

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** Timeline and Application Form to Fill Council Vacancy  
**DEPARTMENT:** City Manager  
**PRESENTED BY:** Steve Burkett, City Manager

**PROBLEM/ISSUE STATEMENT:**

The City of Shoreline regrets that Councilmember Linda Montgomery has resigned from the City Council. She has been a dedicated public servant and we will miss working with her.

To assist the Council with the next steps, the attached materials outline proposed procedures, a suggested timeline, and an application form for the Council to consider.

The following actions need to be taken in order to proceed with appointment to fill the vacant Council position:

- 1. Adopt Schedule**
  - Application Deadline
  - Date for Interviews
- 2. Approve or revise the application form and fact sheet.**

**FINANCIAL IMPACT:**

None.

**RECOMMENDATION**

Approve or revise and adopt schedule, fact sheet, and application form to fill City Council vacancy.

Approved By: City Manager  City Attorney 

- Attachment A: Proposed Process and Schedule
- Attachment B: Proposed Fact Sheet
- Attachment C: Proposed Application Form
- Attachment D: Shoreline Council Rules of Procedure, Section 2.4, Filling a Council Vacancy and State RCW 42.12.070, Filling Nonpartisan Vacancies

## Council Vacancy Process

When a vacancy on the City Council occurs, the Council is governed by both their own Rules of Procedure, Section 2.4, Filling a Council Vacancy, as well as the provision in State law, RCW 42.12.070, Filling Nonpartisan Vacancies (copies are attached).

### 1. Advertise the Vacancy

- *Shoreline Enterprise* November 21, 2003
- Shoreline Cable Channel and Web site November 18, 2003

### 2. Review Candidate Applications

- 1) Applications due to City Clerk's Office December 1, 2003, Noon
- 2) Council reviews applications December 1, 2003, 4:00 PM
- 3) Council decides who to interview, interview questions, and date for the interview December 1, 2003, 6:30 PM at Special Meeting and/or Executive Session

#### Questions for Council to Consider:

- a) *Would Council prefer to select interview questions prior to the interview process or during the process?* Please keep in mind, uniformity with questions and order helps to maintain a fair and consistent process.
- b) *When would the Council like to hold the interviews?* Monday, December 15, Friday, December 19, Monday, December 22, or other?

### 3. Candidate Interviews and Council Appointment

The following procedures are according to the Council Rules of Procedure, Section 2.4, Filling a Council Vacancy.

- 1) All interviews must take place during a regular or special meeting open to the public.
- 2) Order of the interviews will be determined by drawing the names.
- 3) Candidates will be asked to remain outside the Council Chambers while other candidates are being interviewed.
- 4) Candidates will be asked to answer questions posed by each Councilmember during the interview process.
- 5) Each candidate will then be allowed two (2) minutes for closing comments.
- 6) Comments and responses about other candidates will not be allowed.
- 7) Council recesses into Executive Session to discuss qualifications of candidates.
- 8) Council nominates, votes, and selects the person to fill the vacancy in open session.

# Filling a Council Vacancy November 14, 2003

# DRAFT

## Proposed Timeline

<p><b>Tuesday, Nov 11</b></p> <p><i>Councilmember Linda Montgomery announces resignation; notifies Council; and contacts Enterprise (article appears in Nov 14 issue)</i></p>	<p><b>Monday, Nov 17 (workshop)</b></p> <p><i>Council discusses and agrees on process and timeline</i></p> <p><i>Council reviews and finalizes application form</i></p>	<p><b>Friday, Nov 14 - Monday, Dec 1 (2+ weeks)</b></p> <p><i>Staff advertises vacancy (Enterprise, City's web site, and cable)</i></p> <p><i>(Article on resignation appears in Nov 14 issue of Enterprise)</i></p> <p><i>Enterprise advertisement deadline - Nov 18 for Nov 21 issue</i></p>	<p><b>Monday, Dec 1 (special mtg)</b></p> <p><i>Applications due by 12:00 noon to City Clerk's Office</i></p> <p><i>Applications are given to Council prior to the Dec 1 meeting</i></p>	<p><b>Monday, Dec 1 (special mtg and/or executive session)</b></p> <p><i>Council reviews applications, decides who to interview, selects interview questions, and schedules interview date (Dec 15, 19, or 22)</i></p> <p><i>Discussing candidate qualifications and interview questions may be done in executive session</i></p>	<p><b>Monday, Dec 15, Friday, Dec 19, or Monday, Dec 22 (special mtg and/or executive session)</b></p> <p><i>Council interviews candidates and appoints</i></p> <p><i>Council may recess into executive session to discuss candidate qualifications</i></p> <p><i>Nominations, voting and selection of the person to fill the vacancy will be conducted during an open public meeting</i></p>
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Dec. 8-14, 2003 – NLC (Councilmembers Chang and Ransom, Mayor Jepsen)  
Dec. 2-5 and 16-18 (Mayor Jepsen away on business)



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## **CITY COUNCILMEMBER APPLICATION FACT SHEET**

### **STATE REQUIREMENTS**

- Registered voter and resident of Shoreline for at least one year.

### **POSITION DESCRIPTION**

- This position is one of seven Councilmembers. The role of the Council is as the legislative body. The Council is responsible for approving the budget, setting policy goals, and strategic planning. The Council hires and evaluates the city manager, who is responsible for preparing a budget for the Council's consideration; recruiting, hiring, and supervising the government's staff; serving as the Council's chief adviser; and carrying out the Council's policies. Council members and citizens count on the manager to provide complete and objective information, the pros and cons of alternatives, and long-term consequences.
- Most City Council meetings are held on Monday evenings: Regular Council Meetings begin at 7:30 PM and Workshop Meetings begin at 6:30 PM. Occasionally special meetings are scheduled as needed. Councilmembers may also serve on regional committees and attend workshops and conferences.
- Serving on the Shoreline City Council is a part-time position. The position includes salary and benefits, which are as follows:
  - Salary of \$700.00 per month (or \$8,400.00 per year) (Ordinance 122).
  - Medical and retirement benefits equal to sixty percent (60%) of minimum premiums for enrollment of a city employee, spouse and one child in Association of Washington Cities (AWC) medical, dental and vision plans. Any amount not used for medical benefits may be used for retirement benefits by contribution to a 457 plan adopted by the City (Ordinance 287).

## **CITY COUNCILMEMBER APPLICATION FACT SHEET**

### **POSITION DESCRIPTION (continued)**

- This appointment will complete an unexpired term for Council Position #3. This position will expire on December 31, 2005 and will then be filled in the 2005 election cycle.
- Personal information submitted for the position may be requested according to State public disclosure rules.
- The successful candidate will be required to file a Personal Financial Affairs Statement with the Public Disclosure Commission within two weeks of appointment.

### **APPLICATION PROCEDURES**

- Council candidates are required to complete and submit the City Councilmember Application Form to the City Clerk's Office by 12:00 noon, December 1, 2003.
- The City Council is required to conduct candidate interviews during a Special Council Meeting open to the public (date to be determined). Applicants will be asked to answer questions posed by each Councilmember during the interview process. Each candidate will then be allowed two (2) minutes for closing comments. Comments and responses about other applicants will not be allowed (Council's Rules of Procedure, Section 2.4, Filling a Council Vacancy).
- The Council may recess into Executive Session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy will be conducted during an open public meeting (Council's Rules of Procedure, Section 2.4, Filling a Council Vacancy).



**CITY COUNCILMEMBER APPLICATION**

Application is due in the City Clerk's Office by noon December 1, 2003

City Clerk's Office  
City of Shoreline  
17544 Midvale Ave. N.  
Shoreline, WA 98133  
Phone: (206) 546-5042  
Fax: (206) 546-1524

Name \_\_\_\_\_

Are you a registered voter? \_\_\_\_\_

Are you a resident of the City of Shoreline? \_\_\_\_\_

Length of residence in Shoreline \_\_\_\_\_

1. List your educational background. \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

2. Please state your occupational background, beginning with your current occupation and employer. \_\_\_\_\_  
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3. Describe your community activities and volunteer work. \_\_\_\_\_  
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4. Describe your special qualifications applicable to City Council. \_\_\_\_\_  
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5. Why do you want to serve on City Council? \_\_\_\_\_  
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6. Specify any activities that might create a conflict of interest if you should be appointed to the City Council. \_\_\_\_\_  
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**PERSONAL INFORMATION**

Name \_\_\_\_\_

Home Address \_\_\_\_\_

\_\_\_\_\_ Zip Code \_\_\_\_\_

Home Telephone Number \_\_\_\_\_

Work Address \_\_\_\_\_

\_\_\_\_\_ Zip Code \_\_\_\_\_

Work Telephone Number \_\_\_\_\_

E-mail address \_\_\_\_\_

candidate receives a majority vote. Upon election, the Mayor conducts the election for Deputy Mayor following the same process.

- E. A super majority vote (5) shall be required to approve a motion to remove the Mayor or Deputy Mayor from office for cause.

### 2.3 Duties of Officers

- A. The Mayor, or in his or her absence, the Deputy Mayor, shall be the Presiding Officer of the Council and perform the duties and responsibilities with regard to conduct of meetings and emergency business. In the absence of both the Mayor and the Deputy Mayor, the Council shall elect one of the members to the Council to act as a temporary Presiding Officer.
- B. It shall be the duty of the Presiding Officer 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 Councilmember who wishes an opportunity to speak when recognized by the chair.
    - b. Permit audience participation at the appropriate times.
    - c. Require all speakers to speak to the question and to observe the rules of order.
  - 4. State each motion before it is discussed and before it is voted upon.
  - 5. Put motions to a vote and announce the outcome.
- C. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.
- D. The Presiding Officer may at his or her discretion call the Deputy Mayor or any member to take the chair so the Presiding Officer may make a motion or for other good cause yield the Chair.

### 2.4 Filling a Council Vacancy

- A. If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 42.12.070. 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 by which the vacancy will be filled, and an application form.
- B. The Council will draw up an application form to aid the Council's selection of the new Councilmember.

- C. Those candidates selected by Council will be interviewed by the Council during a regular or special Council meeting open to the public. The order of the interviews will be determined by drawing the names; in order to make the interviews fair, applicants will be asked to remain outside the Council Chambers while other applicants are being interviewed. Applicants will be asked to answer questions posed by each Councilmember during the interview process. The interview process will be designed to be fair and consistent. Each candidate will then be allowed two (2) minutes for closing comments. Since this is not a campaign, comments and responses about other applicants will not be allowed.
- D. The Council may recess into executive session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy will be conducted during an open public meeting.

**Section 3. Agenda Preparation.**

- 3.1 Upon direction by the City Manager, the City Clerk will prepare an agenda for each Council Meeting specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review by the Presiding Officer.
- 3.2 An item for a Council meeting may be placed on the agenda by any of the following methods:
  - A majority vote or consensus of the Council
  - B. By any two Councilmembers, in writing or with phone confirmation, with signatures by fax allowed for confirmation of support, no later than 12:00 (noon) five days prior to the meeting. The names of the requesting Councilmembers shall be set forth on the agenda.
  - C. By the City Manager.
  - D. By the Mayor or Deputy Mayor when acting in the absence of the Mayor.
- 3.3 Staff reports shall be in a standard format approved by the City Council.
- 3.4 Agenda items will be prioritized in the following order of importance: 1) items scheduled for statutory compliance; 2) advertised public hearings; 3) continued items from a prior meeting and 3 ) items scheduled for convenience.

**Section 4. Consent Calendar.**

**RCW 42.12.070****Filling nonpartisan vacancies.**

A vacancy on an elected nonpartisan governing body of a special purpose district where property ownership is not a qualification to vote, a town, or a city other than a first class city or a charter code city, shall be filled as follows unless the provisions of law relating to the special district, town, or city provide otherwise:

(1) Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position.

(2) Where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment.

(3) If less than two members of a governing body remain in office, the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person or persons to the governing body until the governing body has two members.

(4) If a governing body fails to appoint a qualified person to fill a vacancy within ninety days of the occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease and the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person to fill the vacancy.

(5) If the county legislative authority of the county fails to appoint a qualified person within one hundred eighty days of the occurrence of the vacancy, the county legislative authority or the remaining members of the governing body of the city, town, or special district may petition the governor to appoint a qualified person to fill the vacancy. The governor may appoint a qualified person to fill the vacancy after being petitioned if at the time the governor fills the vacancy the county legislative authority has not appointed a qualified person to fill the vacancy.

(6) As provided in \*RCW 29.15.190 and 29.21.410, each person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected that occurs twenty-eight or more days after the occurrence of the vacancy. If needed, special filing periods shall be authorized as provided in \*RCW 29.15.170 and 29.15.180 for qualified persons to file for the vacant office. A primary shall be held to nominate candidates if sufficient time exists to hold a primary and more than two candidates file for the vacant office. Otherwise, a primary shall not be held and the person receiving the greatest number of votes shall be elected. The person elected shall take office immediately and serve the remainder of the unexpired term.

If an election for the position that became vacant would otherwise have been held at this general election date, only one election to fill the position shall be held and the person elected to fill the succeeding term for that position shall take office immediately when qualified as defined in \*RCW 29.01.135 and shall service both the remainder of the unexpired term and the succeeding term.

[1994 c 223 § 1.]

**NOTES:**

**\*Reviser's note:** RCW 29.15.190, 29.21.410, 29.15.170, 29.15.180, and 29.01.135 were recodified as RCW 29A.24.190, 29A.52.240, 29A.24.170, 29A.24.180, and 29A.04.133, respectively, pursuant to 2003 c 111 § 2401, effective July 1, 2004.