

**City of Gold Bar**  
EST. 1910



107 – 5<sup>th</sup> Street, Gold Bar, WA 98251

# **Council Policies and Procedures**

*(Adopted by Resolution 17-16, Revised by Resolution 20-06)*

## Table of Contents

<b>Title</b>	<b>Page Number</b>
<b>A. Purpose and Scope</b>	<b>4</b>
<b>B. Meetings – General</b>	<b>4</b>
<b>C. Meetings – Special</b>	<b>4</b>
<b>D. Meetings – Executive</b>	<b>4</b>
<b>E. Meetings – Absences</b>	<b>5</b>
<b>F. Quorum</b>	<b>6</b>
<b>G. Presiding Officer</b>	<b>6</b>
<b>H. City Clerk</b>	<b>6</b>
<b>I. Agenda</b>	<b>6</b>
<b>J. Minutes</b>	<b>7</b>
<b>K. Public Participation</b>	<b>8</b>
<b>L. Electronic Devices</b>	<b>9</b>
<b>M. Duties of Mayor</b>	<b>9</b>
<b>N. Debate/Discussion</b>	<b>10</b>
<b>O. Motions</b>	<b>11</b>
<b>P. Motions in Writing</b>	<b>12</b>
<b>Q. Voting</b>	<b>12</b>
<b>R. Site Visits</b>	<b>13</b>
<b>S. Appearance of Fairness</b>	<b>13</b>
<b>T. <i>Ex parte</i> Contacts</b>	<b>13</b>
<b>U. Public Hearings</b>	<b>14</b>
<b>V. Types of Council Action</b>	<b>15</b>
<b>W. Ordinances</b>	<b>16</b>
<b>X. Resolutions</b>	<b>16</b>
<b>Y. Failure to Follow Procedures</b>	<b>17</b>
<b>Z. Acknowledgement Receipt of Procedures</b>	<b>17</b>
<b>AA. Council Procedures Specific to Gold Bar</b>	<b>17</b>
<b>Acknowledgement of Procedures Form</b>	<b>18</b>

## **A. Purpose and Scope**

The order of policies and procedures contained herein shall govern deliberations and meetings of the City of Gold Bar Council. Wherever such policies and procedures shall be found to be in conflict with the Revised Code of Washington (RCW) or the Washington Administrative Code (WAC), the RCWs and WACs shall prevail.

Councilmembers shall be given a copy of the Policies and Procedures at the time of accepting the position of Councilmember, and shall sign a form stating that they have received the Policies and Procedures.

## **B. Meetings - General**

1. Regular Council meetings shall be held on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month as detailed in the Gold Bar Municipal Code 2.04.010. Meetings shall begin at 7:00 pm and end no later than 9:00 pm unless extended by a majority vote of the Council.

Holidays and community events may conflict with Council meetings and result in a change to the date of the Council meeting, as defined in Gold Bar Municipal Code 2.04.010.

## **C. Meetings - Special**

1. Special meetings may be called by the Mayor or by a majority of the Council by action of motion or by notice provided at least forty-eight (48) hours prior to the time set for the meeting. Such notice shall be provided by written notice provided in person, by mail, by fax, or by electronic mail to each Councilmember and the Mayor. Notice of special meetings shall be posted on the City's website, at the City Hall, and published in the newspaper of record if time permits. The requirements for the open meeting law, in RCW 42.30, shall apply in all respects to special meetings of the Council.

2. Special meetings of the Council that are a direct result of an emergency in which there is potential for property damage or loss of life, are exempt from the twenty-four hour notification requirement.

## **D. Meetings – Executive**

1. All regular and special meetings of the Council shall be open to the public with the exception of executive sessions, from which the public will be excluded. Executive sessions shall be held only for those purposes set forth in RCW 42.30.110. The Council may order the removal of individuals who interrupt the executive session as provided in RCW 42.30.050. The Council may exclude witnesses during executive sessions as provided in RCW 42.30.110. The Council may, by majority vote, move to include specific staff in an executive session.

2. The presiding officer of a governing body shall publicly announce the purpose for the executive session, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer.

3. The Council may ask the public and excluded staff to leave the Council chambers, or the Council may elect to remove themselves from the chambers, for the duration of the session.
4. No action will be taken during an executive session. Any action as a result of an executive session, shall be taken during the open public meeting.
5. There shall be no minutes and no recording of any executive session.
6. The City's attorney shall be present for executive sessions dealing with litigation or potential litigation.
7. Executive sessions may be held for the following specific reasons. Refer to RCW 42.30.110 for the full text of each bullet item in summary below.

- To consider matters affecting national security;
- To consider the selection of a site or the acquisition of real estate by lease or purchase;
- To consider the minimum price at which real estate will be offered for sale or lease;
- To review negotiations on the performance of publicly bid contracts;
- To consider financial and commercial information supplied by private persons to an export trading company;
- To receive and evaluate complaints or charges against a public officer or employee;
- To evaluate qualifications of an applicant for public employment or to review the performance of a public employee;
- To evaluate the qualifications of a candidate for appointment to elective office;
- To discuss with legal counsel matters relating to enforcement, litigation, or potential litigation;
- To consider issues relating to the state library commission or its advisory bodies;
- To consider financial and commercial information relating to the state investment board, or investment of public trust or retirement funds;
- To consider proprietary or confidential nonpublished information related to health care services;
- To consider the substance of grant applications and grant awards in the case of the life sciences discovery fund authority;

#### **E. Meeting - Absences**

1. Absences by Councilmembers at regular meetings are subject to the provisions of RCW 35A.12.060. If a Councilmember knows in advance that he/she will be absent from a meeting, that Councilmember should contact the Mayor and/or the City Clerk/Treasurer. Following the Call to Order, the presiding officer will inform the Council of the Councilmember's absence and ask for a motion to excuse the Councilmember from the meeting. The motion is approved by a majority of the Councilmembers present. Councilmembers may also choose to excuse a Councilmember after-the-fact in the same manner.

2. Repetitive unexcused absences resulting in more than three Council meetings missed in a row, or continuous excused absences resulting in more than four Council meetings missed in a row may result in a vote of no confidence by the majority of the Council and a request by the majority of the Council for a letter of resignation.

#### **F. Quorum**

1. A majority of Councilmembers shall constitute a quorum at all meetings of the Council. Once a meeting has been called to order, no Councilmember present shall absent himself/herself from the meeting without the leave of the presiding officer or a majority of the Council.

2. A Councilmember may participate by an agreed upon electronic means with prior approval by a majority of the Council, and on non-quasi-judicial matters only. A Councilmember may participate by this means no more than two times per year.

#### **G. Presiding Officer**

The Mayor shall preside over all meetings of the Council, or, in his/her absence, the Mayor pro tempore. The appointment of a Councilmember as Mayor pro tempore shall not in any way abridge that Councilmember's right to vote upon all questions coming before the Council.

#### **H. City Clerk**

1. If the Clerk is absent from a Council meeting, the Mayor or Mayor pro tempore shall appoint a Clerk pro tempore.

2. The clerk shall be responsible for recording and/or transcribing all actions by the Council into minutes form. The clerk shall be responsible for providing all necessary documentation, information, and necessary documents to the Council prior to a meeting. The clerk shall be responsible for providing guidance to the Council in matters of policy, procedure, and rules of order.

3. Councilmembers will not assign duties to the City clerk or other City staff. Councilmembers may suggest tasks, duties, or responsibilities to the Mayor who may then choose to assign the same to the clerk or appropriate staff. However, Councilmembers may, at any time, take questions and seek information from the City clerk or appropriate staff.

#### **I. Agenda**

1. An agenda for regular meetings shall be prepared by the Mayor and City clerk, and provided to the Council prior to meetings. The agenda shall consist of the business to come before the Council, but shall not preclude the Council from considering matters in addition to those set forth on said agenda. Staff shall report agenda matters and deliver copies of supporting materials to the Mayor in sufficient time for their inclusion on the agenda.

2. For purposes of discussion, secondary motions, action, and amendments, the Council shall, by motion, approve, amend, or refuse the agenda prior to commencement of business.

3. For special meetings and public hearings, action may be taken by the Council only on items for which notice was provided and which were placed on the agenda of the special meeting or public hearing.

4. Items added to the agenda within twenty-four (24) hours of a regular meeting shall be considered only upon approval of a majority of the Council present at the meeting.

5. The order of business on agendas for regular meetings shall be, as nearly as possible, as follows.

- Call to order
- Flag salute
- Roll call
- Agenda approval
- Mayor report
- Staff report
- Council comments
- Citizen comments
- Continued business
- New business
- Final council comments
- Other business
- Minutes approval
- Voucher approval
- Adjournment

The order of business set forth in this section is a guideline and shall not be construed in any way as to limit the order in which the Mayor puts the agenda together. Council may elect to proceed with its business as it deems appropriate upon a majority vote.

6. Voucher approval shall be considered a ‘consent agenda’ meaning that vouchers are based on information delivered to the Council by administration which can be reviewed by a Councilmember if desired, but which have been previously reviewed by the City’s finance committee, and which are so routine in nature that passage without discussion is likely. Approval shall be by motion.

## **J. Minutes**

1. The City Clerk shall keep minutes of regular and special meetings. The Mayor and Clerk shall sign and attest all minutes.

2. The City may elect to take, and retain, voice recordings of regular and special meetings.

3. The legal minutes for the City shall be that type and version adopted by motion of the Council.
4. Minutes shall be retained under the State's Record Retention Rules.
5. The Council may, by majority, move to amend minutes prior to adoption.

#### **K. Public Participation**

1. The purpose of a Council meeting is to conduct city business and as such, Council meetings are not public forums, although they are open public meetings. Limiting public comment time in the meeting is not a violation of the first amendment. The Open Public Meetings Act does not require that citizens be allowed to participate and speak at council meetings other than public hearings. However, it is understood that in order for Council business to be conducted, public opinion may be beneficial.
2. Council meetings will allow one citizen comment period on the agenda. Placement near the beginning of the agenda will allow citizens to comment on agenda items, or to bring items to the attention of the Council. However, the following criteria for citizen comments will be adhered to.
  - a. The citizen comment period will not take up more than fifteen (15) minutes of a Council meeting unless the Council elects, by motion and majority vote, to allow a longer comment period, for example, when controversial items are on the agenda or when a larger than normal number of citizens sign up to speak.
  - b. A citizen may address the Council for no longer than three minutes. If the citizen does not end their comments when told their time is up, the Mayor may utilize the gavel to end that citizen's comment period. If a citizen still does not end their comments, the Mayor will issue one verbal warning that they must end their comments or be removed from the Council chambers. If a citizen still refused to end their comments, the Mayor may elect to utilize the City's Chief of Police as allowed in RCW 9A.84.030(1)(a)(b).
  - c. To address the Council, a citizen must sign in prior to the meeting. Citizens will be allowed to speak in the order in which they have signed in.
  - d. Verbal exchanges will not be allowed to continue between citizens and staff, Councilmembers, or the Mayor, beyond the allotted three minutes. The Council, Mayor, or staff may ask citizens brief questions, but the citizen comment period is not meant to conduct business or open dialog. If a comment is determined to require more information, the Council may elect by motion and majority vote, to place the topic on another agenda.
  - e. Where not prohibited by law, the Mayor has the right to cut short the three minute time period in instances of personal attacks on councilmembers or staff. Councilmembers are expected to be polite to citizens appearing before them, but there is no requirement that they subject themselves to intimidation or rudeness from speakers. Engaging in shouting, use of profanity, slurs against others, or disruptive noise, detract from the ability of the

Council to conduct business and may result in revoking or cutting short the citizen's three-minute comment period.

g. Citizens must address all comments to the Council and not the audience. Dialog between a citizen making a public comment and the audience, will not be allowed.

h. Similarly, dialog between audience members during any portion of a Council meeting will not be allowed.

i. Following appropriate rules of order, if a Councilmember wishes to address a citizen during the public comment portion or in general, the Councilmember shall first seek permission of the Mayor. The Mayor shall have the authority to limit the time allowed for dialog between a Councilmember and an audience member.

3. The citizen comment period exists to allow a fair hearing of issues at Council meetings within the following parameters:

a. The Council should listen actively to its critics to learn and understand, not to argue, dispute, or silence those critics. Respect and courtesy is expected from all parties.

b. The Council may elect to appoint a spokesperson to work further with the citizen on items of conflict or items needing further research and response that cannot happen within the constraints of a three-minute comment period.

c. The Council should always be factual when responding to critics. Personal and emotional responses are not appropriate for a Council meeting.

#### **L. Electronic Devices.**

1. Unless approved by the Mayor prior to a citizen beginning to address the Council, no member of the public may utilize an electronic or video device for purposes of his or her presentation to the Council.

2. This restriction shall not apply to any device which is an accommodation for a speaker's disability.

3. All cell phones will be turned off during a Council meeting. If a cell phone rings during a Council meeting, the owner will be asked to turn off the device. If the cell phone continues to disrupt the meeting, the Mayor may ask the owner of the device to leave the Council chambers.

4. These restrictions shall not apply to any member of the public who wishes to record a Council meeting, provided that such recording devices are not disruptive to the Council meeting.

#### **M. Duties of Mayor**

1. It shall be the duty of the presiding Mayor or Mayor pro tempore to conduct the following.

- a. Call the meeting to order.
- b. Keep the meeting to its order of business.
- c. State each motion and require a second, when applicable, to that motion before permitting discussion on the motion.
- d. Handle discussion in an orderly way by giving each Councilmember who wishes, indicated by a show of hands, an opportunity to speak, keeping all speakers to the rules and to the questions, and giving 'pro' and 'con' speakers an equal opportunity to speak.
- e. Put motions to a vote and announce the outcome.
- f. Suggest, but not make, motions for adjournment.
- g. Call for short recesses of up to fifteen (15) minutes during those meetings that run over the normal time limit or to restore order if needed.
- h. Appoint committees when authorized by law or Council action.
- i. Maintain order.

## **N. Debate/Discussion**

*'Discussion' is a more general action taken between Councilmembers and the Mayor, and which may include comments from citizens if allowed by majority vote of the Council. Discussion allows the Council to formulate a motion.*

*'Debate' is a more formal action taken by the Council, Mayor, and if needed, staff, once a motion has taken place. Debate must be directly related to the motion. Seeking further general information on the topic is not appropriate once a motion has been made and the debate process has begun. Debate continues, following the rules listed below, until the Mayor calls for the vote. Once a motion has been voted on, debate and discussion on that topic is concluded.*

### **1. Debate:**

- a. Councilmembers may speak more than once on the same subject, provided that each Councilmember wishing to speak has had an opportunity to speak at least once.
- b. Each round of debate shall proceed in the same fashion, allowing each person to speak once before allowing a second response or comment.
- c. A majority of the Council, by motion, may end debate or continue debate if the Mayor has acted to end a debate. If the Council moves by majority to continue a debate after the

Mayor has called the question, the Council's motion must clearly state the reason for continuing the debate rather than continuing the topic to another agenda and meeting.

d. An amendment to a motion begins the question (debate) process again, meaning each Councilmember then has the right to comment on the amended motion.

e. Unless permitted by a majority of the Council, no member may be allowed to speak for more than six (6) minutes on one agenda item, question, or motion.

f. When an amendment is pending, the debate must be confined to the merits of the amendment unless it is of such a nature that its decision practically decides the main question.

g. The Mayor may close debate after a call for the question (vote) has been made by a Councilmember or Mayor, and no one objects to closure of the debate. The Mayor may also close debate when all Councilmembers have indicated they have completed their comments. The Mayor may not close debate as long as any Councilmember desires to speak.

## 2. Discussion:

a. Discussion may occur on scheduled agenda items without there being a motion made on the matter.

b. Each Councilmember shall be allowed to speak once before a motion is made so that fewer subsidiary motions and votes will be needed to reach a conclusion on the agenda item.

c. Councilmembers may make inquiries of staff without putting the issue in the form of a motion during the discussion portion.

d. Discussion should be addressed to the Mayor.

e. Councilmembers may, at any time during discussion, issue a motion, which then moves the discussion to the more formal debate process.

## **O. Motions**

1. Motions shall be clear, concise, and not include arguments for the motion within the motion.

2. If a motion does not receive a second, it dies.

3. After a motion and a second, the Mayor will state the name of the Councilmembers making the motion and second for the record. The Mayor may restate the motion prior to debate if clarification is needed.

5. After a motion has been made and seconded, the Council may debate their options on the issue prior to the vote. No further citizen comments may be heard when there is a motion and a second on the floor.

6. A motion to table action is not debatable and shall preclude all amendments or debate of the issue under consideration. If the motion to table prevails, the matter may be taken from the table only by adding it to the agenda of a future regular or special meeting, at which time discussion will continue. If an item is tabled, it cannot be reconsidered at the same meeting.

7. A motion to postpone to a certain time is debatable, is amendable, and may be reconsidered at any regular meeting including the one at which the motion to postpone was initially made.

8. A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting, adding, striking out, or substituting terminology of the original motion. A motion to amend is permitted but there is no amendment of an amendment allowed. If further amendments are deemed necessary, a vote on the original motion will be called, and if the motion dies, a new motion may then be created. Only one motion to amend may be on the floor at any one time.

9. The City Clerk or City Attorney may interrupt proceedings at any time to provide advice, direction, or correction concerning conformance with procedures.

10. Motions to adjourn or recess a meeting are not required to include a call for debate.

11. All motions carry only by a majority vote.

## **P. Motions in Writing**

1. The Mayor and any member of the Council may require a motion to be reduced to writing prior to a vote upon the same.

2. Amendments to a motion, ordinance, or resolution, may be reduced to writing if requested by the Mayor or a Councilmember.

## **Q. Voting**

1. Each Councilmember present must either vote or abstain on all questions put to the Council. Votes may be 'aye', 'nay', or abstention.

2. An abstention vote is most commonly used in areas of conflicts of interest, but Councilmembers have the right to abstain and cannot be compelled to vote. Abstention votes do not count as an 'aye' or 'nay' vote and do not affect the voting result. They are basically a 'null' or 'void' vote and cannot be used as a tie breaker.

3. The Mayor may vote in case of a tie.

4. The Mayor pro tempore does not lose his/her right to vote by fulfilling the Mayor pro tempore role.

### **R. Site Visits**

1. Whenever a matter pending before the Council involves a specific site, each member of the Council may visit the site prior to making a final decision, in order to better understand the evidence presented. Councilmembers must then disclose what information was observed.
2. A majority of the Council that constitutes a quorum may not visit the site at the same time.

### **S. Appearance of Fairness**

1. Councilmembers must be familiar and follow the Appearance of Fairness doctrine (RCW 42.36). This doctrine is a rule of law requiring government decision-makers to conduct non-court hearings and proceedings in a way that is fair and unbiased in both appearance and fact. The doctrine attempts to make sure that all parties to an argument receive equal treatment conducted by impartial decision-makers.
2. The Appearance of Fairness doctrine does not apply to statements made while campaigning for elective office, nor is the doctrine implicated by the receipt of campaign contributions.
3. Upon disclosure of any potential appearance of fairness concerns, other Councilmembers or members of the public shall be given an opportunity to object to that Councilmember's sitting on the matter before the Council. Failure to object to a Councilmember sitting on the matter when offered the opportunity, shall constitute a waiver of that objection.
4. Councilmembers are encouraged to recuse themselves if they feel there may be an appearance of fairness issue. If an individual Councilmember has determined not to recuse him/herself, the City Council may, as a whole, and by majority vote, decide that the Councilmember has an appearance of fairness concern which may taint the Council's decision. The majority Council may elect to recuse the Councilmember on those grounds.
5. Any Councilmember who recuses him/herself, or who is recused by a majority of the Council, shall leave the Council seat and take a seat in the audience prior to discussion, debate, or testimony.
6. If enough Councilmembers recuse themselves that a quorum is no longer met, the recused Councilmembers may be asked by the Mayor to return to their seats. If the matters leading to the request to recuse them are minor in nature, the Mayor may elect to allow those Councilmembers to take part in action and votes.

### **T. *Ex Parte* Contacts**

1. *Ex Parte* contacts are contacts or actions regarding a matter occurring outside the open public hearing at which the matter is to be decided.

2. Councilmembers shall disclose any *ex parte* contacts he or she had and describe them on the record prior to discussion, debate, and action.
3. The fact that a Councilmember has had *ex parte* contacts or actions shall not disqualify that Councilmember provided that the Councilmember discloses those contacts or actions on the record prior to action.
4. In any case in which a Councilmember discloses *ex parte* contacts or actions, any party to the action shall be allowed to rebut the substance of the *ex parte* contact or action, either prior to, or during, action.

## **U. Public Hearings**

1. A public meeting, such as a regularly scheduled Council meeting, generally occurs whenever a quorum of a public body, and sometimes less than a quorum, meets to deal with the business of that body. Public meetings are governed by the Open Public Meetings Act in RCW 42.30. Although the public often is allowed to participate, it is not required by state law. Although a public hearing is also a public meeting, and can occur in context of a public meeting, the main purpose of most public hearings is to obtain public testimony or comment. A public hearing may occur as part of a regular or special meeting, or it may be the sole purpose of a special meeting, with no other matters addressed. There are two types of public hearings.

a. Legislative public hearings obtain public input on legislative decisions on matters of policy. They are required by state law when a city addresses such matters as comprehensive land use plans or the budget. Legislative public hearings are general less formal than quasi-judicial public hearings. They do not involve the legal rights of specific, private parties in a contested setting, but rather affect a wider range of citizens or perhaps the entire jurisdiction.

b. Quasi-judicial public hearings involve the legal rights of specific parties and the decisions made as a result of such hearings must be based upon, and supported by, the 'record' developed at the hearing. Quasi-judicial hearings are subject to stricter procedural requirements than legislative hearings. Most quasi-judicial hearings held by local government bodies involve land use matters, including site-specific rezones, preliminary plats, variances, and conditional uses.

c. A public hearing is required only when a specific statute requires one. However, the City may hold a public hearing in other instances, such as when it desires public input on a sensitive or controversial policy issue.

e. Public notice is required for all public hearings and includes posting the notice at the City Hall, on the City's website, in public areas where the City typically posts information, and publication in the City's newspaper of record at least one week in advance of a hearing.

f. The City Clerk will follow a script for public hearings that includes, at a minimum, the following.

- Opening the hearing
- Stating the purpose/agenda
- Asking the Council for any disclosures
- A review of the requirements to continue or keep open the hearing
- A review of requirements to receive notice of decision
- A review of requirements to speak during the hearing
- A call for testimony or comments
- A call for action, if appropriate
- A call for adjournment
- A statement noting the time that the regularly scheduled meeting agenda was returned to.

## **V. Types of Council Action**

1. Voting. As discussed in section ‘Q’.

2. Postpone. To consider postponement of an agenda item until a time to be specified in the form of a motion. A speaker may not be interrupted by this motion. A motion to postpone is debatable and the motion may be amended.

3. Table. To make a motion to table an agenda item means that discussion, debate, and action is suspended for further consideration. When an item is tabled it is removed indefinitely, with no date attached for reconsideration. The item will not be returned to an agenda until the time a Councilmember, the Mayor, or staff introduces it again.

a. A related phrase is to say ‘I move we take from the table...’ when a Councilmember wishes to take up a matter previously tabled. A speaker may be interrupted and a motion is required.

4. Point of Privilege. To complain about noise, room temperature, etc. A motion is not needed and a speaker may be interrupted.

5. Point of order. To object to procedure, point out an error in procedure, call attention to a violation, or a personal affront. A speaker may be interrupted to call for a point of order. A motion is not needed.

6. Point of information. To request further information. A speaker may be interrupted and no motion is needed.

7. ‘I call for a division of the house’. This phrase is used to ask for vote by actual count in order to verify a voice count. This must be done before a new motion happens and no motion is needed.

8. 'I call for a division of the question'. This phrase is used to separate a multi-part question or action into individual questions for the purpose of voting on separate portions of the action.

9. 'I object to consideration of this question'. This phrase is used to object to considering some undiplomatic or improper matter. A speaker may be interrupted and no motion is needed.

10. 'I move we suspend rules and consider...' This phrase is used when a Councilmember wishes to consider something out of its scheduled order, such as moving an agenda item. The speaker may not be interrupted and a motion is required.

11. 'I ask permission to withdraw (or rescind) my motion'. This phrase is used when a Councilmember wishes to withdraw a previously made motion. A speaker may not be interrupted and a motion is required.

12. Councilmembers may move to refer an item to a committee. This is done through the normal motion process.

13. Councilmembers may move to vote immediately without discussion.

14. Councilmembers may move to 'consider informally' which means a motion to discuss an issue without restrictions of parliamentary rules. A speaker may not be interrupted, a motion is required, and the Councilmember should be prepared to state the reason for suspending the normal process.

## **W. Ordinances**

1. A municipal ordinance is a rule, law, or statute adopted by a municipal legislative body and has the effect and force of a law, the violation of which may be enforced by the City.

2. An ordinance must be introduced for a first reading at a Council meeting, with the introduction and first reading approved by motion. The ordinance is then introduced for a second reading and action at the next Council meeting, and action is taken through the normal motion process.

3. Ordinances must be published in the City's newspaper of record after adoption, and goes into effect after its publication.

4. Ordinances must be codified into the City's municipal code.

5. Ordinances cannot be amended by resolution.

## **X. Resolutions**

1. A resolution is a formal expression of the opinion or will of an official municipal body and may be a statement of policy or support.

2. A resolution may be acted upon the same time it is introduced, and is acted upon through the normal motion process.

3. A resolution does not need to be published in the City's newspaper of record, and goes into effect immediately upon motion.

#### **Y. Failure to Follow Procedures**

1. Failure to follow these procedures shall not void any action taken by the Council as a whole.

2. A Councilmember who believes a procedure has not been followed may raise a point of privilege or incidental motion to seek redress before the Council.

#### **Z. Acknowledgement Receipt of Policies**

1. All elected officials shall receive a copy of the Council Rules of Procedure upon election.

2. All elected officials shall sign an Acknowledgement of Receipt of Procedures and return the signed copy to the City Clerk/Treasurer no later than two weeks from receiving the procedures.

#### **AA. Council Procedures Specific to the City of Gold Bar**

1. No elected and/or appointed official for the City of Gold Bar shall use personal devices such as cell phones, emails, or computers, to conduct city business except in emergencies. All such business shall be conducted through City laptop computers and City email accounts provided by the City. The Mayor shall have a cell phone provided by the City.

a. Personal devices utilized during emergencies for email relating to the conducting of City business are subject to public records request laws. Such emergency records must be retained according to the appropriate retention regulation.

2. Each elected official is responsible for organizing emails received, sent, forwarded, etc. related to City business and individual job responsibilities.

a. Each elected official may set up their preferred organizational system as long as that system creates one that easily searchable. The employee utilizing this option shall be required to demonstrate the system and its ease of finding records, to the clerk/treasurer, their supervisor, and the Mayor if needed. The clerk/treasurer and supervisor must approve the employee's organizational method.

b. Each elected official may utilize the clerk/treasurer or their supervisor to set up an organizational system. Only the method will be set up. It will be the elected official's responsibility to organize and maintain all emails.

c. Each elected official is responsible for complying with record retention laws governing email. The clerk/treasurer may train elected officials on record retention relevant to their

specific job duties, or the elected official may choose to attend a more all-encompassing record retention training offered by an outside agency.

d. Emails with no retention value will be deleted after the information has been received and examined. Elected officials will be instructed on the use of destruction logs and when such logs are required.

e. Email that constitutes a public record must be retained in its original form for the required record retention time period.

f. The Public Records Officer (PRO) and/or designee, shall have access to each employee's email system in order to respond to public records requests. The PRO shall maintain confidentiality. The PRO may, at times, request access to the elected official's 'inbox' if the PRO is unable to access emails through the remote access process.

3. No elected and/or appointed official shall text messages to the City, or City staff.

4. Elected and/or appointed officials are expected to attend Council meetings, special meetings, public hearings, and any other official gathering of the Council to conduct City business. Elected and/or appointed officials may obtain an excused absence from the Council for unavoidable situations.

a. If a Councilmember is directed by the Mayor to attend a meeting outside of the normal business meetings noted above, that Councilmember shall be paid a stipend of twenty-five dollars (\$25) plus mileage. Mileage must be documented in writing and submitted to the Clerk/Treasurer no later than two weeks after the meeting.

5. Elected and/or appointed officials shall not use social media to conduct City business or respond in any way with comments or responses that can be construed as representing the City, or responding as a Councilmember or Mayor.

6. All elected and/or appointed officials will take trainings and resources offered for their positions and provide the City Clerk with copies of certificates of completion or other documentation that the course was completed.

7. All elected and/or appointed officials will fulfill the requirements of the Washington State Public Disclosure Commission within fourteen (14) days of being seated.

**Acknowledgement Receipt of Policies**

I have received and understand the Council Rules of Procedure. I hereby acknowledge that it is my responsibility to read the policies and ask questions if I do not understand portions of said policies.

I acknowledge that I have been given a copy of the Council Rules of Procedure.

I acknowledge and agree that the policies supersede and void any other agreements, oral statements, prior policies, practices, promises, or writings, in any form, regarding my elected, and/or appointed position, unless I have an express written agreement in place, signed by an authorized officer of the City of Gold Bar, and me.

I agree to comply with the guidelines and policies as set forth and any other guidelines or policies established by the City of Gold Bar during my term as an elected and/or appointed official.

\_\_\_\_\_  
Elected Official Signature

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Elected Official Printed Name

\_\_\_\_\_  
Date