



MEMORANDUM

DATE: April 8, 2022

TO: Gig Harbor City Council
Mayor Tracie Markley

FROM: Josh Stecker, City Clerk

SUBJECT: Updates to City Council Guidelines & Procedures

At the March 10 Study Session, Council provided direction to staff on areas it would like to see its Council Guidelines & Procedures updated. Council reviewed proposed amendments at its March 31 Study Session and further revised the document. An updated version is attached to this memo.

Revision markings are no longer shown in the attached Guidelines & Procedures for the changes that Council supported at the March 31 Study Session. This version shows a few additional changes for Council's consideration at the April 14 Study Session. City Attorney Daniel Kenny will be on hand to address questions about the Council social media policy and other issues.

In particular, a new Section 2.3 has been added to capture Council's direction on policy related to public comment at its meetings.

The Council Guidelines & Procedures document is adopted by Council for its own benefit and purposes. Council should review and amend the document to ensure that it meets its needs.

Council is scheduled to hold first reading of an ordinance dissolving the standing Council Committees on April 11 with second reading and adoption occurring on April 25. Our goal is to have a revised set of Council Guidelines & Procedures ready to adopt concurrently with this ordinance on April 25.



"THE MARITIME CITY"

CITY OF GIG HARBOR

COUNCIL GUIDELINES & PROCEDURES

REVISED XX/XX/2022

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ARTICLE 1 – PURPOSE & SCOPE

The City Council Guidelines and Procedures should be considered a means to an end, and not an end in themselves. If used well, guidelines of procedure will advance fundamental goals and principles. They will help Council spend its time well and make good decisions on behalf of the community. The guidelines should not become the master and the primary focus for the meeting. The "horse" (the principles) should come before the "cart" (the guidelines).

These guidelines of procedure are adopted for the sole benefit of the members of the City Council and the Mayor to assist in the orderly conduct of Council business. These guidelines 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 guidelines shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these guidelines result in invalidation of any Council act. The City Council may implicitly or by a majority vote determine to temporarily waive any of the guidelines. Council action taken in disregard or non-conformity with these guidelines shall be construed as an implicit waiver.

STATEMENT OF ETHICS

Gig Harbor City Councilmembers shall:

- Be dedicated to the concepts of effective and democratic government.
- Affirm the dignity and worth of the services rendered by government and maintain a sense of social responsibility.
- Be dedicated to the highest ideals of honor and integrity in all public and personal relationships.
- Recognize that the chief function of local government at all times is to serve the best interest of all the people.
- Keep the community informed on municipal affairs and encourage communications between the citizens and all municipal officers. Emphasize friendly and courteous service to the public and each other; seek to improve the quality of public service, and confidence of citizens.
- Seek no favor; do not personally benefit or profit by confidential information or by misuse of public resources.
- Conduct business of the City in a manner which is not only fair in fact, but also in appearance.

ARTICLE 2 – CITY COUNCIL MEETINGS

2.1 City Council Meetings Defined

A City Council meeting is any meeting comprised of four or more councilmembers where City business is conducted. All City Council meetings are subject to all provisions of the Open Public Meetings Act (OPMA).

Types of City Council meetings include:

- **Regular and Official Meetings** – The City Council meets in regular session on the second and fourth Mondays of each month at 5:30 p.m., as established in GHMC Chapter 2.04. In the event any of the regular and official meeting days fall upon a legal holiday, the regular and official meeting day shall be on the Tuesday following the second and fourth Monday of each month. During the months of August and December, the Mayor is directed to cancel the second regular meeting of the month, unless the Mayor or City Council determines that it is necessary to hold these meetings to conduct essential City business.
- **Special Meetings** – Special meetings may be called by the Mayor or a majority of Council. Council may take final action on items published on the agenda of a Special Meeting.
- **Study Sessions** – Study sessions provide Council with the opportunity to discuss and explore issues before progressing the matter to a regular and official meeting for final action. Council may direct the Mayor to direct staff by motion or consensus at study sessions, but Council may not take final action on any matters. In order to encourage discussion, Study Sessions are intended to be less formal in nature than regular meetings. It is appropriate for councilmembers to address each other informally during these meetings while still maintaining civility and decorum.
- **Council Retreats** – Annually, or as needed, Council may hold retreats to discuss work plans and visioning for future action. Similar to study sessions, Council may direct the Mayor to direct staff by motion or consensus, but Council may not take final action on any matters.
- **Workshops** – Workshops are utilized to provide training or procedural guidance to Council on the role and function of Council and other City governance matters.
- **Emergency Meetings** - An Emergency Meeting may be called without notice requirements. An Emergency Meeting 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 Mayor or majority of councilmembers. The minutes will indicate the reason for the emergency.
- **Remote Meetings** – Any of the preceding meetings may be designated as a remote meeting during a state of emergency declared by the City, state or federal government at the discretion of the Mayor, or by a quorum of the

City Council if allowed by law. A remote meeting is a meeting of the City Council during which a quorum or more of Council members appear or attend entirely by phone, the internet or via other electronic means that allow real-time verbal communication during which all participants are simultaneously able to hear each other. Final action may be taken during remote meetings. Remote meetings are subject to all requirements of the Open Public Meetings Act. The public shall be provided with access and notice for all meetings as required by the Open Public Meetings Act.

At all Council Meetings, a majority of the Council shall constitute a quorum for the transaction of business.

All City meetings will be broadcast live using the Zoom meetings platform (or another similar platform at the discretion of the City Clerk) to allow residents to attend the meetings remotely. Public comment will be accepted by remote attendees at the appropriate portions of the meeting as defined in these Procedures & Guidelines.

Councilmembers and the Mayor may appear at a Council meeting by remote connection. Councilmembers intending to attend a meeting remotely should notify the Mayor and City Clerk in advance of the meeting. In instances when the Mayor is remotely attending a meeting, the mayor will still function as the Presiding Officer. These remote attendance guidelines do not apply to Remote Meetings as defined above.

The City Clerk or Assistant City Clerk shall attend all Council meetings. If the City Clerk and the Assistant City Clerk are absent from any Council meeting the City Administrator shall appoint a Clerk for that meeting.

Any City employee shall attend a City Council meeting when requested by the Mayor or City Administrator for clarification or explanation of agenda items.

2.2 Rules of Order

All City Council meetings shall be guided by the most recent edition of *Robert's Rules of Order*, as published by Scott, Foresman and Company. A quick reference chart of the most common "Rules of Order" questions is attached as **Exhibit A**. The City Clerk shall act as parliamentarian during all meetings of the City Council.

The Mayor shall be addressed as "Mayor (surname)." Councilmembers shall be addressed as "Councilmember (surname)."

Councilmembers should speak to the issues in a civil manner, respecting the viewpoints of others, focusing on the issue at hand, sharing their own motives and reasons for supporting or not supporting an item for discussion, in a polite manner towards each other and the public. Respect should be shown to present

and past councilmembers, the mayor, and staff. If a motion is on the table, councilmember comments should speak to the motion. If an amendment to a motion is on the table, councilmember comments should speak only to the amendment.

The purpose of Council discussion is to make known a councilmember's stance on a particular issue. Councilmembers should not use their comments in an attempt to debate their fellow councilmembers. Comments should be concise, succinct, and to the point. Rather than repeating other councilmembers comments, councilmembers should simply express agreement with prior comments. Councilmembers may call a "point of order" if another councilmember persists in providing comment that is not germane to the issue.

Councilmembers may not email, text, or call anyone during a Council meeting, except in an emergency. Councilmembers may not record or broadcast Council meetings, aside from the City's authorized recording.

Councilmembers shall be seated in a manner acceptable to Council. If there is a dispute, the Council will decide by vote.

2.3 Public Comment

The City Council desires to allow a maximum opportunity for public comment. However, the business of the City must proceed in an orderly, timely manner. The purpose of a Council meeting is to conduct the City's business; it is not a public forum.

The City Council will accept oral public comments at its Regular and Official Council Meetings. Oral comments may be made in person or by remote connection using the Zoom (or similar) meetings platform. Oral comments are not accepted at all other City Council meetings unless specifically noticed on the agenda for the meeting.

The City Council will accept written comments for all City Council meetings. Written comments must be submitted to the City Clerk at cityclerk@gigharborwa.gov at least 4 hours in advance of the meeting start time. Written comments must include the words "FOR PUBLIC COMMENT" in the subject line of the email. Persons submitting written comments must include their name and address with their comments. All written comments will be included in the online packet for the meeting and will be forwarded to the Mayor and councilmembers for their review. Written comments will not be read aloud during the meeting, with the exception that during a Remote Meeting comments will be read upon the request of the commenter.

During regular meetings, speakers will be allotted 3 minutes per individual, unless revised by the Mayor. The Mayor may allocate 5 minutes to speakers speaking on behalf of groups in attendance at the meeting.

In-person Comments shall be made from the microphone, first giving the speaker's name and address. No in-person comments shall be made from any other location, and anyone making "out of order" comments may be subject to removal from the meeting.

All remarks shall be addressed to the Council as a body and not to any specific councilmember. All speakers shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities or indulge in derogatory remarks or insinuations with regard to any councilmember, the Mayor, or any member of the staff or the public.

There will be no demonstrations during or at the conclusion of any public comment. These guidelines are intended to promote an orderly system of holding a public meeting, to give every person an opportunity to be heard and to ensure that no individuals are embarrassed by voicing their opinions.

2.4 Role of the Mayor in Council Meetings

It shall be the duty of the Mayor to:

- Call the Meeting to order
- Call the roll of councilmember attendance
- Keep the meeting to its order of business.
- Control discussion in an orderly manner.
- Give every councilmember who wishes an opportunity to speak when recognized.
- Permit audience participation at the appropriate times
- Require all speakers to speak to the question and to observe the rules of order.
- State each motion before it is voted upon.
- Put motions to a vote and announce the outcome.
- Decide all questions of order, subject to the right of appeal to the Council by any councilmember.
- Attend all Council meetings. In the event that the Mayor is unable to attend a council meeting, the Mayor Pro Tempore shall preside. In the event that both Mayor and Mayor Pro-Tempore are unable to attend, Council may pick a member to preside for that meeting.

The Mayor has the authority to preserve order at all meetings of the Council, to cause removal of any person from any meeting for disorderly conduct and to enforce these guidelines. The Mayor may command assistance of any peace officer to enforce all lawful orders of the Mayor to restore order at any meeting.

The Mayor shall have the authority to interpret and determine the application of these guidelines to any particular situation occurring during the course of that

meeting subject to an appeal and second by a councilmember, which places the matter before the full Council.

2.5 City Council Regular Business Meeting Agendas

Consistent with Gig Harbor Municipal Code Chapter 2.04.030, the agenda for regular business meetings of the Council shall be set by the Mayor and City Administrator. Any one of the City's elected officials may place an item on the agenda as long as the item is submitted to the City Administrator a minimum of five working days prior to the Council meeting. Other parties desiring to place an item on the agenda shall submit the item to the City Administrator or Mayor at least five calendar days prior to the Council meetings. The City Administrator and the Mayor shall solely determine whether items submitted by other parties shall appear on any City Council agenda.

The accepted order of business for the regular business meetings of the Council shall be transacted as follows. The City Administrator or Mayor may rearrange items on the agenda to conduct the business before the Council more expeditiously.

I. CALL TO ORDER / ROLL CALL

The Mayor (or Mayor Pro Tempore in the absence of the Mayor) shall call to order the meeting of each City Council meeting. The Mayor shall call the names of each councilmember who will respond in the affirmative if present.

Councilmembers not present at Roll Call of a meeting shall be declared "excused" (if an acceptable reason for the absence was provided in advance of the meeting) or "absent" by the Mayor. Council may reverse the Mayor's declaration by a majority vote. Councilmembers arriving late to the meeting shall be recorded as "present" at the meeting with his or her arrival time noted in the minutes.

II. PLEDGE OF ALLEGIANCE

The Mayor shall lead the Council, staff, and all others presents in reciting the Pledge of Allegiance at the beginning of each Regular Business Meeting.

III. LAND ACKNOWLEDGMENT

At the beginning of each Regular Business Meeting of the City Council the Mayor shall read the following land acknowledgment: "Before we begin this Council Meeting we would like to recognize that we are gathered on not only the ancestral and traditional lands of the sxwəbabč band of the Puyallup Tribe of Indians, but also on the site of one of the largest and longest standing historic villages of the people, the original inhabitants of the Gig Harbor area."

IV. CHANGES TO THE AGENDA

Councilmembers or the Mayor may make suggested changes to the agenda. Councilmembers wishing to bring up new items for discussion should do so at this time. Changes to the agenda will be approved by a majority vote of the Council.

V. CONSENT AGENDA

Each agenda shall include a “consent agenda” in the order of business. When the City Administrator and Mayor determine that any item of business requires action by the Council but is of a routine and noncontroversial nature, they may cause such item to be presented at a regular meeting of the council as part of the consent agenda.

The reference material for all matters listed within the consent agenda shall be distributed to each member of the City Council for their review prior to the meeting. Matters on such consent agenda shall be considered to be routine and may be enacted by a single motion of the council with no separate discussion unless removed from the consent agenda as hereinafter provided.

If separate discussion of any consent agenda item is desired, that item may be removed from the consent agenda at the request of any individual council member. At the conclusion of passage of the consent agenda, those items removed at the request of any individual council member shall either be discussed and acted upon before proceeding to the next item of business on the agenda or shall be set to a later position on the agenda for that meeting.

Approval of the motion to approve the consent agenda shall be fully equivalent to approval, adoption, or enactment of each motion, resolution, or other item of business thereon, exactly as if each had been acted upon individually.

VI. PRESENTATIONS

This portion of the meeting is reserved for presentations from individuals or organizations outside of City government. Presentations will be added to the agenda at the discretion of the Mayor and City Administrator or at the request of individual councilmembers.

Presentations should strive to be no longer than 15 minutes in length, not including questions from Council.

VII. MAYOR’S REPORT

VIII. CITY ADMINISTRATOR’S REPORT

IX. PUBLIC COMMENT ON NON-AGENDA ITEMS

~~Speakers will be allotted 3 minutes per individual, unless revised by the Mayor. The Mayor may allocate 5 minutes to speakers speaking on behalf of groups in attendance at the meeting. The purpose of a Council meeting is to conduct the City's business; it is not a public forum.~~

~~The City Council desires to allow a maximum opportunity for public comment. However, the business of the City must proceed in an orderly, timely manner.~~

Public Comment on non-agenda items shall be accepted in accordance with Section 2.3 of these Procedures and Guidelines.

During public comment on items not currently on the agenda, the Mayor may recognize any councilmember or City staff for the limited purpose of providing a brief response, or comment, or summary of expected action. No debate of the merits of the item should occur at this time. Any Councilmember may indicate that he or she desires to discuss the matter further on the agenda (under Comments from Council, or as otherwise determined by the Mayor).

~~Comments shall be made from the microphone, first giving the speaker's name and address. No comments shall be made from any other location, and anyone making "out of order" comments may be subject to removal from the meeting.~~

~~All remarks shall be addressed to the Council as a body and not to any specific councilmember. All speakers shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities or indulge in derogatory remarks or insinuations with regard to any councilmember, the Mayor, or any member of the staff or the public.~~

~~There will be no demonstrations during or at the conclusion of any public comment. These guidelines are intended to promote an orderly system of holding a public meeting, to give every person an opportunity to be heard and to ensure that no individuals are embarrassed by voicing their opinions.~~

X. OLD BUSINESS

Old Business is reserved for items previously considered by Council under New Business at a prior regular business meeting. Typically, this will be ordinances returning for second or third reading.

The sequence of steps for considering old business items shall be:

- a) Staff report

- b) Clarifying questions from Council
- c) Public Comment
- d) Council deliberation and action

Public comment will be allowed on all Old Business agenda items unless the matter was previously considered under a formal Public Hearing and the hearing has been closed, or if the matter is governed by ordinance or statute that prohibits the receipt of public comment.

Public Comment on Old Business items shall be accepted in accordance with Section 2.3 of these Procedures and Guidelines. ~~The procedure for public comments shall be the same as specified under “Public Comment on Non-Agenda Items.”~~ Speakers at all times must confine their remarks to those facts which are germane and relevant, as determined by the Mayor, to the questions or matter under discussion.

Councilmembers should refrain from making motions until the step for Council deliberation and action, after taking public comment.

XI. NEW BUSINESS

New Business includes all business items not previously considered by Council at a prior regular business meeting.

The sequence of steps for considering new business items shall be:

- a) Staff report
- b) Clarifying questions from Council
- c) Public Comment
- d) Council deliberation and action

Public comment will be allowed on all New Business items unless the matter is governed by ordinance or statute that prohibits the receipt of public comment.

Public Comment on New Business items shall be accepted in accordance with Section 2.3 of these Procedures and Guidelines.

~~The procedure for public comments shall be the same as specified under “Public Comment on non-agenda items.”~~ Speakers at all times must confine their remarks to those facts which are germane and relevant, as determined by the Mayor, to the questions or matter under discussion.

Councilmembers should refrain from making motions until the step for Council deliberation and action, after taking public comment.

XII. STAFF REPORTS

This portion of the meeting is reserved for presentations from City staff only. Staff reports will be added to the agenda at the request of staff and/or at discretion of the Mayor and City Administrator, or at the request of individual councilmembers. Actions taken during this portion of the meeting should be limited to providing guidance and direction to the Mayor to direct to staff.

XIII. COUNCILMEMBER REPORTS & COMMENTS

This portion of the meeting is reserved for reports from the Council Committee chairs and other general comments from councilmembers. This portion of the meeting is the time for councilmembers to introduce new items for consideration. Councilmembers may bring up suggestions and ideas and with majority of Council concurrence may direct the Mayor to direct staff to analyze and prepare a brief report on the issue.

XIV. ANNOUNCEMENT OF UPCOMING MEETINGS

A list of upcoming meetings with proposed agenda items shall be included in each packet along with the City's Strategic Plan.

XV. EXECUTIVE SESSION

The Council may hold Executive Sessions from which the public may be excluded, for those purposes set forth in RCW 42.30.110.

Before convening an Executive Session, the Mayor shall announce the purpose of the session, the anticipated time when the session will be concluded and if any business or action is anticipated to be conducted by Council after the Executive Session. Should the Session require more time, a public announcement shall be made that the Session is being extended.

Councilmembers must keep confidential all written materials and verbal information provided to them during Executive Session, to ensure that the City's position is not compromised. Confidentiality also includes information provided to councilmembers outside Executive Session when the information is considered to be exempt from disclosure under State Law. State statute prohibits both the disclosure of confidential information and its use for personal gain or benefit.

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. Prior to discussing the information with anyone other than fellow councilmembers, the City Attorney, or City staff designated by the City Administrator, councilmembers should review such potential discussion with the City Administrator. Any councilmember

having such contact or discussion shall make full disclosure to the City Administrator and/or the City Council in a timely manner.

XVI. ADJOURN

Meetings shall be adjourned by a motion, second, and majority vote of the Council.

2.6 Voting

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 roll call vote shall be taken by the Mayor.

The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, and any approval of warrants shall require the affirmative vote of at least a majority of the whole membership of the Council.

The passage of any public emergency ordinance (an ordinance that takes effect immediately), expenditures for any calamity or violence of nature or riot or insurrection or war, and provisions for a lesser emergency, such as a budget amendment, shall require the affirmative vote of at least a majority plus one of the whole membership of the Council.

The passage of any motion or resolution shall require the affirmative vote of at least a majority of the membership of the council who are present and eligible to vote, unless otherwise required by provisions of Washington law, the Gig Harbor Municipal Code, or these guidelines.

In the situation where the City Attorney states that a councilmember's participation would violate or appears to be violating the appearance of fairness doctrine by failure to recuse, a super majority (majority plus one of members present) of the nonaffected councilmembers may vote to require the affected member not to participate in a particular proceeding, and if so, the affected councilmember's vote shall not be counted and the affected councilmember shall not participate in the proceeding.

Councilmembers who are board members with an outside agency that is being considered for funding with the City may not put a motion forward or vote on the motion. If a councilmember could secure special privileges or exemptions for himself, herself, or others from a particular council discussion and/or action, that councilmember must recuse himself or herself from voting on that issue.

A motion by a councilmember to "call the question" allows a vote on the pending motion to immediately take place. Prior to the vote on the motion to call the question, the Mayor will inform Council of the number of councilmembers still waiting to speak.

All votes on final actions taken by the City Council will be recorded in the City Council Vote Tracker posted on the City's website.

2.7 Enacted Ordinances, Resolutions and Motions

An enacted ordinance is a legislative act prescribing general, uniform, and permanent rules or regulations relating to the operation and corporate affairs of the municipality. Council action shall be taken by ordinance when required by law, or where such conduct is enforced by penalty.

An enacted resolution is an administrative act, which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

An enacted motion is a form of action taken by the Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law, and where such motion is not in conflict with existing State or Federal statutes, City ordinances, resolutions or these guidelines.

On occasion, Council may give direction or express its intention by consensus. Consensus is achieved when a direction is provided and receives stated approval with no objections raised by councilmembers. To avoid ambiguity that can arise from consensus decision-making and to provide staff with concise directions, Council should formalize their intent by motion whenever possible.

2.8 Reconsideration

Any action of the Council shall be subject to a motion to reconsider. Reconsideration can be requested only by motion of a member of the prevailing side of the original motion. A motion to reconsider must be made at the next regular meeting after the meeting in which the original motion was considered. A motion to reconsider is debatable only if the action being reconsidered is debatable. Upon passage of a motion to reconsider, the subject matter shall be added to the agenda of the next regular meeting.

2.9 Meeting Packets

The City Clerk shall prepare the meeting packet for all Council meetings containing the agenda, all reports of Council Committees, all documentary materials upon which Council action is to be taken, and copies of all minutes to be approved. The agenda and packet shall be published on the City's website before 5:00 p.m. five calendar days before the meeting date. Items may be revised or added to the agenda after publication, subject to the Mayor's discretion. Presentation materials (i.e. PowerPoint files) will be added to the online meeting packet as soon as they are available in advance of the meeting.

Councilmembers and affected staff should read the agenda material and ask clarification questions prior to the Council meeting, when possible. Printed copies of the meeting packet will be provided to the Mayor, councilmembers, and staff upon request.

The agenda for all City Council Meetings shall be posted on the meetings bulletin board.

2.10 Minutes

Minutes of City Council Meetings shall be recorded and signed by the City Clerk or his or her designee. Minutes of City Council business meetings shall be approved by Council at the subsequent regular business meeting. Minutes of City Council study sessions and Council Committees shall be submitted to Council as part of the consent agenda at a subsequent regular business meeting.

In order to maximize personnel resources in a cost-effective and efficient manner and to preserve an accurate and concise record, minutes of all City meetings shall be recorded as “action minutes” and shall include the following:

- Name of the body.
- Date, hour, and place of the meeting.
- The names of members in attendance and members absent. If a member arrives late or departs before adjournment, the minutes should reflect the time of arrival and/or departure at that point in the minutes.
- Whether it is a regular, adjourned, or special meeting.
- Time the meeting commenced. Time of meeting recess (if any).
- Topics of business
- Actions taken on each business item
- Record of motions and votes
- Direction given to staff by general consensus
- Oral communications/public comment need only reference the name of the person, subject matter addressed, and direction given from Council (if any).
- Adjournment time and, if applicable, whether the meeting was adjourned to another time prior to the next regular meeting.
- Signature block for the City Clerk.

ARTICLE 3 - COUNCIL COMMITTEES

3.1 Council Committees Defined

Council may form *ad hoc* committees to address specific issues as needed.

Each Council Committee shall have a designated staff person assigned by the City Administrator who will assist the committee with scheduling meetings, preparing packet materials, and taking action minutes of the meetings.

3.2 Committee Meetings

All council committee meetings shall be subject to all provisions the OPMA. Committees shall meet during regular working hours unless an emergency exists. Meeting agendas shall be posted five calendar days prior to the committee meeting unless an emergency exists.

It shall be the right and responsibility of each Department Head to make his or her position known to the Council Committee on each matter for Council action affecting the Department referred to the Committee.

3.3 Duties of the Chair

Each Council Committee shall have an elected chair. The chair of the respective Council Committees shall have the following responsibilities:

- Schedule and attend meetings of the Committee, which shall be open to members of the public.
- Determine the need to cancel a scheduled Committee meeting.
- Determine the need to call a meeting of the Committee.
- Work with other committee members, the Mayor and City staff to develop the agenda for each meeting.
- Ensure that the committee adheres to the defined scope of business for that committee.
- Determine the appropriateness of accepting public comment during committee meetings.

3.4 Actions Taken by the Committees

The chief duty of Council committees is to take up matters referred to them by the City Council. Motions made at a committee meeting should be phrased as recommendations to Council on specific actions to be taken.

Council Committees do not have the authority to take action on behalf of Council. Council Committees may not direct the Mayor or staff. Council Committees may make recommendations to the Mayor on administrative actions within the scope of the committee, but these recommendations should be informal; the Mayor is not obligated to adhere to these recommendations. Council Committees cannot terminate an action or request by staff or the public. They can only provide Council a recommendation on the topic.

ARTICLE 4 - MAYOR PRO TEMPORE

4.1 Appointment

Pursuant to RCW 35A.12.065 and consistent with GHMC Chapter 2.14, annually at the second regular business meeting in January, Council shall elect from their number a Mayor Pro Tempore who shall hold office at the pleasure of Council. Council may, as the need may arise, appoint any qualified person to serve as Mayor Pro Tempore in the absence or temporary disability of the Mayor. The Mayor Pro Tempore shall have such powers and authority, in the absence or temporary disability of the mayor, as specified in this Rule.

4.2 Authority

The Mayor Pro Tempore shall have authority to preside over meetings of council, sign warrants and written contracts, and perform other administrative duties of the Mayor, but only for such period of time as the Mayor is absent or temporarily disabled, as defined herein, and only to the extent necessary for the efficient conduct of the business of the City.

The Mayor Pro Tempore shall have the authority to act as the Mayor in the Mayor's absence only when the Mayor is away and cannot perform duties that cannot await his or her return or that cannot be performed by telephone or other type of communications link. The authority of the Mayor Pro Tempore to act under authority of this Rule shall end upon the Mayor's return or the removal of any temporary disability. The Mayor Pro Tempore shall not delegate the authority herein granted to another City official.

The Mayor Pro Tempore shall not in any case have the authority to appoint or remove City officers and employees, to veto ordinances, to adopt or repeal administrative procedures, or to reorganize the administration of the City.

4.3 Absence or Temporary Disability of the Mayor Defined

For purposes of this Rule, the "absence or temporary disability of the Mayor" shall mean that due to absence or illness, the mayor is unable to perform the regular duties of his office. In application of the foregoing definition, the following shall apply:

- The Mayor shall not be deemed temporarily disabled if due to illness he or she is unable to perform some of the duties, such as attending a Council Meeting, if he or she is able to perform other duties of the office on an ongoing basis.
- During such times as City offices are closed, the Mayor Pro Tempore shall have authority to act in the Mayor's absence only with respect such emergencies as may require the Mayor's presence.

4.4 Mayor's Salary for the Mayor Pro Tempore During Extended Absence or Disability of the Mayor

The Mayor Pro Tempore shall not receive the Mayor's salary during the extended absence or disability of the Mayor, provided, the Council may by ordinance provide for such compensation for the Mayor Pro Tempore.

ARTICLE 5 – ADVISORY BOARDS, COMMISSIONS, & COMMITTEES

5.1 Purpose and Application

The purpose of this section is to establish general provisions applicable to all Advisory Boards. The provisions of this article govern Advisory Boards unless otherwise specifically provided by ordinance, motion or resolution of the City Council, or as may be required by state law.

An “Advisory Board” means any board, committee or commission created by the City Council to give advice on subjects and perform such other functions as prescribed by the City Council. Advisory Boards also includes task forces, informal committees, or working groups formed by City Council resolution for short periods of time or for specific tasks.

The City of Gig Harbor’s Advisory Boards are fundamental to encouraging the use of citizen talent and interest in affairs of the City. Our residents have enjoyed a long tradition of participation in city government. Through representation on boards and commissions, Gig Harbor residents are offered an important avenue to help create effective and equitable policies. Citizen involvement contributes to the success of government and the quality of life enjoyed by our families in the community.

5.2 Formation of Advisory Boards

All standing advisory boards shall be established in the Gig Harbor Municipal Code. Current standing advisory boards include:

- Arts Commission
- Civil Service Commission
- Design Review Board
- Lodging Tax Advisory Committee
- Parks Commission
- Planning Commission
- Salary Commission

Council may also create *ad hoc* advisory boards, blue ribbon work groups and taskforce groups by resolution. Such advisory boards are subject to the same provisions of this article.

5.3 Scope of Work

Each Advisory Board, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by the City Council to determine its effectiveness. This statement of purpose, as well as other information regarding duties and responsibilities, will be made available to all members when appointed.

The City Council may determine any specific guidelines or tasks to be referred to the Advisory Board by motion or resolution.

Each Advisory Board may develop an annual work plan, within the jurisdiction and area of responsibility assigned to the board in the Gig Harbor Municipal Code. All work plans must be approved by the City Council and carried out under the direction of the Mayor.

5.4 Membership and Residency Requirements

The number of members and any specific qualifications of each standing Advisory Board shall be set forth in the Gig Harbor Municipal Code.

Unless otherwise specifically provided in the Gig Harbor Municipal Code, or as may be required by state law, each person at the time of nomination and continuing uninterrupted thereafter while serving on an Advisory Board shall be a resident of the greater Gig Harbor area within Pierce County (west of the Tacoma Narrows Bridge and east of the Purdy Bridge).

5.5 Appointment Process

Appointments to Advisory Boards shall be made by the Mayor or City Council, as specified in the Gig Harbor Municipal Code.

The City Clerk shall be responsible to recruit applicants for Advisory Board vacancies. Upcoming vacancies will be noticed on the City's website and through various other outreach methods, as appropriate. The City Clerk will establish an application form and application deadlines to facilitate timely appointment of candidates.

All interested candidates must submit an advisory board application on the City's website to be eligible for consideration. Current members seeking reappointment are required to submit an application.

Eligible candidates for council-appointed Advisory Boards will be interviewed by an *ad hoc* committee of the City Council, subject to the requirements of Article 3. Council shall appoint three councilmembers to this committee, as needed. The interview panel may also be joined by the Mayor, the Advisory Board Chair and the designated staff liaison, at their discretion. The committee will forward its recommendations to Council for approval on the consent agenda of the next regular City Council meeting.

Candidates shall be deemed appointed and shall commence service after confirmation by the City Council.

5.6 Appointment Terms

Each appointee shall be assigned a specific numbered position on each Advisory Board. Each confirmation motion by the Council shall include ending

date and term for the position to which the person is appointed and such information shall be entered into the Council minutes.

Unless otherwise specified in the Gig Harbor Municipal Code or by State law, all appointment terms shall be for a period of three years.

At the expiration of a member's term, the member may hold over and continue to serve as a member until the member or a successor is appointed and confirmed by the Council.

5.7 Vacancies

Vacancies shall be filled for the unexpired term in the same manner as the original appointment. Membership vacancies shall be filled for the unexpired term.

Any member may be removed by Council action based on Council decision that removal is in the best interests of the City. Removal should not occur for disagreement with an official recommendation of the board or its members.

Any member may be removed by the Mayor, if, in the Mayor's determination, the member has violated the provisions of these Guidelines or the Gig Harbor Municipal Code. The Mayor may also remove members who have three or more consecutive unexcused absences from regular Advisory Board meetings.

5.8 Expectations of Advisory Board Members

It is imperative that board members recognize they are in a critical position to shape and influence board decisions and actions. It is important that each member keeps informed and up to date on issues and statutes affecting their board.

Regular attendance is essential so that decisions will represent the opinions of the board as a whole. In addition, regular attendance enables board members to keep abreast of board concerns and helps ensure that issues are examined from a variety of perspectives. A person may forfeit his or her position on the board as a result of poor attendance.

Effective board members will:

- Attend all board meetings and be well prepared for meetings.
- Recognize that serving the public interest is the top priority.
- Recognize that the board must operate in an open and public manner.
- Be knowledgeable about the legislative process and issues affecting the board.
- Examine all available evidence before making a judgment.
- Communicate well and participate in group discussions.

- Remain aware that authority to act is granted to the board as a whole, not to individual members.
- Exhibit a willingness to work with the group in making decisions.
- Recognize that compromise may be necessary to reach consensus.
- Ensure personal feelings toward other board members or staff do not interfere with their judgment.

If a member is unable to complete his or her term, they should inform the City Clerk's Office and the staff liaison for the board. An email or letter of resignation should be sent to the City Clerk indicating the date the resignation is effective and whether the member is able to serve until a replacement is named.

5.9 Chair and Vice Chair - Identification and Election

Each Advisory Board shall elect from its membership a presiding officer who shall be referred to as Chair, and such officer shall serve for one year. Each Advisory Board shall also elect from its membership a Vice Chair who shall perform the duties of the Chair in the absence of the Chair, and such officer shall serve for one year.

The Chair shall:

- Work with staff liaison to prepare agendas
- Preside at all meetings
- Call the meeting to order at the scheduled time
- Verify the presence of a quorum
- "Process" all motions (state the motion prior to discussion, restate the motion just prior to the vote, announce the result of the vote)
- Facilitate meetings by staying on track and adhering to time constraints
- Rule on any points of order using Roberts Rules of Order as guidance
- Conduct the meeting in a fair and equitable manner
- Maintain neutrality to facilitate debate
- Serve as official representative of the commission or designate another Commissioner

The Vice-Chairperson shall:

- In the absence of the Chairperson, assume the role of the Chairperson
- Preside at any meeting where the Chairperson is absent
- Work in partnership with the Chairperson

5.10 Quorums, Transacting Business

A majority of the appointed members of the Advisory Board shall constitute a quorum for the transaction of business. An affirmative vote of the majority of a quorum in attendance at any meeting shall be necessary to transact business or carry any proposition.

5.11 Conflicts of Interest

If any members of an Advisory Board conclude that they have a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Advisory Board so that they cannot discharge their duties on such an Advisory Board, they shall disqualify themselves from participating in the deliberations and the decision-making process with respect to the matter.

5.12 Liaisons and Representatives

The Mayor shall designate a staff person to function as primary support person for each Advisory Board. The designated staff person will serve as the liaison between the Advisory Board and the City Council, other Advisory Boards and City staff. The designated staff liaison may request the assistance of the Chair or Vice Chair in relaying Advisory Board matters to other bodies.

The primary function of the staff liaison is to carry out the rules, policies and programs developed by the board. In addition, staff members notify board members of pertinent issues and legislative activity. They also arrange meetings, prepare meeting materials, compile background information and conduct research.

5.13 Procedures, Records, and Minutes

Rules of order not specified by statute, ordinance or Council resolution shall be guided by the principles of Robert's Rules of Order. Advisory Boards should not allow strict adherence to Roberts Rules of Order to impede the board in conducting its business.

The City Clerk shall provide for the taking of action minutes, as defined in Section 2.9 of these Guidelines, and maintaining the records of all regular and special meetings.

5.14 Meetings

Each Advisory Board shall hold regular public meetings at such times and places as determined by the Advisory Board with the concurrence of the Mayor. All meetings of an Advisory Board shall be subject to all requirements of the Open Public Meetings Act (OPMA). All members of governing bodies must complete Open Public Meetings Act training. Training must be completed within 90 days of assuming duties.

Advisory Boards may request special meetings to deal with specific matters. Special meetings may only be held with the consent of the Mayor.

5.15 Subcommittees

Advisory Boards may form subcommittees to address specific tasks or issues assigned to an Advisory Board. All subcommittees must be approved by the

Mayor and all meetings of subcommittees are subject to the Open Public Meetings Act.

5.16 Communications with City Council

Expressions of an Advisory Board's position, recommendation or request for any action shall be in the form of a motion or other written communication, setting forth the reasons, facts, policies, and/or findings of the body supporting the communication, and shall be directed to the City Council. Such communications shall be conveyed to Council by the staff liaison designated to support the Advisory Board. Staff liaisons shall regularly report to the City Council on board activities.

Advisory Board members are appointed by the City Council on the basis of their expertise or passion for the subject matter of each Advisory Board. As such, councilmembers should not attempt to influence or persuade Advisory Board members on matters referred to the Advisory Board. Similarly, Advisory Board members should not reach out individually to councilmembers to seek direction or guidance. Communications between the City Council and an Advisory Board should be conducted through the designated staff liaison for each Advisory Board.

5.17 Communications with the Public

In general, Advisory Board communication with the public should be restricted to staff liaison assigned to each Advisory Board. Members should not represent themselves as Advisory Board members unless they have specifically been directed to do so by the Advisory Board in consultation with the staff liaison.

5.18 Communications with Other Advisory Board Members

Advisory Board members should not communicate directly with other members of the same Advisory Board on official Advisory Board business outside of their meetings. Such communications should be directed toward staff liaisons who can inform other board members as necessary in advance of the next meeting.

Communications between individual board members can easily lead to “serial meetings” which violate the Open Public Meetings Act. A serial meeting occurs when a majority of members have a series of smaller gatherings or communications that results in a majority of the body collectively discussing board matters, even if a majority is never part of any one communication.

5.19 Lobbying Efforts

Advisory Boards shall not lobby on legislative or political matters unless specifically directed or authorized to do so by the City Council or the Mayor. A member of the Advisory Board is not authorized to speak for the Board, unless the Board has expressly authorized the member’s communication and

no Board member is authorized to speak on behalf of the City. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that the member is not speaking as a representative of the City or as a member of an Advisory Board.

5.20 Compensation and Reimbursement of Expenses

Members of Advisory Boards shall serve without compensation. Members shall be reimbursed for authorized travel expenses incidental to that service, which are authorized in advance by the Mayor.

ARTICLE 6 - COUNCILMEMBER COMMUNICATIONS

6.1 General Communications

All city-related correspondence from councilmembers should come from the councilmember's city-assigned email account. Personal email accounts and texting from personal phones should not be used when communicating with each other, staff, or residents. If personal devices are used for city business or contain city records, those personal devices may need to be searched in order to fully respond to public records requests and may eventually be subpoenaed as evidence in public records disclosure cases. Further, any city document contained on a personal device must be retained according to the State prescribed retention schedules.

6.2 Communications with Other Councilmembers

When communicating with each other outside of City Council meetings, councilmembers should be mindful of avoiding creating a serial meeting in violation of the Open Public Meetings Act. It is important to remember that serial meetings are not limited to simple email chains. They can be created by a combination of personal conversations, text messages, emails or other forms of communication.

Emails sent to the entire Council should be strictly *informational* in nature. Opinions should be withheld from emails and should be shared during a noticed public meeting. Once one councilmember has stated their opinion on a group email, all other councilmembers are thereafter prevented from stating their own opinions on the matter via email. The spirit of the OPMA is that councilmembers should express their ideas and opinions openly and transparently in a public meeting. City council meetings and study sessions are the appropriate time to make known opinions and discuss ideas amongst Council.

6.3 Communications with the Public

Councilmembers are free to discuss their ideas and opinions with residents. When stating an opinion or preference, councilmembers should be clear that they are not speaking on behalf of the City or the City Council, unless Council has formally stated a position or direction.

6.4 Communications with Staff

City staff are available to answer questions and discuss current and upcoming issues with councilmembers. Councilmembers are encouraged to reach out staff on current work plan items and priorities.

Staff time is a valuable resource for the City. Councilmembers should be considerate of staff members' time. If a councilmember is requiring too much staff attention, the Mayor may take measures to reduce the amount of time staff spends responding to the councilmember's requests.

Similarly, the City Attorney is available to address questions and concerns raised by councilmembers. The City Attorney will treat conversations with councilmembers with discretion and maintain confidentiality, unless the City Attorney determines it is in the best interest of the City to share the details of the conversation with the Mayor or City Administrator. Councilmembers should not share the content of any conversation with the City Attorney with anyone else, with the exception of other council members and senior staff, as that communication may be protected as Attorney-Client Privileged Communication.

Councilmembers may not direct staff in any manner. Suggestions for staff direction must be directed to the Mayor or City Administrator. Ideas and proposals that may impact the City's budget or staff time should first be brought up with the City Administrator.

6.5 Social Media

While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts should model the same professional behavior displayed during Council meetings.

Councilmembers should not use personal social media accounts to discuss City business. Instead, councilmembers wishing to participate in social media in their capacity as councilmembers should create separate social media accounts that are tied to the councilmembers' City email addresses. Social media is not to be used as a mechanism for conducting official City business other than to informally communicate with the public. Examples of business that may not be conducted through social media include making policy decisions, official public noticing, and discussing items of legal or fiscal significance that have not previously been released to the public.

Councilmembers' social media site(s) should contain links directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct official City business. At the discretion of the Mayor, social media applications, tools or sites may be limited or banned if they are not or cannot be used in compliance with this policy.

All content posted on individual councilmember social media sites shall comply with all state or local ethics and election laws and regulations. No content that promotes or advertises commercial services, entities, or products may be posted.

Unless the City Council has formally made a statement of support or opposition, councilmembers shall not post comments or links to any content

that endorses or opposes political candidates, legislative matters, or ballot propositions, including links to a councilmember's campaign site.

State and local records retention laws and schedules apply to all social media content. All social media content with retention value must be maintained for the required retention period on a City server in an easily accessible format that preserves the integrity of the original record. Prior approval of the retention format and procedures for each social media tool being used must be received from the City Administrator. It is the responsibility of each councilmember to maintain current, approved retention procedures and to ensure that those procedures are followed.

As with any correspondence sent in his or her capacity as a councilmember, postings to social media sites maintained by others must be retained by the posting councilmember. Printouts or screenshots of postings to others' sites may suffice for retention purposes. Councilmembers should consult with the City Clerk for the applicable retention schedule and method.

Any content maintained in a social media format (FaceBook, YouTube, Twitter, etc.) that is related to City business, including communication between an individual councilmember and constituents or the general public, and a site's listing of "friends" or "followers," may be considered a public record subject to disclosure under the state Public Records Act. Additionally, notes and comments on social media are one avenue to creating serial meetings in violation of the Open Public Meetings Act and councilmembers should take care not to comment in posts or threads with multiple other councilmembers.

Any social media tools used should clearly state that all content submitted by members of the public is potentially subject to public disclosure pursuant to the Public Records Act RCW 42.56.

Under the Public Records Act, the City Clerk is responsible for responding accurately and completely to any public records request including a request for public records on social media maintained by individual councilmembers. Therefore, it is critical that records have been retained according to approved procedures.

Users and visitors to social media sites shall be notified that public disclosure requests must be directed to the City's Public Records Officer.

Users of councilmember social media sites who submit comments should be clearly notified via site disclaimer that the intended purpose of the site is to serve as a mechanism for informal communication between councilmembers and the public regarding the topics discussed. Any content posted by users must be retained, even if subsequently removed, including the time,

date, and identity of the poster when available.

To avoid any concern regarding the content submitted to social media sites, councilmembers are strongly encouraged to maintain social media sites with settings that can restrict users' ability to comment.

Sites requiring membership or subscription should be avoided. When posting information or soliciting feedback on such a site, always provide an alternate source for the same information or mechanism for feedback on the City's public web site, so that those who are not members of the social media site may have equal access. Sites should use the most open settings possible to allow the public to view content without requiring membership or login.

6.6 Lobbying Efforts

Councilmembers shall not lobby on behalf of the City on legislative or political matters unless the City Council has formally taken a position on the matter. A councilmember is not authorized to speak for the Council, unless the Council has expressly authorized the member's communication. An individual councilmember is free to voice a position, oral or written, on any issue as long as it is made clear that the councilmember is not speaking as a representative of the City.

Per RCW 42.17A, Councilmembers and other City officials are not allowed to encourage residents to call legislators or the legislative hotline to comment on legislation.

6.7 Responding to Emails Sent to mayorandcouncil@gigharborwa.gov

The City maintains the email address mayorandcouncil@gigharborwa.gov as a convenience for residents to email the Mayor and all councilmembers at once. The City Administrator, City Clerk and Assistant City Clerk are copied on all emails sent to this address.

It is the responsibility of the Mayor to acknowledge and address each email sent to this address. The Mayor may delegate the acknowledgement and response to the City Administrator or another appropriate staff member. Council will be copied on all responses to these emails.

Councilmembers are free to individually respond to any email sent to this email address. Councilmembers should not "reply all" to any emails sent to this address.

ARTICLE 7 - PROCLAMATION POLICY

It is the policy of the City to consider requests to proclaim certain events or causes when such proclamations pertain to a Gig Harbor event, person, organization, or cause with local implications. The City will consider requests that are timely, have potential relevance to a majority of Gig Harbor's population, and either forward positive messages or call upon the support of the community.

The following guidelines and requirements apply to requests for consideration of proclamations which are read at Council meetings:

- The person(s) or organization making the request must submit a completed application requesting a City Proclamation. The City Clerk shall be responsible for developing a request form and collecting applications. The request should be made at least three weeks in advance of the requested Council meeting.
- The Mayor, in consultation with the City Administrator, City Attorney and other appropriate staff, shall approve or reject proclamation requests in accordance with the intent of this policy. The Mayor has the discretion to modify, edit, or otherwise amend the proposed proclamation. The Mayor retains the right to decide if the proclamation will or will not be issued. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.
- Once approved, the proclamation will be included on the appropriate Council agenda. Council will make no more than two proclamations at a Council Meeting.
- Either the person making the request or a representative of the organization making the request must be present at the Council meeting to accept the proclamation.

The Mayor may issue proclamations consistent with this policy without receiving an application from a person or organization. Councilmembers may individually submit requests for proclamations under the same guidelines and procedure listed above. The City Council may, by majority vote, direct the Mayor to prepare a resolution in lieu of a proclamation to be read at a future meeting.

If a person or organization requests a proclamation for an event or presentation and does not request it be read at a Council meeting, the same policy will apply. The requestor must arrange with the City Clerk's office to either pick up the proclamation or have it mailed. Upon request, the Mayor (or a councilmember or staff person designated by the Mayor) may attend an event to read a proclamation.

EXHIBIT A - PARLIAMENTARY PROCEDURE AT A GLANCE

To do this:	You say this:	May you interrupt speaker?	Must be seconded?	Is motion debatable?	Vote required
Introduce business	"I move that ..."	NO	YES	YES	MAJORITY
Amend a motion	"I move to amend this motion"	NO	YES	YES	MAJORITY
Request information	"Point of information"	YES	NO	NO	NO VOTE
Suspend further discussion	"I move we table it"	NO	YES	NO	MAJORITY
End debate	"I call the question ..."	NO	YES	NO	2/3 VOTE
Postpone discussion	"I move we postpone this matter until..."	NO	YES	YES	MAJORITY
Have something further studied by a committee	"I move we refer..."	NO	YES	YES	MAJORITY
Ask for a vote count to verify a voice vote	"I call for a roll call vote"	NO	NO	NO	NO VOTE
Object to considering some matter	"I object to consideration of this"	YES	NO	NO	2/3 VOTE
Take up a matter previously tabled	"I move to take from the table..."	NO	YES	NO	MAJORITY
Reconsider something already disposed of	"I move we reconsider action on ..."	YES	YES	YES	MAJORITY
Consider something in unscheduled order	"I move we suspend the guidelines and ..."	NO	YES	NO	2/3 VOTE
Vote on a ruling by the chair	"I appeal the chair's decision"	YES	YES	YES	MAJORITY
Object to procedure or personal affront--chair decides	"Point of order"	YES	NO	NO	NO VOTE
Complain about noise, room temperature, etc.	"Point of privilege"	YES	NO	NO	NO VOTE
Recess the meeting	"I move that we recess until ..."	NO	YES	NO	MAJORITY
Adjourn the meeting	"I move that we adjourn"	NO	YES	NO	MAJORITY