

# **AMENDED AGENDA**

## **SHORELINE CITY COUNCIL SPECIAL MEETING**

Monday, June 5, 2006  
6:30 p.m.

Shoreline Conference Center  
Mt. Rainier Room

1. CALL TO ORDER

Approximate Length of Agenda Item
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Page No.
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2. FLAG SALUTE / ROLL CALL

(a) Legislative Report - Representative Maralyn Chase

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

4. COUNCIL REPORTS

5. PUBLIC COMMENT

<p>This is an opportunity for the public to address the Council on topics other than those listed on the agenda, and which are not of a quasi-judicial nature. The public may comment for up to <u>three minutes</u>. However, Item 5 will be limited to a maximum period of 20 minutes. The public may also comment for up to <u>three minutes</u> on agenda items following each staff report. The total public comment period on each agenda item is limited to 20 minutes. In all cases, speakers are asked to come to the front of the room to have your comments recorded. Please state clearly your name and city of residence.</p>
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6. WORKSHOP ITEMS

(a) Economic Development Program – First  
Year Accomplishments and Aurora Business  
Promotion

60 min. 1

(b) Forward Shoreline Update

30 min. 11

(c) Shoreline Fields A and B Rate Policy

30 min. 13

7. ACTION ITEMS

(a) Resolution No. 244, amending the Council Rules  
of Procedure

30 min. 17

(b) 2007-08 Council Goals

30 min. 63

- (c) Motion to execute a Construction Contract for the  
2006 Sidewalk Priority Routes

65

8. ADJOURNMENT

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 546-8919 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 546-2190 or see the web page at [www.cityofshoreline.com](http://www.cityofshoreline.com). Council meetings are shown on Comcast Cable Services Channel 21 Tuesdays at 12pm and 8pm, and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m.

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

<b>AGENDA TITLE:</b>	Economic Development Program Update, March 2005 to April 2006
<b>DEPARTMENT:</b>	EDP/CMO
<b>PRESENTED BY:</b>	Tom Boydell, EDP Manager

**PROBLEM/ISSUE STATEMENT:**

The new effort in the Economic Development Program began on March 1, 2005. The purpose of this presentation is to give the Mayor and Council an overview of progress made during the past year and a look ahead. Over the past year, Council received several briefings on economic development. These briefings included action on a proposal for Small Business Assistance and adoption of the 2006-2011 Economic Development Strategic Plan as recommended by the Economic Development Task Force. This presentation is designed to provide additional detail on progress, activities, and plans.

**RECOMMENDATION**

No action is required.

Approved By: City Manager Jon City Attorney N/A

**Attachment**

A. Program Activities and Progress Update (March 05 to May 06)



## **Memorandum**

**DATE:** May 25, 2006

**TO:** Mayor and City Council

**FROM:** Tom Boydell

**RE:** Update on Economic Development Program Activities

**CC:** Robert Olander, City Manager  
Julie Modrzejewski, Assistant City Manager

The following update is meant to provide an overview of what has been accomplished in economic development since March 1, 2005, which is the date when I joined the City of Shoreline and together we began the new program effort.

**Most important accomplishments:**

- (1) I have had good contacts and discussions with developers, local businesses, and community leaders, so that my understanding of issues and needs are better identified.
- (2) We have put in place a great many new program-level resources (e.g., Community Capital) that should give us increased capacity to respond to opportunities that may arise.
- (3) According to citizens and business owners in Shoreline, the tangible sense that there exists a climate of partnership with City leadership, business community leadership, and business owners has improved noticeably.
- (4) Progress has been made on a number of properties that show development potential.
- (5) Local and regional leadership has become mobilized around a common vision and strategy for Shoreline, as a result of the coordinated and thorough efforts of City staff, the City Council, and the Economic Development Task Force.

Although time still has been too short to see large degree of quantifiable achievement in terms of investment and tax base outcomes, I feel optimistic.

Thank you for the opportunity to work for the City of Shoreline. It is a challenging job, with a lot of opportunity to contribute to the overall community. It has also been a wonderful environment, because of all the great people and professionalism and community leadership here. I have been glad to be a part of this community, and I appreciate all of the encouragement that I have received from leadership, citizens, and City staff.

Attachment: Summary Report

**City of Shoreline  
Economic Development Program**

**Activities and Progress Update  
March 2005 to May 2006**

**Summary Report**

The following summarizes the past 15 months of activity and accomplishments in the Economic Development Program. This report is organized according to the seven major categories of work in the strategic plan developed by the Economic Development Task Force.

**Summary of Strategy Development**

In 2005, at the direction of the Council and City Manager, the EDP Manager worked with a broad-based citizen leadership group to revise the adopted 2004 EDP Strategic Plan. This included: (a) review of ideas about strategy with individual members of City Council and the City Manager's Office, (b) development of a new work program, including identification of priorities, and (c) formulation of an Economic Development Task Force.

The 14 member Task Force (plus guests) began at the end of July. Through November, it held 13 meetings and engaged in more than 30 hours of discussion on a broad range of topics. Dialogue centered on overall goals, community vision, creating a sense of central place, the need for a business registry system, the roles of traffic, transit and parking in economic development, town centers development, regional recruitment efforts, Shoreline's intellectual capital, small business needs, and sustaining the growth of neighborhood commercial centers.

On November 23, 2006, the Task Force, by full and unanimous agreement, recommended to City Council a new strategy for the 2006-2011 time period, including priorities and performance measures. Subsequently, the Task Force met to focus on sharing their recommendations with others in the community and to discuss implementation. Starting in December 2005 presentations were made to the Chamber of Commerce, Forward Shoreline, the Shoreline Planning Commission, two Rotary groups, and the Council of Neighborhoods, resulting in unanimous endorsements from all of these groups. The new strategic plan also received an enthusiastic endorsement from the Washington State Director of Community, Trade, and Economic Development and the CEO of EnterpriseSeattle (formerly the King County Economic Development Council). City Council adopted the plan with minor edits in March 2006.

**Category 1: General Government, Outreach and Communications**

During the first six months, the EDP Manager met with City government leadership and staff, staff of other government entities with which Shoreline coordinates its work (e.g., King County), real estate brokers and developers, and leadership in both the business and non-business communities of Shoreline. Meetings ranged from one-on-one to small group to large group settings and participation in the City Council Retreat. The major goals of these meetings were to:

- (1) Build a foundation of collaborative dialogue,
- (2) Review and coordinate ideas about the EDP work program, and
- (3) Identify new ideas or development activity.

To a lesser extent, communications included assistance with Aurora Corridor Phase I, the North City Project, and Interurban Trail plans. These broadened into action projects.

This process continued during the next six months. In addition to one-on-one meetings, the activities included:

- (a) Outreach through small business assistance consultants,
- (b) Ongoing participation in groups (e.g., Chamber, Forward Shoreline),
- (c) Outreach through project efforts, such as the North City Business Directory project,
- (d) Facilitation of the Economic Development Task Force, and subsequently, outreach to the various community groups regarding the new Task Force recommended strategy, and
- (f) Coordination at the regional level.

We also began to use a standardized survey tool, so that we could begin to collect information about local businesses. Implementation of projects and problem-solving occurred as we went along; this was both appreciated and produced tangible results. More than 200 businesses participated in the survey, either directly through the North City Directory project or indirectly through Community Capital Development.

Finally, the EDP Manager participated in an interdepartmental team to assist the Finance Director and City Manager in identifying alternatives for a business registry system.

## **Category 2: Major Projects**

Much of the focus of effort has been along Aurora Avenue.

### **I. Aurora Square/Westminster Triangle**

Goal: Encourage redevelopment of Aurora Square as a Town Center-type development. This is the highest priority project. One significant accomplishment was that Sears decided to release the unused back portion of their property for sale, but then they pulled it off the market, and now has expressed a renewed interest in selling it, reflecting the “hot and cold” positioning of Sears.

Progress-to-date:

- ~ Reviewed plan, planning history and research of information about the site, and met with Central Market and J. Green Properties management (April to May 2005)
- ~ Revised/updated the information packet; and Renamed the site on a marketing concept level as Westminster Village, or “W Village” for short (May 2005)
- ~ Attended Alliance luncheon (Puget Sound developers) and the International Council of Shopping Centers (ICSC) annual convention to learn from developers and others how Shoreline might market the redevelopment plan (March to May 2005)
- ~ Formulated an initial recruitment strategy. (June 2005)
- ~ Attempted to establish contact with Sears/Kmart. (June to August 2005; again in January 2006)

- ~ Recruited a few development experts (e.g., Callison Architects, Bayley Construction) to come share their perspectives on major development in public forum, with Leadership Team, and with the ED Task Force (June to September 2005)
- ~ Coordinated ideas with other projects, including the Aurora Corridor Phase I and potential City Hall site identification (June to September 2005)
- ~ Reviewed efforts and ideas with Buxton consultants (July to September 2005)
- ~ Met with State and regional level economic development leaders (September, October, and January 2006)

Major tax incentives are likely to be the most effective way to engage Sears/K-Mart management at any level of real commitment. Without active participation on the part of Sears/K-Mart, it may not be possible to achieve any redevelopment at Aurora Square.

Internally, difficult future work will likely include working with CMO and other departments to produce a baseline analysis of the site potential and requirements. Potentially, our efforts could lead to actions that the City might implement in order to attract a major developer(s).

Initial meetings and site tours have occurred with about a dozen architectural companies and/or development interests, including companies in Seattle, Spokane, Tacoma, Los Angeles, Chicago, New York, and London. (June 2005 through April 2006)

## II. Other Projects in the Aurora Avenue area

### Higher Level-of-Effort

- North Wedges – Walgreen's
- South Wedges properties
- Sky Nursery expansion
- Echo Lake
- SLC development on 185<sup>th</sup>
- George Choi project
- Sparky's building
- Seattle Times/Olympic property

In these cases, work consisted of assisting CMO, PADS and Public Works in working through permit process issues, identifying ways for the City to play a helpful role, and in negotiations concerning trail construction requirements. The work on the South Wedges included transferring from PADS the project management duties and contracts for real estate advisory services.

## III. Projects Outside of Aurora Avenue

We have begun to learn about properties and businesses in neighborhood areas, such as Richmond Beach, Briarcrest, Paramount area (15<sup>th</sup> NE and 145<sup>th</sup>), and Ballinger Way.

### **Category 3: Small Business Assistance**

#### **Project 1: "Tools for Success" Project**

Goal: Real estate advisory work, lease negotiations, business relocation and business recruitment.

##### Activities:

- ~ Met with individual business owners along the Interurban Trail corridor who are expected to be displaced. (July to August 2005)
- ~ Identified an action plan and the appropriate contractor (May to September 2005)
  - ~ Inventory
  - ~ Relocation pamphlet (draft material, but not final production version)
  - ~ Needs and gap analysis
  - ~ Work plan priorities and approach
- ~ Implemented the project effort with 12 of 18 businesses participating at different levels. We estimated that six of the businesses could remain in Shoreline at new locations. Five businesses did relocate and stay in Shoreline.
- ~ Capital was also assembled for the creation of a Hispanic business plaza and two alternative sites identified. The deal was not completed, however, due to family issues among the Hispanic business owners.
- ~ Other accomplishments of the effort are that we learned about our abilities to raise capital, we learned about owner vs. tenant lease issues at various properties along Aurora Avenue, and we established a capability to identify and respond to inquiries from businesses outside of Shoreline that might be interested in locating here.
- ~ Add-on work is to extend the project through 2006 for other businesses as assigned by the Economic Development Manager.

#### **Project 2: Community Capital**

Goal: Enhance access to loan funds and similar financial assistance for micro-sized and small businesses, to support small business growth and retention in Shoreline. Create a network or program(s) for the types of loan support, business mentoring, training, and business management technical assistance that are needed to help ensure the success of borrowers and program participants.

##### Activities:

- ~ Explored federal financing programs available for small and micro businesses, and research existing programs in the Seattle area. (May 2005)
- ~ Formulated a program concept. (June 2005)
- ~ Explored partnership opportunities with Shoreline Community College, City of Lake Forest Park, and others. (June 2005)
- ~ Met with local business and banking leaders to learn about their ideas. (June 2005)
- ~ Created and completed a pilot program, including \$250,000 loan fund. (September 2005 through January 2006)
- ~ Outcomes of the pilot included meeting with 120 businesses, completing surveys and needs analysis for businesses in various parts of Shoreline, and two loan applications.



- ~ CCD also helped with scoping out marketing and promotion efforts for Aurora Ave businesses.
- ~ A new contract has been drafted for 2006 (Council provided authorization to proceed on May 22, 2006)

### *Project 3: Environmental Partnership*

Goal: Improve outreach to businesses on a variety of environmental issues and enhance the opportunity for mutually beneficial partnerships.

#### Activities:

- ~ Formulated a program concept (May 2005)
- ~ Explored opportunities for grant support and collaborating with Public Works. (July and August 2005)
- ~ Created and completed a pilot project working with a non-profit called ECOSS (September 2005 through January 2006)
- ~ Outcomes included extensive outreach, problem-solving, and cost savings for numerous local businesses.
- ~ A new contract has been executed for 2006.

### **Category 4: Media, Marketing and Promotion**

North City Support has included:

- ~ Developed a “Walking Murals” pilot via the Arts Council to decorate construction fencing and attract media attention (April to May 2005)
- ~ Met with business owners to brainstorm ideas (May to July 2005)
- ~ Participated in a Merchant’s Block Party (October 2005)
- ~ Organized advertising solutions and a partnership plan that will consist of a North City Business Directory and joint business advertising efforts in the Enterprise (August 2005 to February 2006); distributed 18,000 copies of the Directory, with 2500 held for future distribution. Advertising has included the Enterprise newspaper, the Enterprise Community Guide, and the Journal newspaper (October 2005 through March 2006)
- ~ Worked with Forward Shoreline on media ideas (May to August 2005)
- ~ Worked with Public Works and PADS on “open for business” signs, parking issues, temporary signage requests, etc. (June through September 2005)
- ~ Worked with North City businesses, the North City Business Association and Forward Shoreline on the ribbon cutting, car show, and ideas for other business area celebrations in the summer of 2006. The June 17<sup>th</sup> Corvette Show will now include live music, sidewalk sales, an Arts Council chalk art event, and perhaps a chess club contest and live street theater. Economic Development will provide advertising for this community event.

Aurora Project Mitigation/Business Promotion has included:

- ~ Participated in Aurora Project meetings (ongoing, as needed)
- ~ Assisted City Departments in answering merchants’ and property owners’ questions in person and in writing (May 2005)
- ~ One-on-one visits with individual merchants (October 2005 through February 2006)

- ~ Assignment of small business consultants to problem-solve/provide advice to individual merchants on such things as financing and lease issues (December 2005 through April 2006)
- ~ Assignment of ECOSS staff to problem-solve energy use and equipment issues to a couple of merchants (e.g., Denny's Restaurant, Hollywood Casino - October 2005 through January 2006)
- ~ Coordinated with the Aurora Projects team to brainstorm marketing ideas and identify budget
- ~ Help meet with businesses with respect to the May 19<sup>th</sup> Girder Event
- ~ Met with the Chamber of Commerce, Forward Shoreline, and individual businesses to identify and discuss different ideas for marketing and promotion (May 2006). **This is an ongoing effort and Council will also be briefed on this.**

#### Aurora Square

- ~ Created a Westminster Village development packet (previously mentioned "major projects")

#### New brochures under development in 2006:

- ~ Community Capital Development program
- ~ Shoreline Sustainable Business Project (ECOSS)
- ~ "Guide to Starting or Relocating Your Business in Shoreline" brochure

#### Other ideas for possible consideration:

- ~ Economic Development Program brochure
- ~ Economic Development Portal on the Website that would tie us into the Buxton database

### **Category 5: Intellectual Capital**

EnterpriseSeattle discussed with us that they were trying to recruit a small environmental technology firm from California, but nothing came from this. The EDP Manager also worked on trying to find property for a clean technology business from North Seattle business that wanted to relocate to Shoreline along Aurora Avenue. The property owner ran into zoning, site size, and property value issues that caused this effort to be unsuccessful. No other work to date.

### **Category 6: Local Collaboration-Building and Regional Partnerships**

#### Assistance to the North County Strategy Summit included:

- ~ Review of study findings, participation in Summit event, and discussion of next steps
- ~ Participation in the initial meetings of the newly formed group, which is called the "Coalition of North King County Cities"

#### Other work included:

- ~ Negotiated of new contract with EnterpriseSeattle (formerly, the Seattle King County Economic Development Council)
- ~ Negotiation of a new contract with Forward Shoreline
- ~ Participated in meetings of the Chamber of Commerce and Forward Shoreline
- ~ Outreach to County and State-level government offices, other cities (e.g., Renton, Kent, Bellevue, and Edmonds), and regional agencies.
- ~ Explored ideas with Shoreline Community College

- ~ Created and managed plans with the Shoreline-LFP Arts Council for the collaborative “North City Walking Murals” project
- ~ Developed an agreement for the Shoreline-LFP Arts Council to provide the North City Chalk Art Event during the Corvette Show and Business Celebration on June 17, 2006
- ~ Met with the Seattle Cascades Drum and Bugle Corps about their interest in helping with more local, community-building efforts
- ~ Arranged a visit and tour of the city area by the State’s Director of Community, Trade, and Economic Development; and
- ~ Developed a good working relationship with the editors and staff of the *Enterprise* and *Shoreline Journal*.

### **Category 7: Sustainable Neighborhoods**

This is a category for work identified to help encourage development of mixed use and commercial development at the appropriate scale in centers such as North City, Richmond Beach and others. To date, we have initiated conversations with various civic leaders on their ideas. Second, a small budget was identified for one planning project – one Charrette to be conducted by the students of the University of Washington’s School of Architecture and the Institute for Collaborate Development. The Charrette will likely be focused on one neighborhood commercial center and take place over a two to three semester period. The Economic Development Task Force, Council of Neighborhoods, and Planning Commission have indicated their support for this idea. We are currently in conversation with the UW and property owners in Ridgecrest.

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

<b>AGENDA TITLE:</b> Forward Shoreline Update, July 2005 to June 2006
<b>DEPARTMENT:</b> Economic Development Program/City Manager's Office
<b>PRESENTED BY:</b> Tom Boydell, Economic Development Manager

**PROBLEM/ISSUE STATEMENT:**

The current contract between the City of Shoreline and Forward Shoreline began on July 1, 2005. It continues through December 31, 2006. The purpose of this presentation is to give the Mayor and Council an overview of the organization's activities and progress during the past year and a look ahead. Forward Shoreline welcomes Council feedback on program efforts, priorities and the approach to performance measurement. Presenting the update is Jeff Lewis, President of Forward Shoreline.

**FINANCIAL IMPACT:**

Currently funded from the Economic Development Program Budget, the current contract with Forward Shoreline is \$37,500 but the current year's portion is \$25,000 (the \$12,500 remainder was in the 2005 budget).

**RECOMMENDATION**

No action is required.

Approved By: City Manager Jm City Attorney N/A

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## CITY COUNCIL AGENDA ITEM

### CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** Shoreline Park A and B Soccer Field Rate Policy  
**DEPARTMENT:** Parks, Recreation, and Cultural Services  
**PRESENTED BY:** Dick Deal, PRCS Director

**PROBLEM/ISSUE STATEMENT:**

During the development of the 2006–2011 CIP and the 2006 Budget funds were approved for the installation of a synthetic infill surface on the Shoreline A and B Soccer Fields. The estimated \$1,600,000 cost of the project was funded with \$1,400,000 from the General Fund and a \$100,000 contribution each from the Hillwood Soccer Club and the Shorelake Soccer Club, the youth groups that are the main users of these soccer fields. In addition, there was a directive from the Council to generate an additional \$800,000 in user fees over a ten-year period to help cover the cost of this improvement.

This staff report provides Council with a proposed fee structure. The fee structure must be adopted by Council prior to the opening of the Shoreline A and B Soccer Fields and in order to effectively schedule the season staff would like to target Council adoption by the June 12 meeting.

**ALTERNATIVES ANALYZED:**

Staff has surveyed other cities and school districts that rent synthetic infill fields and that price comparison is shown as Attachment A. To generate the additional \$80,000 per year in rental revenue we are proposing increasing fees as shown below.

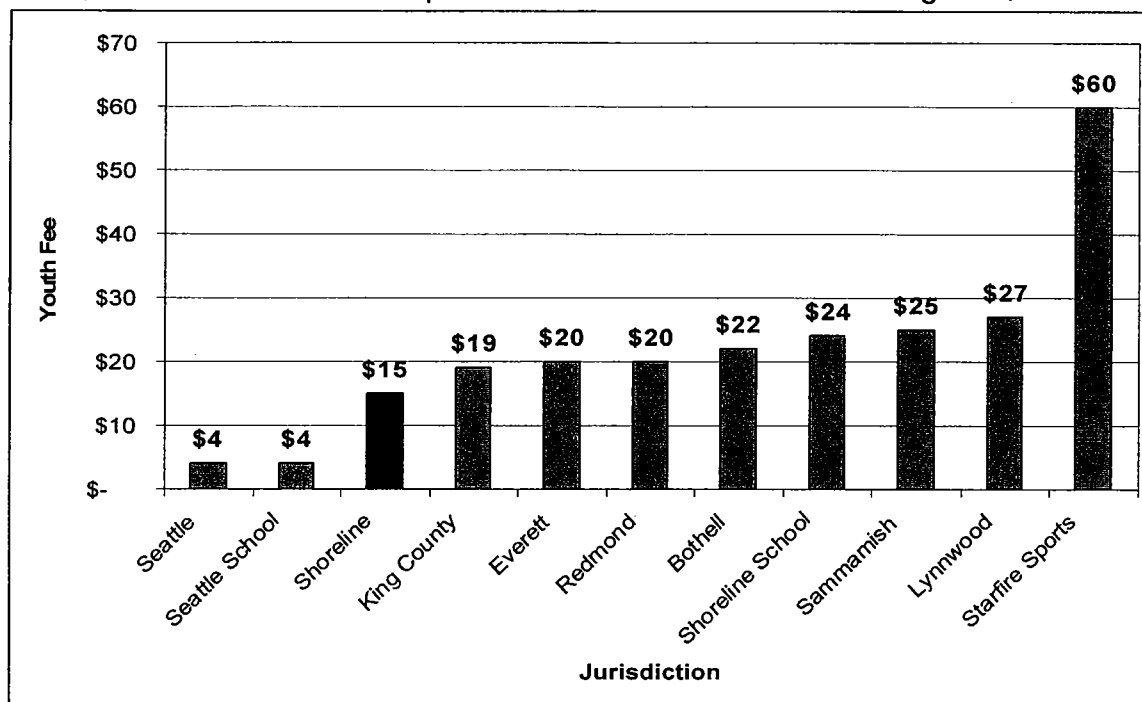
	<u>Current Rate</u>	<u>Proposed Rate</u>
Resident Youth	\$3.00 per hour	\$15.00 per hour
Non-Resident Youth	\$3.50 per hour	\$20.00 per hour
Resident Adult	<u>\$25.00 per hour</u>	<u>\$55.00 per hour</u>
Non-Resident Adult	<u>\$27.50 per hour</u>	<u>\$65.00 per hour</u>

**Discounted Field Rate (explained below)**

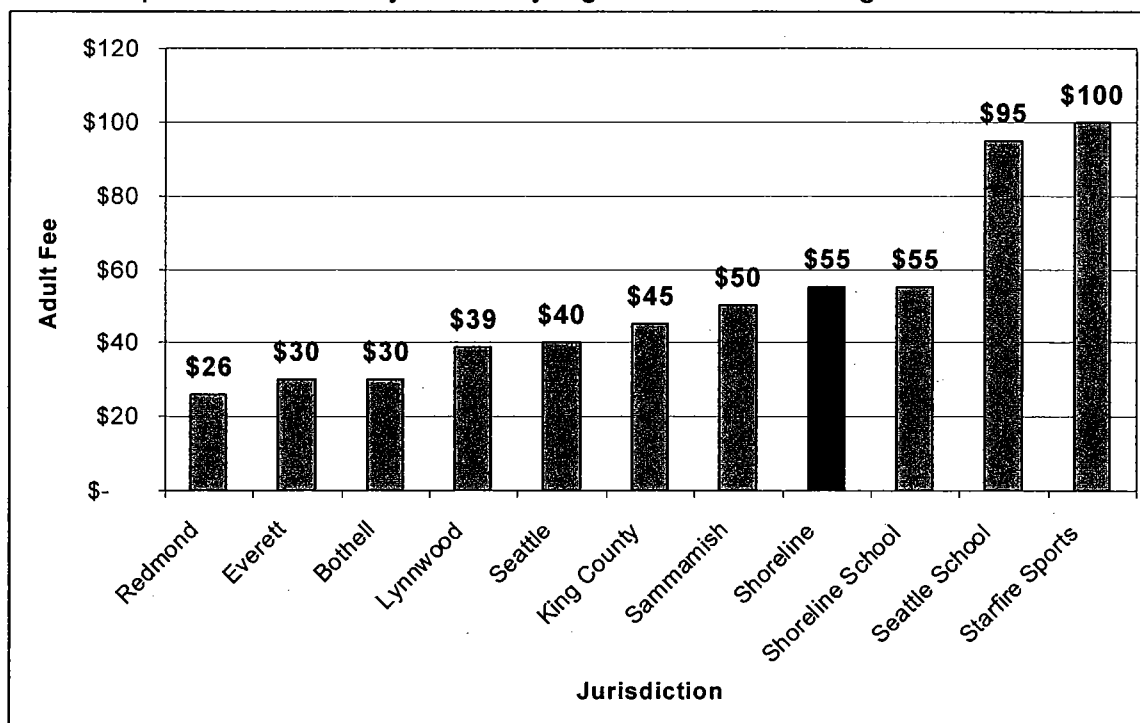
Resident	no rate	\$15.00 per hour
Non-Resident	no rate	\$20.00 per hour

These rates have been discussed with the main user groups and because of the increased quality and safety of the new surface all have agreed to continue their use of our facilities. In an effort to increase the use of fields during slow use times (Monday–Friday, 9:00 am–3:00 pm) we are proposing a daytime discounted field rate in hopes of attracting some adult users during a low usage time.

The chart below provides a comparison by jurisdiction of the youth fee. Even with this increase, Shoreline remains competitive and is well below the average of \$21.00.



The chart below provides a comparison by jurisdiction of the adult fee. Shoreline remains competitive and is only minimally higher than the average of \$51.00



At this time it appears the fields will be completed and available for use on or around the first of September 2006. Staff would like to monitor the effectiveness of these rates for



a full year and perhaps consider a modification during the development of the 2008 annual budget.

#### **FINANCIAL IMPACT:**

The 2005 facility rental revenue for Shoreline A and B Fields was \$31,660. With a like number of hours of rental at the proposed fee rates, revenue would increase to \$100,570, an increase of \$68,910. While this is short of our goal of an \$80,000 annual increase by approximately \$11,000, we anticipate increased demand and use because of the improved surface. Some leagues that have not reserved the A and B fields in recent years because of the poor field conditions have contacted us and are interested in returning because of the improvements. Staff is confident that with the anticipated increased play we will come very close to our \$80,000 goal.

The installation of the synthetic infill fields will result in a reduction in field maintenance costs for the Shoreline A and B fields. Currently fields are dragged and lined twice a week for a total cost of \$7,800 annually. Staff will assume the maintenance of the field after the synthetic infill is installed and anticipate an in-house labor cost of \$2,500 annually for a net savings of \$5,300. In addition we anticipate a reduction in irrigation costs of approximately \$3,000 each year. There is an irrigation system installed on the new field that will only be used to cool the surface on hot summer days, and to keep the base material moist. The estimated total savings in field labor and utilities is \$8,300.

#### **RECOMMENDATION**

Staff recommends that Council review the proposed fee structure for Shoreline A and B Soccer Fields and provide staff with clear direction so that we may return by June 12 for Council adoption.

Approved By:

City Manager



City Attorney



#### **Attachment**

A. Rate Comparisons of Nearby Competing Jurisdictions

## Rate Comparisons of Nearby Competing Jurisdictions

### Attachment A

ORGANIZATION	FIELD(s)	YOUTH	ADULT	EXTRA FEE(s)
City of Shoreline <b>PROPOSED</b>	Shoreline A & B Soccer Fields	\$15 Resident \$20 Non-Resident	\$55 Resident \$65 Non-Resident	Lights \$14.50 Non-Peak Time \$15 Resident & \$20 Non-Resident
City of Bothell	Northcreek Park Turf	\$22	\$30	Lights \$13
City of Everett	Kasch Park - 3 fields	\$20 games \$15 practice	\$30 games \$20 practice	Light fees included in rental fee
City of Lynnwood	Lynnwood Sports Complex	\$27	\$39	Lights \$9 Adults Lights \$6.50 youth
King County Parks	Marymoor Park 3 new fields	\$19	\$45	Not yet approved by King County Council (Construction - March '06)
City of Redmond	Grasslawn Park, Perrigo Park	\$20 Resident \$26 Non-Resident	\$26 Resident \$34 Non-Resident	Lights \$13 Resident & \$16 Non-Resident Administrative \$10
City of Sammamish	Eastlake High School	\$25	\$50	Lights \$15
City of Seattle	Gennesse Park, Morris Playfield, Queen Anne Bowl	\$4 games \$2 practice	\$40 games \$10 practice	Lights \$20 (school sites) Lights \$15 (adults)
Seattle School District	Sealth H.S., Hale H.S., Summit H.S.	\$4 games \$2 practice	\$95	Lights \$20
Shoreline School District	Shoreline Stadium	\$24 Res. non profit \$70 Res. for profit	\$55 Res. non profit \$100 Res. for profit	Lights \$20 Supervision Required \$24
Starfire Sports	Fort Dent in Tukwila 4 fields	\$60 full field \$30 ½ field	\$100 full field \$50 ½ field	Lights \$25 full field Lights \$12.50 ½ field

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

<b>AGENDA TITLE:</b>	Council Rules of Procedure
<b>DEPARTMENT:</b>	City Council
<b>PRESENTED BY:</b>	Robert L. Olander, City Manager Julie Modrzejewski, Assistant City Manager

**PROBLEM/ISSUE STATEMENT:**

At the City Council March 2006 retreat the Council discussed a number of possible changes to the Council Rules of Procedure. The Council reviewed and discussed the draft changes to the Council Rules of Procedure at its April 17 (attachment A), May 15 (attachment B), and May 22, 2006 (attachment C) meetings.

During the May 15 discussion staff was directed to move the "Community Presentation" section, which was originally proposed for the Business Meetings (5.3 B) to Study Sessions (5.4 B). In the May 22 staff report, this was unintentionally not completed. For this staff report, staff has made this change (see attachment D).

There are two additional documents attached to this report:

- Amendments proposed by Councilmember Gustafson (attachment E)
- Changes to the Rules of Procedure proposed by Deputy Mayor Fimia (attachment F)

**RECOMMENDATION**

Staff recommends that Council move to adopt Resolution 244 to amend Council Rules of Procedure as corrected for community presentations and with further amendments, if any.

Approved By: City Manager  City Attorney 

**ATTACHMENTS**

- A. April 17 Staff Report without attachments
- B. May 15 Staff Report without attachments
- C. May 22 Staff Report without attachments
- D. Resolution 244 and Council Rules of Procedure
- E. Amendments proposed by Councilmember Gustafson
- F. Changes to the Rules of Procedure proposed by Deputy Mayor Fimia

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Council Meeting Date: April 17, 2006

Agenda Item: 6(b)

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

<b>AGENDA TITLE:</b> Council Rules of Procedure <b>DEPARTMENT:</b> City Council <b>PRESENTED BY:</b> Robert L. Olander, City Manger
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**PROBLEM/ISSUE STATEMENT:**

At the City Council retreat last month the Council discussed a number of possible changes to the Council Rules of Procedure designed to find an appropriate balance between the need for the public to have input into policy decisions early in the process and the Council's need to conduct public business in a timely and efficient fashion. The draft rules provide for early notification of the public for upcoming items, early participation with the Council in formulating policies and more efficient utilization of time during regular business meetings.

**PROPOSED CHANGES TO THE COUNCIL RULES OF PROCEDURE:**

The attached Rules of Procedure show the preliminary changes discussed by Council in legislative format. In order to provide more distinction and clarification between the various types of council meetings the draft rules propose renaming the meetings to business meetings, study sessions, and workshop dinner meetings. This should also help reduce the confusion between the definition of "regular meeting" contained in state statutes and use of that term in our council rules to refer to business meetings. Under state guidelines all regularly scheduled meetings, be they business, workshops, or study sessions, are called regular meetings.

The following are the areas identified by the City Council for possible rule changes:

- A. Section 3.5 This is a new section that would add a requirement that legislative items (ordinances) would generally receive three readings. This is intended to provide adequate notice to the public and Councilmembers of upcoming legislation and to provide ample opportunity for public input.
- B. Section 4.4 This section is proposed for deletion in that public input for business meetings would be consolidated at the beginning of the meeting under general public comments (except for public hearings).

C. Section 5.1 As explained above the meeting titles are proposed to be changed to business meetings, study sessions, and workshop dinner meetings.

D. Section 5.4 (B) It is proposed to delete the mandatory time for public hearings to provide more flexibility and to not interrupt the flow of Council business. We have found only one other city that has a set time for all public hearings.

E. Section 5.5 Additional language is proposed for this section to reflect the City Council desire to discuss items informally at study sessions including public process scope, budget reviews, and general issue identification. Additional clarification is added in that no final votes will be taken at the study session but the Council may provide administrative direction to the staff by consensus or a vote.

F. New Section. The new section is added on page 6 after section 5.6 explaining the scheduling and purpose of workshop dinner meetings. This is in accord with Council desire to have the topics at workshop dinner meetings are more transparent to the public with specific agenda topics.

G. Section 5.15 This section provides for clarification of how Councilmembers should address each other.

H. Section 6.1 This section provides for expanding public testimony under general public comment at business meetings from 20 to 30 minutes. It also adds clarification as to how time will be allocated if there are a number of speakers. One significant change is that there will be no public comments after each agenda item. Additional time is provided under general public comments and also under study sessions as indicated in Section 6.2. The intent of council is to shift public comment to an earlier stage in policy development to offer more meaningful input and to balance this against the need for the Council to accomplish work during the business meeting.

I. Section 6.2 This section provides for expanded public comment time under the study session topics.

J. New Section. This new section provides guidance for the public and the Mayor when there are a large number of speakers with a similar point of view.

K. Section 6.3 This section would add clarification that additional public comments would not be allowed after the Council has closed the official public record on a topic or hearing.

### **RECOMMENDATION**

It is recommended that the City Council review and discuss the proposed rule changes and provide guidance to staff for any final wording or changes.

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

Attachment: Council Rules of Procedure

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**Council Meeting Date: May 15, 2006****Agenda Item: 6(b)**

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

<b>AGENDA TITLE:</b> Council Rules of Procedure
<b>DEPARTMENT:</b> City Council
<b>PRESENTED BY:</b> Robert L. Olander, City Manager

**PROBLEM/ISSUE STATEMENT:**

At the City Council March 2006 retreat the Council discussed a number of possible changes to the Council Rules of Procedure designed to find an appropriate balance between the need for the public to have input into policy decisions early in the process and the Council's need to conduct public business in a timely and efficient fashion. The draft rules provide for early notification of the public for upcoming items, early participation with the Council in formulating policies and more efficient utilization of time during regular business meetings.

**BACKGROUND:**

At the April 17 meeting, the Council discussed the draft changes to the Council Rules of Procedure (see attachment A). During the discussion, staff was directed to modify the Rules of Procedure by adding to the second business meeting of the month an opportunity for nonprofit organizations and government agencies to provide to the Council, staff and public a "community presentation." The Rules of Procedure outlines the procedures for making such a request and guidelines for making presentations. Requestors are required to complete a request form (see attachment C for a copy of the draft form).

Likewise, staff modified sections 6.1, 6.2, and 6.7 to allow individuals speaking on behalf of recognized organizations to have up to five (5) minutes to speak whether at a Council Business Meeting, Study Session or Public Hearing. The attached Council Rules of Procedure (attachment B) includes both changes.

**RECOMMENDATION**

Staff recommends that Council move to adopt Resolution 244 to amend Council Rules of Procedure.

Approved By: City Manager  City Attorney 

**ATTACHMENTS**

- A. April 17, 2006 Staff Report
- B. Resolution No. 244, Council Rules of Procedure (with modifications)
- C. Request to Appear Before the Shoreline City Council Form

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**Council Meeting Date:** May 22, 2006

**Agenda Item:** 7(g)

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**CITY COUNCIL AGENDA ITEM**

CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b> Council Rules of Procedure <b>DEPARTMENT:</b> City Council <b>PRESENTED BY:</b> Robert L. Olander, City Manager
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**PROBLEM/ISSUE STATEMENT:**

The City Council reviewed the draft Council Rules of Procedure on May 15, 2006 and preliminarily approved several minor changes. These have been incorporated in the attached version. Sections 7.15 and 7.16 have been slightly reworded at the suggestion of the City Attorney.

**RECOMMENDATION**

It is recommended that the City Council consider the final draft rules and adopt Resolution No. 244 amending the Rules of Procedure.

Approved By:

City Manager 

City Attorney 



**RESOLUTION NO. 244**

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, AMENDING THE COUNCIL'S RULES OF PROCEDURE RELATING TO AGENDA PREPARATION, COUNCIL MEETINGS AND PUBLIC TESTIMONY AND ADDING NEW SECTIONS RELATING TO READINGS FOR LEGISLATIVE ITEMS, COMMUNITY PRESENTATIONS, WORKSHOP DINNER MEETINGS, AND GROUP REPRESENTATION**

**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 desires to find an appropriate balance between the need for the public to have input into policy decisions early in the process and the Council's need to conduct public business in a timely and efficient fashion; and

**WHEREAS**, the City Council has reviewed its rules of procedure and wishes to add and delete certain provisions and amend other provisions, as well as reformat the rules for clarity and ease of use;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:**

**Section 1. Amendment.** The City Council hereby amends the "Rules of Procedure" as set forth in "Exhibit A" attached hereto.

**ADOPTED BY THE CITY COUNCIL ON JUNE 5, 2006.**

---

Mayor Robert L. Ransom

**ATTEST:**

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Scott Passey, CMC  
City Clerk

**RULES OF PROCEDURE**  
**Resolution No. 183**  
**Amended by Resolution No. 196**  
**Amended by Resolution No. 205**  
**Amended by Resolution No. 224**  
**Amended by Resolution No. 244**

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## **Section 1. Authority.**

- 1.1 These rules constitute the official rules of procedure for the Shoreline City Council. In all decisions arising from points of order, the Council shall be governed by the current edition of Robert's Rules of Order<sup>2</sup>, a copy of which is maintained in the office of the Shoreline City Clerk.
- 1.2 These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act.

## **Section 2. Council Organization.**

- 2.1 New Councilmembers shall be sworn in by a judge or the City Clerk.
- 2.2 Election of Mayor and Deputy Mayor.
  - A. The Council shall elect a Mayor and Deputy Mayor for a term of two years.
  - B. The motion to elect the Mayor and Deputy Mayor will be placed on the agenda of the first meeting of even-numbered years.
  - C. In the event the Mayor is unable to serve the remainder of the term, a new mayor shall be elected at the next meeting. In the event the Deputy Mayor is unable to serve the remainder of the term, a new Deputy Mayor shall be elected at the next meeting.
  - D. The election of the Mayor shall be conducted by the City Clerk. No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, voting for Mayor takes place in the order nominations were made. Councilmembers will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote (four votes), the Clerk will declare him/her elected. No votes will be taken on the remaining nominees. A tie vote results in a failed nomination. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single

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.
- 3.5 Ordinances scheduled for Council action will generally receive three readings (with the exception of items that have had a public hearing before the Planning Commission).

- A. The first reading will be the scheduling of the item on the Council Agenda Planner by title or subject. If reasonably possible the item should be listed on the Agenda Planner at least two weeks prior to the second reading. The Mayor or City Manager may authorize exceptions for items of an emergency or unexpected nature requiring immediate action. The applicable portion of the Council Agenda Planner will be appended to the Business or Study Session agendas and distributed and posted along with these agendas.
- B. The second reading will be scheduled for a Study Session for review and discussion by the City Council. Items of a routine nature may bypass a Study Session and be scheduled directly to a Consent Calendar at a Business meeting. In such cases Council shall by motion waive the second reading as part of the adopting motion.
- C. The third reading will be Council review and/or adoption at a Business meeting.

#### **Section 4. Consent Calendar.**

- 4.1 The City Manager in consultation with the Presiding Officer, shall place matters on the Consent Calendar 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 Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely.
- 4.2 The motion to adopt the Consent Calendar shall be non-debatable and have the effect of moving to adopt all items on the Consent Calendar.
- 4.3 Since adoption of any item on the Consent Calendar implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Calendar. Councilmembers are given an opportunity to remove items from the Consent Calendar after the motion is made and seconded to approve the agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or future Council Meeting.
- ~~4.4 If, after the motion is made to approve the agenda, the Council is considering moving an item to the Consent Calendar, the Mayor will first call for public comment on that item in order to enable members of the audience to provide input if they wish to do so.~~

#### **Section 5. Council Meetings.**

- 5.1 All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30). ~~All Regular Meetings~~Business Meetings, Study



~~Sessions, Special Meetings and Workshops~~ Dinner meetings of the Council shall be open to the public.

- 5.2 Any ~~Regular Meeting or Workshop~~ Council meeting may be canceled by a majority vote or consensus of the Council. The Mayor or Deputy Mayor may cancel a Council meeting for lack of agenda items.
- 5.3 The Council shall hold **Regular Business Meetings** on the second and fourth Monday of each month at 7:30 p.m. in the Shoreline Conference Center, located at 18560 First Ave. NE, 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 Regular Business Meeting between December 15<sup>th</sup> and the end of the year.
- 5.4A. Order of Business for Regular Business Meetings. The order of business for each Regular Meeting shall be as follows:

Regular Session Business Meeting (7:30 p.m.)

1. Call to Order
2. Flag Salute, Roll Call
3. Report of the City Manager
4. Council Reports of Boards and Commissions of Boards and Commissions (occasional Council Reports with Mayor's permission)
5. Public Comment
6. Approval of the Agenda
7. Consent Calendar
8. Action Item: Public Hearings (these shall be noticed for and start promptly at 8:00 p.m.)
9. Other Action Items: Ordinances, Resolutions and Motions
10. Unfinished Business
12. New Business
13. Executive Session
14. Adjournment

~~B. The Council shall make available at its second business meeting of each month, a **Community Presentation**. The order of business shall omit Council Report and include Community Presentations following the Consent Calendar. The intent of the presentations is to provide a means for non-profit organizations or government agencies to inform the Council, staff and public about their initiatives or efforts in the community to address a specific problem or need. The presentations are available to individuals, who are affiliated with a registered nonprofit organization or government agency. In order to schedule the presentation, two Councilmembers must sponsor the request under rule 3.2 B. The presentations shall be limited to 30 minutes with approximately 15 minutes~~

for the presentation and 15 minutes for questions. Guidelines for presentations include:

1. Each organization or agency must complete a request form and submit it to the Shoreline City Council Office. The form shall be published in the agenda packet.
2. For planning purposes, the presentation must be scheduled on the agenda planner at least four (4) weeks in advance of the meeting date requested.
3. Information and sources used in the presentation should be available in hard copy or electronically for reference.
4. Up to three (3) members of the organization are invited to participate.
5. The presentation must support the adopted position/policy of the organization.
6. The presentation should be more than a general promotion of the organization. The information presented should be about specific initiatives/programs or planning that the organization is doing which is relevant to Shoreline citizens and government.
7. Presentations shall not include:
  - i. Discussion of ballot measures or candidates.
  - ii. Issues of a partisan or religious nature.
  - iii. Negative statements or information about other organizations, agencies or individuals.
  - iv. Commercial solicitations or endorsements

5.54 The Council shall hold **Workshops Study Sessions** on the first and third Monday of each month at 6:30 p.m. in the Shoreline Conference Center, located at 18560 First Ave. N.E., 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. Workshops 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 Workshop Study Session between December 15<sup>th</sup> and the end of the year.

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

Workshop 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.—Public Comment

6.5. Workshop Study Items (including public comment as set forth in Section 6.2)

7.6. Executive Session

8.7. Adjournment

B. The Council shall make available at its second study session of each month, a **Community Presentation**. The order of business shall omit Council Reports and include Community Presentations following the Consent Calendar. The intent of the presentations is to provide a means for non- profit organizations or government agencies to inform the Council, staff and public about their initiatives or efforts in the community to address a specific problem or need. The presentations are available to individuals, who are affiliated with a registered nonprofit organization or government agency. In order to schedule the presentation, two Councilmembers must sponsor the request under rule 3.2 B. The presentations shall be limited to 30 minutes with approximately 15 minutes for the presentation and 15 minutes for questions. Guidelines for presentations include:

1. Each organization or agency must complete a request form and submit it to the Shoreline City Council Office. The form shall be published in the agenda packet.
2. For planning purposes, the presentation must be scheduled on the agenda planner at least four (4) weeks in advance of the meeting date requested.
3. Information and sources used in the presentation should be available in hard copy or electronically for reference.
4. Up to three (3) members of the organization are invited to participate.
5. The presentation must support the adopted position/policy of the organization.
6. The presentation should be more than a general promotion of the organization. The information presented should be about specific initiatives/programs or planning that the organization is doing which is relevant to Shoreline citizens and government.
7. Presentations shall not include:
  - i. Discussion of ballot measures or candidates.
  - ii. Issues of a partisan or religious nature.
  - iii. Negative statements or information about other organizations, agencies or individuals.
  - iv. Commercial solicitations or endorsements

5.65 The Council shall hold **Workshop Dinner Meetings** on the second and fourth Monday of each month at 6:00 p.m. in the Shoreline Conference Center, located at 18560 First Ave. N.E., Shoreline, Washington. Should

any meeting 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. There will be no Workshop Dinner Meetings between December 15 and the end of the year.

A. Workshop Dinner Meetings will be informal meetings for the purpose of meeting with other governmental agencies and officials such as the School District, utility districts, Fire District, neighboring city officials, regional organizations, Shoreline-Lake Forest Park Arts Commission Council, Sound-Transit, etc., and other agencies and topics as deemed appropriate by the City Council or City Manager.

B. No final votes may take place at Workshop Dinner Meetings, however, the Council may provide administrative direction to staff by consensus or vote. The agenda for these meetings will be appended to the Business Meeting agenda and posted and distributed in the same manner as the Business Meeting agenda.

5.76 ***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.

5.87 An ***Emergency Meeting*** is a special Council meeting called without the 24-hour notice. It deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor with the consent of a majority of Councilmembers. The minutes will indicate the reason for the emergency.

5.98 The Council may hold ***Executive Sessions*** from which the public may be excluded, for those purposes set forth in RCW 42.30.110 and RCW 42.30.140. Before convening an Executive Session, the Presiding Officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time, a public announcement shall be made that the Session is being extended.

5.409 Council meetings will be at a time and place as Council directs.

5.140 The City shall comply with the provisions of RCW 35A.12.160. The public shall receive notice of upcoming public hearings through publication of such notice in the City's official newspaper at least ten (10) days prior to the hearing.

5.121 At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business. In the absence of a quorum, the members present may adjourn that meeting to a later date.

5.132 Members of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager, who shall convey the message to the Mayor. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be nondebatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes. Councilmembers who do not follow the above process will be considered unexcused and it shall be so noted in the minutes. A motion to excuse a Councilmember may be made retroactively at the next meeting.

5.143 General Decorum.

A. While the Council is in session, the Councilmembers must preserve order and decorum. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking nor refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules.

B. Any person making disruptive, impertinent, or slanderous remarks while addressing the Council shall be asked to leave by the Presiding Officer and barred from further audience before the Council for that meeting.

5.154 The Mayor shall be addressed as "Mayor (surname)" ~~or "Your Honor."~~ The Deputy Mayor shall be addressed as "Deputy Mayor (surname)." Members of the Council shall be addressed as "Councilmember (surname)." ~~or the Honorable (surname)."~~

5.165 The Mayor shall sit at the center of the Council, and the Deputy Mayor shall sit at the right hand of the Mayor. Other Councilmembers are to be seated in a manner acceptable to Council. If there is a dispute, seating shall be in position order.

5.176 Any Councilmember 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.

5.187 Motions shall be reduced to writing when required by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

5.198 Councilmembers should keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from disclosure under the Revised Code of Washington. If a Councilmember unintentionally discloses Executive Session discussion with another party, that Councilmember shall make full disclosure to the City Manager and/or the City Council in a timely manner.

5.2019 Prior to commencement of discussion of a quasi-judicial item, the Chair will ask if any Councilmember has a conflict of interest or Appearance of Fairness Doctrine concern which could prohibit the Councilmember from participating in the decision-making process. If it is deemed by the Councilmember, in consultation with the City Attorney, that it is warranted, the Councilmember should step down and not participate in the Council discussion or vote on the matter. The Councilmember shall leave the Council Chambers while the matter is under consideration.

5.240 Council meetings shall adjourn no later than 10:00 p.m. The adjournment time established thereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. Any Councilmember may call for a "Point of Order" to review agenda priorities.

5.221 The City Clerk or an authorized Deputy City Clerk shall attend all Council meetings. If the Clerk and the Deputy Clerk are absent from any Council meeting, the ~~Mayer or Deputy Mayer~~ City Manager shall appoint a Clerk Pro Tempore.

The minutes of the proceedings of the Council shall be kept by the City Clerk and shall constitute the official record of the Council.

5.232 Any City officer or employee shall have the duty when requested by the Council to attend Council Meetings and shall remain for such time as the Council may direct.

## **Section 6. Public Testimony.**

6.1 General Public Comment. Members of the public may address the City Council at the beginning of any ~~Regular or Workshop~~ Business meeting under "Public Comments," ~~Agenda Item #5, on topics other than those listed on the agenda for~~ three minutes or less, depending on the number of people wishing to speak. If

more than 10 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 230 minutes. Individuals will be required to sign up prior to the start of the Public Comment period 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 Study Session Agenda Items Public Comment. Members of the public are also provided an opportunity to address the City Council for three minutes or less, depending on the number of people wishing to speak, after the staff report and before Council action review on any ~~Regular or Workshop~~ Study Session agenda item. The total public comment period on each agenda item will be no more than 230 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.

6.3. When large numbers of people are signed up to speak on the same topic, the Mayor may request that the group(s) select a limited number of speakers to cover their view and then ask all those who agree with that position to stand at the conclusion of each presentation.

6.34 Public testimony authorized in Sections 6.1 and 6.2 may not include comments or information on any quasi-judicial matter pending before the City Council, or on any topic for which Council has closed the public record.

6.45 No person shall be allowed to address the Council while it is in session without the recognition of the Presiding Officer.

6.56 Persons testifying shall identify themselves for the record as to name, city of residence and any organization represented.

6.67 An instruction notice for speakers will be available at the meeting. Speakers will be advised by the Presiding Officer that their testimony is being recorded.

6.78 The following rules shall be observed during any Public Hearing:

- A. Individuals will be allowed three minutes to speak ~~or~~ When representing the official position of a State registered non-profit organization or agency or a City recognized organization, a speaker will be given five minutes, and it will be recorded as the official position of that organization. ~~Each organization shall have only one five (5) minute presentation. If a speaker purports to speak for an organization, club or others so as to lead Council to believe that a number of persons support a position, then such person shall state how that position was developed by the group.~~
- B. The Presiding Officer may allow additional time for receipt of written testimony when needed.
- C. The Clerk shall be the timekeeper.
- D. Prior to closing the hearing the Mayor or Deputy Mayor shall inquire if there are any additional speakers other than those that have signed up and previously spoken, and if there are they shall be allowed to testify.

6.89 Time cannot be donated by one speaker to another.

6.910 Printed forms shall be made available at all Council Meetings to allow for written testimony to Council.

## **Section 7. Motions**

- 7.1 Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote shall be taken by the City Clerk.
- 7.2 Prior to discussion of an action item, a Councilmember should make a motion, which is seconded by another Councilmember, on the topic under discussion. If the motion is not seconded, it dies. Some motions do not require a second: nominations, withdrawal of a motion, request for a roll call vote, and point of order.
- 7.3 In case of a tie vote on any motion, the motion shall be considered lost.
- 7.4 Motions shall be clear and concise and not include arguments for the motion.
- 7.5 After a motion has been made and seconded, Councilmembers may discuss their opinions on the issue prior to the vote. If they wish to do so, they may state why they will vote for or against the motion.



- 7.6 When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the Council's consensus at the conclusion of the discussion.
- 7.7 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.
- 7.8 A motion to table is nondebatable. It requires a majority to pass. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future meeting, at which time discussion can continue. If an item is tabled, it cannot be reconsidered at the same meeting.
- 7.9 A motion to postpone to a specific time is debatable, is amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The motion being postponed must be considered at a later time in the same meeting or a specific future meeting.
- 7.10 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The merits of the main motion may be debated.
- 7.11. A motion to call for the question shall close debate on the main motion and is nondebatable. This motion must receive a second and fails without a two-thirds (2/3) vote. Debate is reopened if the motion fails.
- 7.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- 7.13 When the discussion is concluded, the motion maker, Mayor, or City Clerk, shall repeat the motion prior to voting.
- 7.14 The City Council votes on the motion as restated. If the vote is unanimous, the Mayor shall state that the motion has been passed unanimously according to the number of Councilmembers present, such as "7-0" or "6-0." If the vote is not unanimous, the Mayor shall state the number of Councilmembers voting in the affirmative and the number voting in the negative and whether the motion passes or fails.
- 7.15 Each Councilmember shall vote on all questions put to the Council, unless a conflict of interest or an appearance of fairness question under state law is present. In such cases the Councilmember(s) may recuse themselves from the issue and shall leave the council chambers during discussion and voting on the issue. That Councilmember shall be considered absent when voting occurs.

- 7.16 ~~Unless~~If a member of the Council states that he or she is abstaining ~~recusing~~themselves as authorized in Section 7.15, his or her silence is silent on a vote  
vote, it shall be recorded as an affirmative vote.
- 7.17 No vote may be cast by proxy.
- 7.18 Once the vote has been taken, the discussion is closed. It is not necessary for Councilmembers to justify or explain their vote. If they wish to make their positions known, this should happen during the discussion preceding the vote.
- 7.19 After the question has been decided, any Councilmember who voted in the majority may move for a reconsideration of the motion. The motion for reconsideration must be made at the same or next regular meeting.
- 7.20 The City Attorney, in consultation with the City Clerk, shall decide all questions of interpretations of these policies and procedures and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these policies and procedures shall be governed by the current edition of Robert's Rules of Order. In the event of a conflict, these Council rules of procedures shall prevail.

**Section 8. Items Requiring Four Votes.** The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution for the removal of the City Manager shall require the affirmative vote of at least a majority of the whole membership of the Council (4 votes) [RCW 35A 13.170 and 35A.12.120].

### **Section 9. Council Representation**

- 9.1 Councilmembers who meet with, speak to, or otherwise appear before a community group or another governmental agency or representative must clearly state if his or her statement reflects their personal opinion or if it is the official stance of the City, or if this is the majority or minority opinion of the Council.
- 9.2 When Councilmembers represent the City or attend meetings in an official capacity as Councilmember, they must support and advocate the official City position on an issue, not a personal viewpoint.
- 9.3 Once the City Council has taken a position on an issue, all official City correspondence regarding the issue will reflect the Council's adopted position.
- 9.4 City letterhead shall not be used for correspondence of Councilmembers representing a dissenting point of view from an official Council position.

- 9.5 As a matter of courtesy, letters to the editor, or other communication of a controversial nature, which do not express the majority opinion of the Council, shall be presented to the full Council in the Council agenda packet prior to publication so that Councilmembers may be made aware of the impending publication.
- 9.6 If the Council, in Executive Session, has given direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party shall be done by the designated City staff representative handling the issue.

**Section 10. Suspension and Amendment of Rules.**

- 10.1 Any provision of these rules not governed by state law or City ordinance may be temporarily suspended by a majority vote of the Council.
- 10.2 It is the intent of the City Council that the rules of procedure be periodically reviewed as needed. These rules may be amended, or new rules adopted, by a majority vote of the Council, provided that the proposed amendments or new rules shall have been distributed to Council at least one week prior to such action.

**Proposed Amendments to Council Rules of Procedure**  
**By Councilmember Gustafson**

**Section 5. Council Meetings**

**5.3 A Order of Business for Business Meetings**

**Amendment 1**

Add to 8. Action Item: Public Hearing (hearings should commence on or about 8:00 p.m.)

**Amendment 2**

Add to 9. Other Action Items: Ordinance, Resolutions and Motions (including public comment as set forth in Section 6.2)

**5.4 A Study Sessions**

**Amendment 3**

Add #5. Public Comment

**5.4 B Community Presentations**

**Amendment 4**

Add #8 If there is a recognized group who has an opposing point of view to the Community Presentation then every attempt will be made to quickly provide them an opportunity to be able to respond.

**Section 6. Public Testimony**

**Amendment 5**

Add to 6.2 Study Session and Business Meeting Agenda Items Public Comment.

**Amendment 6**

Change 6.2 (lines 7-8) If more than 10 15 people are signed up to speak on an item each speaker will be allocated 2 minutes.

**Amendment 7**

Delete 6.3 Delete entire section (We have had this as an unwritten rule in the past and only used it once. Everyone still wanted to speak – maybe it can still be an unwritten guideline)

**Amendment 8**

Add to 6.8 A Add back the following (lines 6-9):

If a speaker purports to speak for an organization, club or others so as to lead Council to believe that a number of persons support a position, they will need to provide a copy of their meeting minutes which give them that authority. An alternative will be for the person intending to speak to specifically state when and how that position was agreed upon by the group.

## **Section 7. Motions**

### **Amendment 9**

**Change 7.16** If a member of the Council abstains or is silent on a vote, it shall be recorded as a vote for the prevailing side.

### **Some possible suggestions for assisting in shortening the length of our meetings.**

- The responsibility would be with staff and the Council without restricting public comment. Right now it is not public comment that is lengthening our meetings it is staff presentations and Councilmember's questions.
- #1. Staff must keep their presentations to the time that is scheduled. Hopefully presentations should not last longer than 15 minutes. 30 would be maximum and only rarely. Scott Passey could be the timer for these presentations. Would give a warning to staff when they have 5 minutes remaining in their presentation.
- #2. Council should do most of their homework before they come to the meeting. Get your questions answered ahead of time. Allow each Councilperson not more than 5 minutes to ask questions and get answers. When time is up we move on to the next Councilperson until all have had an opportunity to speak. If everyone utilizes their allotted 5 minutes we are looking at 35 minutes of questions and answers. Additional questions – especially for study sessions should be written on the sheets in our packets. The Mayor or Deputy Mayor could time each Councilmember.

**Proposed Changes to the Council Rules of Procedure**  
**By Deputy Mayor Fimia**

**RULES OF PROCEDURE**  
**Resolution No. 183**  
**Amended by Resolution No. 196**  
**Amended by Resolution No. 205**  
**Amended by Resolution No. 224**  
**Amended by Resolution No. 244**

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## **Section 1. Authority.**

- 1.1 These rules constitute the official rules of procedure for the Shoreline City Council. In all decisions arising from points of order, the Council shall be governed by the current edition of Robert's Rules of Order<sup>2</sup>, a copy of which is maintained in the office of the Shoreline City Clerk.
- 1.2 These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act.

## **Section 2. Council Organization.**

- 2.1 New Councilmembers shall be sworn in by a judge or the City Clerk.
- 2.2 Election of Mayor and Deputy Mayor.
  - A. The Council shall elect a Mayor and Deputy Mayor for a term of two years.
  - B. The motion to elect the Mayor and Deputy Mayor will be placed on the agenda of the first meeting of even-numbered years.
  - C. In the event the Mayor is unable to serve the remainder of the term, a new mayor shall be elected at the next meeting. In the event the Deputy Mayor is unable to serve the remainder of the term, a new Deputy Mayor shall be elected at the next meeting.
  - D. The election of the Mayor shall be conducted by the City Clerk. No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, voting for Mayor takes place in the order nominations were made. Councilmembers will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote (four votes), the Clerk will declare him/her elected. No votes will be taken on the remaining nominees. A tie vote results in a failed nomination. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single

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.
- 3.5 Ordinances scheduled for Council action will generally receive three readings (with the exception of items that have had a public hearing before the Planning Commission).

- A. The first reading will be the scheduling of the item on the Council Agenda Planner by title or subject. If reasonably possible the item should be listed on the Agenda Planner at least two weeks prior to the second reading. The Mayor or City Manager may authorize exceptions for items of an emergency or unexpected nature requiring immediate action. The applicable portion of the Council Agenda Planner will be appended to the Business or Study Session agendas and distributed and posted along with these agendas.
- B. The second reading will be scheduled for a Study Session for review and discussion by the City Council. Items of a routine nature may bypass a Study Session and be scheduled directly to a Consent Calendar at a Business meeting. In such cases Council shall by motion waive the second reading as part of the adopting motion.
- C. The third reading will be Council review and/or adoption at a Business meeting.

#### **Section 4. Consent Calendar.**

- 4.1 The City Manager in consultation with the Presiding Officer, shall place matters on the Consent Calendar 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 Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely.
- 4.2 The motion to adopt the Consent Calendar shall be non-debatable and have the effect of moving to adopt all items on the Consent Calendar.
- 4.3 Since adoption of any item on the Consent Calendar implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Calendar. Councilmembers are given an opportunity to remove items from the Consent Calendar after the motion is made and seconded to approve the agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or future Council Meeting.
- ~~4.4 If, after the motion is made to approve the agenda, the Council is considering moving an item to the Consent Calendar, the Mayor will first call for public comment on that item in order to enable members of the audience to provide input if they wish to do so.~~

#### **Section 5. Council Meetings.**

- 5.1 All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30). ~~All Regular Meetings~~ Business Meetings, Study

~~Sessions, Special Meeting~~ **Special Meetings** and Workshops ~~Dinner Meetings~~ of the Council shall be open to the public.

5.2 Any ~~Regular Meeting or Workshop~~ **Council Meeting** may be canceled by a majority vote or consensus of the Council. The Mayor or Deputy Mayor may cancel a Council ~~Meeting~~ for lack of agenda items.

5.3 The Council shall hold **Regular Business Meetings** on the second and fourth Monday of each month at 7:30 p.m. in the Shoreline Conference Center, located at 18560 First Ave. NE, 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 Regular **Business** Meeting between December 15<sup>th</sup> and the end of the year.

5.4A. Order of Business for Regular Business Meetings. The order of business for each Regular Meeting shall be as follows: \_\_\_\_\_

~~Regular Session~~ **Business Meeting** (7:30 p.m.)

1. Call to Order
  2. Flag Salute, Roll Call
  3. Report of the City Manager
  4. ~~Council Reports of Boards and Commissions of~~ Boards and Commissions (occasional Council Reports with Mayor's permission)
  5. General Public Comment, as per Section 6.1
  6. Approval of the Agenda
  7. Consent Calendar
  8. Action Item: Public Hearings. Hearings should commence at approximately 8:00 PM. ~~(these shall be noticed for and start promptly at 8:00 p.m.)~~
  9. Other Action Items: Ordinances, Resolutions and Motions
- The following procedures shall be used:

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

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10. Unfinished Business

~~10. Unfinished Business~~

~~12~~11. New Business

~~12~~3. Executive Session, if needed

~~13~~4. Adjournment

B. ~~The Council shall make available at its second business meeting of each month, a~~ **Community Presentation**. ~~The order of business shall omit Council Report and include Community Presentations following the~~

Consent Calendar. The intent of the presentations is to provide a means for non-profit organizations or government agencies to inform the Council, staff and public about their initiatives or efforts in the community to address a specific problem or need. The presentations are available to individuals, who are affiliated with a registered nonprofit organization or government agency. In order to schedule the presentation, two Councilmembers must sponsor the request under rule 3.2 B. The presentations shall be limited to 30 minutes with approximately 15 minutes for the presentation and 15 minutes for questions. Guidelines for presentations include:

1. Each organization or agency must complete a request form and submit it to the Shoreline City Council Office. The form shall be published in the agenda packet.
2. For planning purposes, the presentation must be scheduled on the agenda planner at least four (4) weeks in advance of the meeting date requested.
3. Information and sources used in the presentation should be available in hard copy or electronically for reference.
4. Up to three (3) members of the organization are invited to participate.
5. The presentation must support the adopted position/policy of the organization.
6. The presentation should be more than a general promotion of the organization. The information presented should be about specific initiatives/programs or planning that the organization is doing which is relevant to Shoreline citizens and government.
7. Presentations shall not include:
  - i. Discussion of ballot measures or candidates.
  - ii. Issues of a partisan or religious nature.
  - iii. Negative statements or information about other organizations, agencies or individuals.
  - iv. Commercial solicitations or endorsements

5.54 The Council shall hold ***Workshops Study Sessions*** on the first and third Monday of each month at 6:30 p.m. in the Shoreline Conference Center, located at 18560 First Ave. N.E., 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. Workshops 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 Workshop Study Session between December 15<sup>th</sup> and the end of the year.

5.6 ~~\_\_\_\_\_~~ A. Order of Business for Workshops Study Sessions. The order of business for each Workshop shall be as follows:

Workshop 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
5. ~~Public Comment~~
- 6.6. Workshop Study Items (including public comment as set forth in Section 6.2).

The following procedures shall be used:

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

~~7.7.7. Executive Session, if necessary~~

~~8.8. Adjournment~~

B. The Council shall make available at its second study session of each month, a **Community Group Presentation**. The order of business shall omit Council Reports and include Community Presentations following the Consent Calendar. The intent of the presentations is to provide a means for non- profit organizations ~~or government agencies~~ to inform the Council, staff and public about their initiatives or efforts in the community to address a specific problem or need. The presentations are available to individuals, who are affiliated with a registered nonprofit organization. In order to schedule the presentation, two Councilmembers under rule 3.2 B. must sponsor the request. The presentations shall be limited to 30 minutes with approximately 15 minutes for the presentation and 15 minutes for questions. Guidelines for presentations include:

1. Each organization or agency must complete a request form and submit it to the Shoreline City Council Office. The form shall be available on the web, from the City Clerk's Office, and also published in the Council published in the agenda packet.
2. For planning purposes, the presentation must be scheduled on the agenda planner at least four (4) weeks in advance of the meeting date requested.
3. Information and sources used in the presentation should be available in hard copy or electronically for reference.
4. Up to three (3) members of the organization are invited to participate.
5. The presentation must support the adopted position/policy of the organization.

6. The presentation should be more than a general promotion of the organization. The information presented should be about specific initiatives/programs or planning that the organization is doing which is relevant to Shoreline citizens and government.
7. Presentations shall not include:
  - i. Discussion of ballot measures or candidates.
  - ii. Issues of a partisan or religious nature.
  - iii. Negative statements or information about other organizations, agencies or individuals.
  - iv. Commercial solicitations or endorsements
8. Organizations which may have alternative positions or information from those already scheduled should be given priority scheduling if they also request to do a Community Group Presentation.

5.65 The Council shall hold **Workshop Dinner Meetings** on the second and fourth Monday of each month at 6:00 p.m. in the Shoreline Conference Center, located at 18560 First Ave. N.E., Shoreline, Washington. Should any meeting 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. There will be no Workshop Dinner Meetings between December 15 and the end of the year.

- A. Workshop Dinner Meetings will be informal meetings for the purpose of meeting with other governmental agencies and officials such as the School District, utility districts, Fire District, neighboring city officials, regional organizations, Shoreline-Lake Forest Park Arts Commission Council, Sound Transit, etc., and other agencies and topics as deemed appropriate by the City Council or City Manager.
- B. No final votes may take place at Workshop Dinner Meetings, however, the Council may provide administrative direction to staff by consensus or vote. The agenda for these meetings will be appended to the Business Meeting agenda and posted and distributed in the same manner as the Business Meeting agenda.

5.76 **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.



- 5.87 An **Emergency Meeting** is a special Council meeting called without the 24-hour notice. It deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor with the consent of a majority of Councilmembers. The minutes will indicate the reason for the emergency.
- 5.98 The Council may hold **Executive Sessions** from which the public may be excluded, for those purposes set forth in RCW 42.30.110 and RCW 42.30.140. Before convening an Executive Session, the Presiding Officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time, a public announcement shall be made that the Session is being extended.
- 5.409 Council meetings will be at a time and place as Council directs.
- 5.140 The City shall comply with the provisions of RCW 35A.12.160. The public shall receive notice of upcoming public hearings through publication of such notice in the City's official newspaper at least ten (10) days prior to the hearing.
- 5.121 At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business. In the absence of a quorum, the members present may adjourn that meeting to a later date.
- 5.132 Members of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for his or her inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager, who shall convey the message to the Mayor. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be nondebatable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes. Councilmembers who do not follow the above process will be considered unexcused and it shall be so noted in the minutes. A motion to excuse a Councilmember may be made retroactively at the next meeting.
- 5.143 General Decorum.
- A. While the Council is in session, the Councilmembers must preserve order and decorum. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking nor refuse to obey the orders of the Council or the Mayor, except as otherwise provided in these Rules.

B. Any person making disruptive, impertinent, or slanderous remarks while addressing the Council shall be asked to leave by the Presiding Officer and barred from further audience before the Council for that meeting.

5.154 The Mayor shall be addressed as "Mayor (surname)" or ~~"Your Honor."~~ The Deputy Mayor shall be addressed as "Deputy Mayor (surname)." Members of the Council shall be addressed as "Councilmember (surname)" ~~or the Honorable (surname)."~~

5.165 The Mayor shall sit at the center of the Council, and the Deputy Mayor shall sit at the right hand of the Mayor. Other Councilmembers are to be seated in a manner acceptable to Council. If there is a dispute, seating shall be in position order.

5.176 Any Councilmember 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.

5.187 Motions shall be reduced to writing when required by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

5.198 Councilmembers should keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from disclosure under the Revised Code of Washington. If a Councilmember unintentionally discloses Executive Session discussion with another party, that Councilmember shall make full disclosure to the City Manager and/or the City Council in a timely manner.

5.2019 Prior to commencement of discussion of a quasi-judicial item, the Chair will ask if any Councilmember has a conflict of interest or Appearance of Fairness Doctrine concern which could prohibit the Councilmember from participating in the decision-making process. If it is deemed by the Councilmember, in consultation with the City Attorney, that it is warranted, the Councilmember should step down and not participate in the Council discussion or vote on the matter. The Councilmember shall leave the Council Chambers while the matter is under consideration.

5.240 Council meetings shall adjourn no later than 10:00 p.m. The adjournment time established thereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. Any Councilmember may call for a "Point of Order" to review agenda priorities.

- 5.221 The City Clerk or an authorized Deputy City Clerk shall attend all Council meetings. If the Clerk and the Deputy Clerk are absent from any Council meeting, the ~~Mayor or Deputy Mayor~~ City Manager shall appoint a Clerk Pro Tempore.
- The minutes of the proceedings of the Council shall be kept by the City Clerk and shall constitute the official record of the Council.
- 5.232 Any City officer or employee shall have the duty when requested by the Council to attend Council Meetings and shall remain for such time as the Council may direct.

## **Section 6. Public Testimony.**

- 6.1 General Public Comment. Members of the public may address the City Council at the beginning of any ~~Regular or Workshop~~ Business meeting or Study Session under "Public Comments," ~~Agenda Item #5, on topics other than those listed on the agenda for~~ three minutes or less, depending on the number of people wishing to speak. If more than 10-15 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 230 minutes. Individuals will be required to sign up prior to the start of the Public Comment period 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 for three minutes or less, depending on the number of people wishing to speak, after the staff report and before Council ~~action review~~ on any ~~Regular or Workshop~~ Business Meeting or Study Session agenda item. The total public comment period on each agenda item will be no more than ~~20~~ 230 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.

- 6.3. When large numbers of people are signed up to speak on the same topic, the Mayor may request that the group(s) select a limited number of speakers to cover their view and then ask all those who agree with that position to stand at the conclusion of each presentation.
- 6.34 Public testimony authorized in Sections 6.1 and 6.2 may not include comments or information on any quasi-judicial matter pending before the City Council, or on any topic for which Council has closed the public record.
- 6.45 No person shall be allowed to address the Council while it is in session without the recognition of the Presiding Officer.
- 6.56 Persons testifying shall identify themselves for the record as to name, city of residence and any organization represented.
- 6.67 An instruction notice for speakers will be available at the meeting. Speakers will be advised by the Presiding Officer that their testimony is being recorded.
- 6.78 The following rules shall be observed during any Public Hearing:
- A. Individuals will be allowed three minutes to speak ~~or~~ When representing the official position of a State registered non-profit organization or agency or a City recognized organization, a speaker will be given five minutes, and it will be recorded as the official position of that organization. ~~Each organization shall have only one five (5) minute presentation. If a speaker purports to speak for an organization, club or others so as to lead Council to believe that a number of persons support a position, then such person shall state how that position was developed by the group.~~
  - B. The Presiding Officer may allow additional time for receipt of written testimony when needed.
  - C. The Clerk shall be the timekeeper. Representatives of a Group or Organization who have not registered with the City or State prior to a meeting may request the additional two minutes if they provide the names of their Board members, Mission of their Organization and documentation that they represent the organization.
  - D. Prior to closing the hearing the Mayor or Deputy Mayor shall inquire if there are any additional speakers other than those that have signed up and previously spoken, and if there are they shall be allowed to testify.
- 6.89 Time cannot be donated by one speaker to another.

6.910 Printed forms shall be made available at all Council Meetings to allow for written testimony to Council.

## **Section 7. Motions**

- 7.1 Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote shall be taken by the City Clerk.
- 7.2 Prior to discussion of an action item, a Councilmember should make a motion, which is seconded by another Councilmember, on the topic under discussion. If the motion is not seconded, it dies. Some motions do not require a second: nominations, withdrawal of a motion, request for a roll call vote, and point of order.
- 7.3 In case of a tie vote on any motion, the motion shall be considered lost.
- 7.4 Motions shall be clear and concise and not include arguments for the motion.
- 7.5 After a motion has been made and seconded, Councilmembers may discuss their opinions on the issue prior to the vote. If they wish to do so, they may state why they will vote for or against the motion.
- 7.6 When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the Council's consensus at the conclusion of the discussion.
- 7.7 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.
- 7.8 A motion to table is nondebatable. It requires a majority to pass. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future meeting, at which time discussion can continue. If an item is tabled, it cannot be reconsidered at the same meeting.
- 7.9 A motion to postpone to a specific time is debatable, is amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The motion being postponed must be considered at a later time in the same meeting or a specific future meeting.
- 7.10 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The merits of the main motion may be debated.

- 7.11. A motion to call for the question shall close debate on the main motion and is nondebatable. This motion must receive a second and fails without a two-thirds (2/3) vote. Debate is reopened if the motion fails.
- 7.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- 7.13 When the discussion is concluded, the motion maker, Mayor, or City Clerk, shall repeat the motion prior to voting.
- 7.14 The City Council votes on the motion as restated. If the vote is unanimous, the Mayor shall state that the motion has been passed unanimously according to the number of Councilmembers present, such as "7-0" or "6-0." If the vote is not unanimous, the Mayor shall state the number of Councilmembers voting in the affirmative and the number voting in the negative and whether the motion passes or fails.
- 7.15 Each Councilmember shall vote on all questions put to the Council, unless a conflict of interest or an appearance of fairness question under state law is present. In such cases the Councilmember(s) may recuse themselves from the issue and shall leave the council chambers during discussion and voting on the issue. That Councilmember shall be considered absent when voting occurs.
- 7.16 ~~Unless~~ If a member of the Council states that he or she is abstaining-recusing ~~themselves as authorized in Section 7.15, his or her silence is silent on a vote~~ vote, it shall be recorded as an affirmative vote.
- 7.17 No vote may be cast by proxy.
- 7.18 Once the vote has been taken, the discussion is closed. It is not necessary for Councilmembers to justify or explain their vote. If they wish to make their positions known, this should happen during the discussion preceding the vote.
- 7.19 After the question has been decided, any Councilmember who voted in the majority may move for a reconsideration of the motion. The motion for reconsideration must be made at the same or next regular meeting.
- 7.20 The City Attorney, in consultation with the City Clerk, shall decide all questions of interpretations of these policies and procedures and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these policies and procedures shall be governed by the current edition of Robert's Rules of Order. In the event of a conflict, these Council rules of procedures shall prevail.

**Section 8. Items Requiring Four Votes.** The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution for the removal of the City Manager shall require the affirmative vote of at least a majority of the whole membership of the Council (4 votes) [RCW 35A 13.170 and 35A.12.120].

**Section 9. Council Representation**

- 9.1 Councilmembers who meet with, speak to, or otherwise appear before a community group or another governmental agency or representative must clearly state if his or her statement reflects their personal opinion or if it is the official stance of the City, or if this is the majority or minority opinion of the Council.
- 9.2 When Councilmembers represent the City or attend meetings in an official capacity as Councilmember, they must support and advocate the official City position on an issue, not a personal viewpoint.
- 9.3 Once the City Council has taken a position on an issue, all official City correspondence regarding the issue will reflect the Council's adopted position.
- 9.4 City letterhead shall not be used for correspondence of Councilmembers representing a dissenting point of view from an official Council position.
- 9.5 As a matter of courtesy, letters to the editor, or other communication of a controversial nature, which do not express the majority opinion of the Council, shall be presented to the full Council in the Council agenda packet prior to publication so that Councilmembers may be made aware of the impending publication.
- 9.6 If the Council, in Executive Session, has given direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party shall be done by the designated City staff representative handling the issue.

**Section 10. Suspension and Amendment of Rules.**

- 10.1 Any provision of these rules not governed by state law or City ordinance may be temporarily suspended by a majority vote of the Council.
- | 10.2 It is the intent of the City Council that the rules of procedure be periodically reviewed as needed. These rules may be amended, or new rules adopted, by a majority vote of the Council, provided that the proposed amendments or new rules shall have been distributed to Council at least one week prior to such action.

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

**AGENDA TITLE:** 2007-08 Council Goals  
**DEPARTMENT:** City Council  
**PRESENTED BY:** Julie Modrzejewski, Assistant City Manager

**PROBLEM/ISSUE STATEMENT:**

At the request of Councilmember Gustafson and McGlashan, this item has been scheduled for Council discussion. Councilmember Gustafson and McGlashan are proposing that the Council consider and adopt some of the Council goals prior to holding the two Community Workshops scheduled for June 6 and June 14.

The goals that the Council proposed during its April retreat are as follows (in alphabetical order):

- Complete Interurban Trail Connectors to Local and Regional Destinations
- Complete the Aurora Project
- Complete the City Hall Project
- Complete the Implementation of Performance Measures
- Complete the Projects Approved in the 2006 Parks Bond
- Create an "Environmentally Sustainable Community"
- Develop a Comprehensive Housing Strategy
- Develop a Fircrest Master Plan
- Develop a Shoreline Youth Master Plan
- Implement Economic Development Strategic Plan
- Implement Long Range Financial Review and Public Participation Plan
- Increase Emergency Preparedness Training and Education
- Increase Opportunities for Neighborhood Involvement
- Increase Opportunity for Inclusion and Cultural Diversity
- Provide Meaningful Public Participation in Implementation of Selected Goals and Work Elements
- Provide Safe, Affordable and Environmentally Sustainable Transportation Options to Support Current and Projected Land Use Plans

**RECOMMENDATION**

Staff recommends that Council discuss Councilmember Gustafson and McGlashan's proposal and provide staff with direction.

Approved By: City Manager  City Attorney 

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

<b>AGENDA TITLE:</b>	Motion to Authorize the City Manager to Execute a Construction Contract for the 2006 Sidewalk Priority Routes
<b>DEPARTMENT:</b>	Public Works
<b>PRESENTED BY:</b>	Paul Haines, Public Works Director Jesus Sanchez, Operations Manager Jon Jordan, Capital Projects Manager

**BACKGROUND**

The above referenced project was originally set to open construction bids on May 1 for Council review and action at the May 8th Council meeting; however, there were no bids received by the City. In the May 8 placeholder memorandum to Council, staff presented the feedback from the registered bidders and staff's recommendation to prepare the project for re-bid after making the following adjustments:

- The base bid of four projects was re-grouped into three base bids (originally staff had recommended regrouping into two base bids but this was changed to provide more flexibility for award).
- Delete the alternates and additives from the bid documents.
- Add clarification with respect to certain lump sum items.
- Adjust the schedule accordingly to account for the delay to re-bid: complete the sidewalk work on 3<sup>rd</sup> Ave NW and 10<sup>th</sup> Ave NE before the start of the new school year; provide additional time to complete the sidewalk work on 8<sup>th</sup> Ave NW and Dayton Ave N into September after the start of school as work on these routes will have minimal impact to neighboring schools. All work is projected to be complete by October 1.

The re-bid resulted in two bid proposals on May 26. The low bid exceeded the engineer's estimates by 24% to 72% on the three projects. The engineer's estimate was based on past bid information, current through the first quarter of 2006 plus our understanding of industry trends. Since that time, volatile price increases have occurred in the petroleum, steel, and concrete industry sectors of construction. These market increases have affected the price of asphalt, but just as importantly the price of fuel for the contractor. It is apparent that operations involving trucking have higher prices associated with them. Secondly, the bid was conducted during the busy construction season, and the increase in the lump sum bid items may also reflect that the contractor's apparently are willing to bid work at a higher profit margin and are less willing to accept normal risks.

**PROBLEM/ISSUE STATEMENT:**

Staff is requesting that Council authorize the City Manager to execute a construction contract with Kemper Construction in the amount of \$535,193.25 to perform the construction improvements identified in the 2006 Sidewalk Priority Routes Project 1 and Project 3.

<b>Bid Results</b>	<b>Project 1: Schedule A (10th Ave NE)</b>	<b>Project 2: Schedule B (Dayton Ave N)</b>	<b>Project 3: Schedule C + D (3rd Ave NW &amp; 8th Ave NW)</b>
Kemper Construction	\$ 238,963.25	\$ 190,597.50	\$ 296,230.00
Road Construction NW	\$ 243,020.00	\$ 228,066.50	\$ 344,982.25
Engineers Estimate	\$ 139,224.23	\$ 153,506.38	\$ 216,414.97

The apparent low bidder on all of the projects is Kemper Construction. The available budget for construction is \$725,987. The possible combinations of award and estimated total construction cost based on the available budget are as follows:

<b>Award Combination Options</b>	<b>Award Amount</b>	<b>Contingency &amp; Construction Management*</b>	<b>Estimated Total Construction Cost</b>
Project 1 (10th Ave NE) + Project 2 (Dayton Ave N)	\$ 429,560.75	\$ 108,147	\$537,707
Project 2 (Dayton Ave N) + Project 3 (3rd Ave NW & 8th Ave NW)	\$ 486,827.50	\$ 118,741	\$605,569
Project 1 (10th Ave NE) + Project 3 (3rd Ave NW & 8th Ave NW)	\$ 535,193.25	\$ 127,689	\$662,882
Project 1 (10th Ave NE) + Project 2 (Dayton Ave N) + Project 3 (3rd Ave NW & 8th Ave NW)	\$ 725,790.75	\$ 162,949	\$888,740

\* includes 10% contingency, construction inspection and administration, construction engineering, staff time, and material testing

**Options**

1. Award one of the Project combinations that are within the budget.
2. Award all three Projects with the addition of \$162,753 to the existing budget.
3. Reject bids and re-bid early next winter for construction in summer of 2007 with the 2007 Projects.

Due to the importance of providing safe walking routes to school, staff recommends Project 1 (10<sup>th</sup> Ave NE) and Project 3 (3<sup>rd</sup> Ave NW and 8<sup>th</sup> Ave NW) be considered as higher priorities than Dayton Ave N at this time. With respect to a school walk route, 10<sup>th</sup>

and 3<sup>rd</sup> are heavily used primarily by elementary and middle school students and 8<sup>th</sup> is also a walking route and school bus pick-up/drop-off route. Adequate existing budget exists to award and construct this combination. Dayton Ave N could be carried forward for construction in 2007.

Staff has completed all applicable reference checks on Kemper Construction including State Agency fiscal compliance. References were satisfactory regarding quality of construction and their history of managing budget, materials, and personnel.

With these items reviewed and the intent to provide inspection by the City, we feel that the proper controls are in place and a reasonable level of predictability is present to award to Kemper Construction.

**FINANCIAL IMPACT:** The adjusted 2006 budget is \$900,000 from the Roads Capital Fund. The present amount available for construction is \$725,987.

**SCHEDULE:**

2006	2007
<b>June</b>	<b>January</b>
<ul style="list-style-type: none"> <li>• Award recommendation to Council June 5</li> <li>• Public outreach</li> </ul>	<ul style="list-style-type: none"> <li>• Develop conceptual plans and bid documents</li> <li>• Public outreach for 2007 Projects</li> </ul>
<b>July / August</b>	<b>February</b>
<ul style="list-style-type: none"> <li>• Construction</li> </ul>	<ul style="list-style-type: none"> <li>• Advertise for 2007 Projects</li> </ul>
<b>September</b>	<b>March</b>
<ul style="list-style-type: none"> <li>• Construction</li> <li>• Public outreach</li> <li>• Process to select 2007 Projects</li> </ul>	<ul style="list-style-type: none"> <li>• Award Recommendation to Council</li> </ul>
<b>October</b>	<b>April / May</b>
<ul style="list-style-type: none"> <li>• Substantial completion of 2006 Projects</li> <li>• Public outreach for 2007 Projects</li> <li>• Survey for 2007 Projects</li> </ul>	<ul style="list-style-type: none"> <li>• Begin construction</li> </ul>
<b>November / December</b>	<b>June / July / August</b>
<ul style="list-style-type: none"> <li>• Design for 2007</li> <li>• Public outreach for 2007 Projects</li> </ul>	<ul style="list-style-type: none"> <li>• Construction</li> </ul>

**RECOMMENDATION**

Staff recommends the Council Authorize the City Manager to Execute a Construction Contract with Kemper Construction for Project 1 and Project 3 of the 2006 Sidewalk Priority Routes.

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