failure to do so, the doctrine may not be relied upon to invalidate the decision.

3. The party seeking to disqualify the Councilor shall state with specificity the basis for disqualification; (i.e., demonstrated bias or prejudice, for or against, a party to the proceedings, holds a monetary interest in the outcome of the proceedings, prejudgment of the issue exists prior to hearing the facts on the record, or the conducting of ex parte contact). Should such challenge be made prior to the hearing, the City Manager may direct the City Attorney to question or interview the Councilor to determine the validity of the statements and whether or not they are able to objectively consider the issue at hand and render a decision on the basis of information received. If directed to conduct an official interview, the City Attorney shall render an opinion and deliver that opinion to the City Manager and members of the Council.

4. During the pendency of a quasi-judicial proceeding, no Councilor may engage in ex parte communication (outside the hearing) with proponents or opponents of the issue, unless the Councilor: a) places on the record the substance of such oral or written communications, and b) provides a public announcement of the content of the communication and other parties' right to rebut the substance of the communication. That rebuttal shall be made at each hearing where action is taken or considered on the subject. This does not prohibit correspondence between a citizen and his or her elected official if the correspondence is made part of the record and it pertains to the subject matter of a quasi-judicial proceeding. (RCW 42.36.060.)

7.03 Liability

The City must always approach its responsibilities in a manner that reduces risk to all involved. Nevertheless, with such a wide variety of high profile services (i.e., police, parks, roads, land use), risk cannot be eliminated. To better manage insurance and risk, the City participates in risk and loss control activities.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in the member being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment, or fraud.

Elected and appointed officials will participate in risk management training to reduce liability due to actions taken.

Chapter 8

Interaction with City Staff/Officials

8.01 City Council Non-interference

The City Council is to work through the City Manager when dealing with administrative services of the City.

In no manner, either directly or indirectly, shall a Council Member become involved in, or attempt to influence, personnel matters that are under the direction of the City Manager. Nor shall the City Council be involved in, or influence, the purchase of any supplies beyond the requirements of the City procedures.

Except for the purpose of inquiry, the Council and its members will deal with the administrative service solely through the City Manager or designee, and neither the Council nor any committee or member of a committee shall give orders to any subordinate of the City Manager.

8.02 City Council/City Manager Relationship

The employment relationship between the City Council and City Manager honors the fact that the City Manager is the chief executive of the City. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the City Manager.

The City Manager respects and is sensitive to the policy responsibilities of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council.

A. Performance Evaluation

The City Council is to evaluate the City Manager on an annual basis to ensure that both the City Council and City Manager are in agreement about performance and goals based upon mutual trust and common objectives.

8.03 City Council/City Staff Relationship

City Council Member contact with City staff members, inclusive of the City Manager, will be during regular business hours, except in the case of an emergency.

8.04 City Council/City Attorney Relationship

The City Attorney, similar to other Department Director positions, is appointed by the City Manager. The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

1. provide legal assistance necessary for formulation and implementation of legislative policies and projects;
2. represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
3. prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
4. keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the city.

It is important to note that the City Attorney does not represent individual members of Council, but rather the City Council as a whole.

8.05 Roles and Information Flow

A. Council Roles

The full City Council retains the authority to accept, reject, or amend the staff recommendation on policy matters.

Members of the City Council must avoid intrusion into those areas that are the responsibility of staff. Individual Council Members may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Council Members, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal. If a Council Member wishes to influence the actions, decisions, recommendations, workloads, work schedule, or priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

B. Access to Information

The City Manager is the information liaison between Council and City staff. Requests for information from Council Members are to be directed to the City Manager and will be responded to promptly. The information requested will be copied to all members of Council so that each member may be equally informed. The sharing of information with City Council is one of the City Manager's highest priorities.

There are limited restrictions when information cannot be provided. The City is legally bound not to release certain confidential personnel information. Likewise, certain aspects of police department affairs (i.e., access to restricted or confidential information related to crimes) may not be available to members of the City Council.

C. Staff Roles

The Council recognizes the primary functions of staff as executing Council policy and actions taken by the Council and in keeping the Council informed. Staff is obligated to take guidance and direction only from the City Manager or Department Director. This direction follows the policy guidance of the City Council as a whole. Staff is directed to reject any attempts of individual Council Members to unduly direct or

otherwise pressure them into making, changing, or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Council Members; provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council.

D. Significant Requests

The City Manager shall determine whether or not a matter is significant.

8.06 Staff Relationship to Advisory Bodies

Staff support and assistance may be provided to advisory boards, commissions, and task forces. Advisory bodies, however, do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the City Manager. The members of the commissions, boards, or committees are responsible for the functions of the advisory body. The chairperson is responsible for committee compliance with the municipal code and/or committee bylaws. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

Staff support includes: (1) preparation of a summary agenda after approval by the chairperson; (2) preparation of reports providing a brief background of the issues, a list of alternatives, recommendations, and appropriate backup materials, if necessary; and (3) preparation of minutes of advisory body meetings. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues.

Advisory bodies wishing to communicate recommendations to the City Council shall do so through adopted Council agenda procedures as outlined in Section 8.05(C) of this manual. In addition, when an advisory body wishes to correspond with an outside agency, correspondence shall be reviewed and approved by the City Manager and Department Head.

Chapter 9

Rules & Procedures Administration

9.01 Biennial Review

The City Council will review and revise the City Council Rules & Procedures as needed, or every two years.

9.02 Adherence to Rules and Procedures

- A. Each Council Member shall have the duty and obligation to review the rules and procedures and be familiar with its provisions.
- B. During City Council discussions, deliberations, and proceedings, the Mayor will be primarily responsible to ensure that the City Council, staff, and members of the public adhere to the Council's adopted Rules & Procedures.
- C. Knowing and/or willful failure to adhere to the provisions of the rules and procedures may subject a Council Member to enforcement and sanctions as follows:
 - (1) Upon determining that there is credible evidence that a Council Member has, or may have, engaged in knowing and/or willful action or omission that constitutes failure to adhere to the provisions of the rules and procedures, the Mayor or the Mayor Pro-Tem, in the event that the Mayor is the Council Member alleged to have engaged in such action or omission, may call upon the Council to determine whether such knowing and/or willful action or omission has occurred, and the sanctions, if any, to be imposed.
 - (2) Prior to conducting any hearing on an alleged failure to adhere to the provisions of the rules and procedures, the Mayor or Mayor Pro-Tem shall provide written notice to the Council Member alleged to have engaged in such failure to adhere at least ten (10) calendar days prior to calling for such hearing. The written notice shall identify the specific provisions of the rules and procedures with which the Council Member is alleged to have failed to adhere and the facts supporting such allegation.
 - (3) Upon call by the Mayor or Mayor Pro-Tem, a majority of a quorum of the Council shall vote on whether to hold a hearing to determine the existence of an act or omission constituting a failure to adhere and the sanctions, if any, to be imposed. If such hearing is approved by the Council, the hearing shall be held at a time and place specified in the motion approving such hearing.

- (4) At such hearing, the Council shall determine whether there is a preponderance of credible and substantial evidence indicating that a Council Member has knowingly and/or willfully acted or failed to act in a manner constituting a failure to adhere to the provisions of the rules and procedures. The Council Member alleged to have failed to adhere to the provisions of the rules and procedures shall have the right to present evidence and testimony. The finding of the existence of such knowing and/or willful failure to adhere shall be determined by motion approved by a majority of the Council plus one.
- (5) Upon finding that a knowing and/or willful failure to adhere to the provisions of the rules and procedures has occurred, the Council shall proceed to determine whether the sanctions, if any, should be imposed. Appropriate sanctions may include, but are not limited to, the following:
 - (i) Public censure;
 - (ii) Removal of appointment to extra-territorial boards, committees, or commissions; and
 - (iii) Removal of appointment to Council boards or committees

9.03 City Attorney as Rules & Procedures Advisor

The City Attorney shall assist the Mayor and serve as an advisor for interpreting the City Council's adopted Rules & Procedures.

9.04 Adherence to Non-interference Ordinance

The City Council delegates to the Mayor the responsibility to discuss with any Council Member, on behalf of the full Council, any perceived or inappropriate interference or encroachment of administrative services. The Mayor will discuss with the Council Member the action and suggest a more appropriate process or procedure to follow. After this discussion, if inappropriate action continues, the Mayor will report the concern to the full Council.

9.05 Applicability of Rules & Procedures

The City Council Rules & Procedures shall also apply when the Council is sitting as another entity or agency. The role of Mayor and Mayor Pro-Tem shall be interchangeable with the Chair and Vice Chair, or President or Vice President, when sitting as another entity.

CITY OF CENTRALIA

PROCLAMATION ISSUANCE GUIDELINES

Proclamations are intended to provide an opportunity for the Mayor of the City of Centralia to honor or recognize a local person, organization or special event.

Proclamations shall not be issued for:

- * Matters of political controversy, ideological or religious beliefs or individual convictions.
- * Events or organizations with no direct relationship to the City of Centralia.
- * Campaigns or events contrary to city policies or by-laws.
- * Groups or individuals who seek economic benefit by endorsement or commercial events or endeavors.

Proclamation Procedures:

1. All requests must be submitted to the City Clerk's Office at least 30 days in advance of the Council meeting at which it is to be read.
2. Requests must include a sample proclamation and the Mayor reserves the right to modify or deny any proclamation request. Proclamations must be no more than 150 words and be able to fit on the City's proclamation paper, in the City's format and be no less than a 12 point font.
3. All requests must include the name and contact number of the person making the request, as well as who will be present at the Council meeting to accept the proclamation. Proclamations will not be read if there is not someone present at the meeting to accept it.
4. We are unable to accommodate proclamations for out-of-city events or for-profit causes.
5. National or International groups requesting proclamations must have an in-city sponsor and localize the proclamation.