

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Resolution 310 Amending the Council Rules of Procedure
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Eric Bratton, CMO Management Analyst

PROBLEM/ISSUE STATEMENT

To provide clarification regarding the prohibition of campaign speech for or against individual candidates during the public comment portion of Council meetings and how to conduct public comment during special meetings, staff recommends amending the Council Rules of Procedure.

Campaign Speech

In order to clarify that the restrictions on campaign speech include all candidates for public office regardless of where they file their candidacy, staff recommends Council amend the last sentence of section 6.1 as follows:

During election season, which starts when a candidate officially files their candidacy with the State or a county election office, ~~with the King County Elections Office~~ and runs through the election, no person may use public comment to promote or oppose any candidate for public office.

The change makes clear that the restrictions on campaign speech refer to any candidate for public office regardless of where the candidate files his or her candidacy.

Special Meetings

Currently, the Rules do not adequately cover public comment during special meetings. Staff recommends amending the Rules to state that public comment during special meetings will follow the same procedures as study sessions providing time for public comment after the staff report but before Council deliberation for each study or action items. In addition, if a consent item is included on a special meeting agenda and it is before the Council for the first time, then Council will provide an opportunity for public comment on that item before approval of the consent calendar. These changes help clarify when and how the public can comment on items during a special meeting.

RECOMMENDATION

Staff recommends adoption of Resolution 310.

Approved By:

City Manager

City Attorney

Attachment A: Resolution 310

RESOLUTION NO. 310

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, AMENDING COUNCIL RULES OF PROCEDURE RELATING TO STUDY SESSIONS, SPECIAL MEETINGS AND PUBLIC COMMENT

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 procedures for special meetings; and

WHEREAS, the City Council also 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. Rules -5 and 6 of the Council Rules of Procedure are amended as follows:

5.4 The Council shall hold Study Sessions on the first and third Monday of each month at 7:00 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 (7:00 p.m.)

1. Call to Order
2. Flag Salute/Roll Call
3. City Manager's Report and Future Agendas

- 4. Council Reports
- 5. Approval of Agenda
- 56. Study Items

The following procedure shall be used:

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

- 67. Executive Session, if necessary
- 78. Adjournment

5.6 *Special Meetings* may be held by the Council subject to notice requirements prescribed by State law. Special Meetings may be called by the Mayor, Deputy Mayor, or any four members of the City Council by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. The notice of such Special Meetings shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered. No Special Meetings shall be scheduled between December 15th and the end of the year. The order of business for Special Meetings shall follow Section 5.4A with the addition of Consent Agenda and Action Items sections as needed before the Study Items. Public comment for Action Items will follow the procedure found in Section 6.2. If a Consent Agenda item is before the Council for the first time, the Presiding Officer shall inquire and take public comment on the item prior to approval of the Consent Calendar.

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, unless an agenda item is before the Council for the first time, in which case public comment for that item will follow the same procedures as found in Section 6.2 for agenda items. Individuals may speak 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. During election season, which starts when a candidate officially files their candidacy with the State or a county election office,

~~with the King County Elections Office~~ and runs through the election, no person may use public comment to promote or oppose any candidate for public office.

ADOPTED BY THE CITY COUNCIL ON DECEMBER 13, 2010.

Mayor Keith McGlashen

ATTEST:

Scott Passey
City Clerk

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