

## CITY COUNCIL AGENDA ITEM

### CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** Providing for Effective Public Comments at Business Meetings and Study Sessions  
**DEPARTMENT:** City Manager's Office  
**PRESENTED BY:** Eric Bratton, CMO Management Analyst

#### PROBLEM/ISSUE STATEMENT

Councilmembers have expressed the need to balance their commitment to public comment at Council business meetings and study sessions with the need for Council to have meaningful deliberations amongst themselves. Staff have proposed changes to the Council Rules of Procedure to help streamline Council meetings while still providing opportunities for public comment.

Councilmembers and citizens have also expressed concern over the tenor of many of the comments made during the 2009 general election cycle, particularly the negative comments made toward individual candidates, sitting councilmembers and members of the public. The proposed changes would restrict public comment in support or opposition of individual candidates for elected office.

#### BACKGROUND

Proposed changes to the Council Rules of Procedure were brought before the Council at the April 19 study session for discussion and Council direction. Staff recommendations are based on those discussions.

#### Changes to Council Rules of Procedure

Understanding the Council's desire to balance public comment with the need to have meaningful deliberations amongst Councilmembers, staff recommends the following changes be made to the Council Rules of Procedure:

1.	Study Sessions	<ul style="list-style-type: none"><li>• Eliminate general public comment at beginning of Council meeting.</li><li>• Allow public comment only on agenda items after staff reports.</li></ul>
2.	Business Meetings	<ul style="list-style-type: none"><li>• "General Public Comment" will be renamed "Public Comment."</li><li>• Eliminate public comments after each agenda item, unless it is a public hearing, and move those comments to beginning of Council meeting under "Public Comments."</li><li>• During Public Comment portion, Presiding Officer will</li></ul>

		<p>call individuals wishing to speak to specific agenda items first. If time remains, anyone wishing to make a general public comment on items not pertaining to the agenda may do so.</p> <ul style="list-style-type: none"> <li>• No person may use public comment to promote or oppose any candidate for public office.</li> </ul>
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The above changes will be made on a trial basis and Staff will bring the issue back before the Council for review at its December 6, 2010 study session.

### **Notifying the Public of Change**

In order for the public to have an opportunity to understand the new public comment procedures and to allow time for them to adjust, the new procedures will not begin until the June 7, 2010 study session. Before that time, staff will ensure adequate notice is provided to the public in the following ways:

- Post information on City's website
- Post information at back table of Council Chambers.
- Include information in the May Currents.
- Send E-News alerts letting people know about the changes.
- Deputy Mayor will inform public of changes during public comment portion of Council meetings during 4 meetings leading up to change and during trial period.

### **Post Public Comment Guidelines**

Council has also directed staff to develop public comment guidelines that can be posted above the sign-up sheets at Council meetings and on the City's website. The guidelines will help inform the public about the many different ways they can communicate with the Council and staff. It will also provide tips for how best to address Council during the public comment portion of meetings.

### **RECOMMENDATION**

Staff recommends that Council adopt Resolution 298 relating to the timing of public comments during Council meetings. If Resolution 298 is adopted, staff recommends Council adopt Resolution 299 Version A, which prohibits campaign speech during public comment for or against individual candidates. If Resolution 298 is not adopted, staff recommends Council adopt Resolution 299 Version B. These resolutions will be adopted on a trial basis. Staff will bring the issues back before the Council in December for review.

Approved By:      City Manager \_\_\_\_\_ City Attorney \_\_\_\_\_

## **ATTACHMENTS**

**Attachment A:** Resolution 298 Amending Council Rules of Procedure Relating to Public Comment During Business Meetings and Study Sessions.

**Attachment B:** (Version A) Resolution 299 Amending Council Rules of Procedure Relating to Campaign Speech For or Against Individual Candidates for Public Office During the Public Comment Portion of Business Meetings and Study Sessions.

**Attachment C:** (Version B) Resolution 299 Amending Council Rules of Procedure Relating to Campaign Speech For or Against Individual Candidates for Public Office During the Public Comment Portion of Business Meetings and Study Sessions.

**Attachment D:** Staff report from April 19.

## RESOLUTION NO. 298

### A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, AMENDING COUNCIL RULES OF PROCEDURE PROVIDING FOR PUBLIC COMMENT DURING BUSINESS MEETINGS AND STUDY SESSIONS

WHEREAS, Chapter 35A.12.120 RCW gives the City Council of each code city the power to set rules for conducting its business within the provisions of Title 35A RCW; and

WHEREAS, the City Council has reviewed its rules of procedure and wishes to provide opportunities for the public to effectively communicate with the City Council while reserving adequate time for council business; NOW THEREFORE

### THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON HEREBY RESOLVES:

**Section 1. Amendments.** Sections 5 and 6 of the Council Rules of Procedure are amended as follows:

5.3 The Council shall hold *Business Meetings* on the second and fourth Monday of each month at 7:30 p.m. in the Council Chamber of the Shoreline City Hall, located at 17500 Midvale Avenue N, Shoreline, Washington. Should any meeting date occur on a legal holiday, the meeting shall be held at the same hour and place on the following day. There will be no Business Meeting between December 15th and the end of the year.

A. Order of Business for Business Meetings. The order of business shall be as follows:

#### Business Meeting (7:30 p.m.)

1. Call to Order
2. Flag Salute, Roll Call
3. Report of the City Manager
4. Reports of Boards and Commissions (occasional Council Reports with Mayor's permission)
5. General Public Comment, as per set forth in Section 6.1
6. Approval of the Agenda
7. Consent Calendar
8. Action Item: Public Hearings (Hearings should commence at approximately 8:00 p.m.)
9. Other Action Items: Ordinances, Resolutions and Motions

The following procedures shall be used:

- Introduction of item by Clerk staff
- Presentation by staff
- Council motion to move adoption of legislation
- ~~Public Comment per Section 6 of Council Rules of Procedure~~
- Council discussion and possible action

10. Unfinished Business

11. New Business

12. Executive Session, if needed

13. Adjournment

5.4 The Council shall hold ***Study Sessions*** on the first and third Monday of each month at 6:30 p.m. in the Council Chamber of the Shoreline City Hall, located at 17500 Midvale Avenue N., Shoreline, Washington. Should any meeting date occur on a legal holiday, the meeting may be canceled or postponed to the same hour and place on the following day at the discretion of the Mayor in consultation with the City Manager. Study Sessions will be informal meetings for the purpose of reviewing upcoming agenda items, current and future programs or projects, public process scope, budget review, issue identification, or other information the City Manager or Council feels is appropriate. No final votes may take place at a Study Session, however, the Council may provide administrative direction to staff by consensus or vote. There will be no Study Sessions between December 15th and the end of the year.

A. Order of Business for Study Sessions. The order of business shall be as follows:

Study Session (6:30 p.m.)

1. Call to Order
2. Flag Salute/Roll Call
3. City Manager's Report and Future Agendas
4. Council Reports
- ~~5. General Public Comment per Section 6.1~~
- 6.5. Study Items

The following procedure shall be used:

- Staff Reports
- Public Comment as set forth in Section 6.2
- Council discussion

~~76.~~ Executive Session, if necessary

~~87.~~ Adjournment

~~6.1 General Public Comment~~ Business Meetings. Members of the public may address the City Council at the beginning of any Business Meeting ~~or Study~~

Session under "Public Comments," During the "Public Comment" portion of the meeting, individuals may speak to agenda items, or any other topic, for three minutes or less, depending on the number of people wishing to speak. If more than 15 people are signed up to speak each speaker will be allocated 2 minutes. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. The total public comment period under Agenda Item 5 will be no more than 30 minutes. Individuals will be required to sign up prior to the start of the Public Comment period. Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed. If time remains, the Presiding Officer will call individuals wishing to speak to topics not listed on the agenda and will be called upon to speak generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.

~~6.2 Business Meetings and Study Sessions Agenda Items Public Comment.~~ Members of the public are also provided an opportunity to address the City Council about agenda items for three minutes or less, depending on the number of people wishing to speak, after the staff report and before Council review ~~on any Business Meeting or Study Session agenda item.~~ The total public comment period on each agenda item will be no more than 20 minutes, and comments shall be limited in scope to the specific agenda item. If more than 10 people are signed up to speak on an item each speaker will be allocated 2 minutes. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. Individuals will be required to sign up prior to the start of the agenda item on which they wish to speak and will be called upon to speak generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.

**ADOPTED BY THE CITY COUNCIL ON APRIL 26, 2010.**

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Mayor Keith McGlashen

**ATTEST:**

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Scott Passey  
City Clerk

**RESOLUTION NO. 299 (Version A)**

**A RESOLUTION OF THE CITY OF SHORELINE,  
WASHINGTON, AMENDING COUNCIL RULES OF  
PROCEDURE RELATING TO CAMPAIGN SPEECH FOR OR  
AGAINST INDIVIDUAL CANDIDATES FOR PUBLIC OFFICE  
DURING THE PUBLIC COMMENT PORTION OF BUSINESS  
MEETINGS AND STUDY SESSIONS**

WHEREAS, Chapter 35A.12.120 RCW gives the City Council of each code city the power to set rules for conducting its business within the provisions of Title 35A RCW; and

WHEREAS, the City Council has reviewed its rules of procedure and wishes to amend provisions relating to public comment to restrict campaign speech supporting or opposing individual candidates for public office; NOW THEREFORE

**THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON  
HEREBY RESOLVES:**

**Section 1. Amendments.** Section 6 of the Council Rules of Procedure is amended as follows:

6.1 Business Meetings. Members of the public may address the City Council at the beginning of any Business Meeting under "Public Comments." During the "Public Comment" portion of the meeting, individuals may speak to agenda items, or any other topic, for three minutes or less, depending on the number of people wishing to speak. If more than 15 people are signed up to speak each speaker will be allocated 2 minutes. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. The total public comment period under Agenda Item 5 will be no more than 30 minutes. Individuals will be required to sign up prior to the start of the Public Comment period. Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed. If time remains, the Presiding Officer will call individuals wishing to speak to topics not listed on the agenda generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers. No person may use public comment to promote or oppose any candidate for public office.

**ADOPTED BY THE CITY COUNCIL ON APRIL 26, 2010.**

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Mayor Keith McGlashen

**ATTEST:**

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Scott Passey  
City Clerk

**RESOLUTION NO. 299 (Version B)**

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Scott Passey  
City Clerk

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