

RESOLUTION NO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KALAMA, WASHINGTON SETTING OUT RULES OF PROCEDURE FOR CITY COUNCIL TO ASSIST WITH THE ORDERLY CONDUCT OF COUNCIL BUSINESS INCLUDING CONDUCT OF COUNCIL MEETINGS, SETTING COUNCIL AGENDAS, STANDING COMMITTEES, AND OTHER MATTERS RELATED TO COUNCIL DUTIES

WHEREAS, the Kalama City Council is required pursuant to RCW 35A.12.120 to adopt rules which relate to the City Council procedures, order of business, conduct of Council meeting and such other matters properly related thereto: and

WHEREAS, the Kalama City Council has reviewed the attached Council Rules of Procedure and finds them acceptable and appropriate;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Kalama that the City of Kalama:

SECTION 1. The City Council adopts the attached Exhibit A – City Council Rules of Procedure. For decision points of order, the City shall be governed by the most recent edition of Roberts Rules of Order, a copy which is maintained in the Finance Office at City Hall.

SECTION 2. These Rules of Procedure are designed to assist in the orderly conduct of City Council business. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, its agents and employees nor shall the same result in any invalidation of City Council action.

Be it further resolved this resolution will take effect upon its passage.

Passed by the City Council of the City of Kalama at a regular meeting held on , 2020.

Mayor Mike Reuter

ATTEST:

Coni McMaster, Clerk/Treasurer

Approved as to form

City Attorney

**CITY OF KALAMA
CITY COUNCIL
RULES OF PROCEDURE**

ADOPTED BY RESOLUTION # ON ,2020

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INTRODUCTION

A. Effect/Waiver of Rules- These rules of procedure set forth herein and/or by other ordinance or resolution, are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act. The City Council may implicitly or by a majority vote, determine to temporarily waive any of the provisions herein. Council action taken in disregard or non-conformity with these rules shall be construed as an implicit waiver thereof. Only a sitting councilmember shall enforce these rules.

B. Robert's Rules of Order - On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in Robert's Rules of Order Newly Revised shall prevail.

RULE 1 – MEETINGS

A. Regular Meetings – Regular meetings of the City Council shall be held as set out in KMC 2.08.10 which currently states at 7pm on the first and second Thursdays of each month at the Kalama City Council Chambers at 320 N. First Street, Kalama.

1. If the regularly scheduled meeting date falls on a legal holiday, then the meeting shall be rescheduled by the Mayor to an alternate business date during the week of the regular meeting.

2. The Council by a majority vote, may by motion continue any regular or special meeting to a time and date specified in the motion

B. Workshop or Special Meetings – Workshops or Special meetings or any change in the time and location of a regular meeting shall be called by the City Clerk on the written request of the Mayor or by a majority of the members of the City Council by delivering personally, or by mail, fax, or by electronic mail written notice to each member of the Council; and to each local newspaper of general circulation, and to each radio or television station that has on file with the office of the City Clerk a written request to be notified of such special meeting or of all special meetings at least 24 hours prior to the time of such meeting. The notice shall specify the date, time, and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matters at such meeting. Such written notice may be dispensed with as to any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice. Such waiver may be given by mail, by fax, or by electronic mail.

C. Exceptions – Emergency Meeting - The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage. (Ref. RCW 42.30.080)

D. Open Public Meetings Act/Appearance of Fairness- All Council meetings shall be conducted in conformity with the Open Public Meetings Act (RCW 42.30). In all its dealings, the Council and its individual members shall be governed by RCW 42.36 (Appearance of Fairness Doctrine), RCW 42.20 (Misconduct of Public Officers) and RCW 42.52 (Ethics in Public Service).

E. Quorum – Three Councilmembers shall be a quorum for the transaction of business, but in the absence of a quorum, the members present may adjourn the meeting to a later date.

F. Executive Sessions - The Council may hold Executive Sessions during a regular or special meeting to consider matters allowed under RCW 42.30.110 as it now exists or is hereinafter amended including:

1. Consideration of acquisition or sale of real property if public knowledge would adversely affect the price;
2. Discussion with legal counsel of city enforcement actions or potential or pending litigation in which the city is, or is likely to become, a party;
3. To receive and evaluate complaints against a public employee, unless the employee requests the consideration to be held in an open meeting;
4. Evaluate the performance of an employee or qualifications of an applicant for city employment, so long as the final decision to hire and terms of employment, and decisions to terminate or discipline, are taken in an open meeting;
5. To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs; and
6. To evaluate the qualifications of a candidate for appointment to elective office. See RCW 42.30.110 for complete itemization of executive session topics.

Before convening in executive session, the presiding officer shall announce the purpose of the session and the anticipated length of such session, and whether further action is anticipated. Should the session require more time, a public announcement shall be made that the session will be extended. The council will return to council chambers, as applicable, for adjournment of the meeting. Confidential discussions during executive sessions shall not be disclosed by any councilmember or city official in attendance to any person unless.

G. Attendance - A Council member shall forfeit his/her office by failing to attend three (3) consecutive regular meetings of the Council without being excused by the Council. RCW 35A.13.020 and 35A.12.060.

1. **Council** - Members of the Council may be excused from a meeting by contacting the Mayor prior to the meeting and stating the reason for his/her inability to attend the meeting. If the member is unable to contact the Mayor, the member shall contact the City Administrator, City Clerk Treasurer or Deputy Clerk Treasurer, who shall convey the message to the Mayor. The Mayor shall inform the Council of the member's absence, state the reason for such absence.

2. **Staff** - The City Administrator, Clerk Treasurer or Deputy Clerk Treasurer, Police Chief, Director of Public Works and City Attorney shall attend all regular meetings of the City Council unless excused by the Mayor or City Administrator. Staff attendance at Special meetings and/or work sessions will be at the discretion of the Mayor or City Administrator. The City Attorney, upon request, from the Mayor or Council, shall give an opinion on legal questions. The City Clerk Treasurer shall keep the minutes of Council, record all Council votes and actions and perform such other duties as necessary for the orderly conduct of the meeting.

3. **Media** - All official meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

4. **Remote Attendance** – From time to time, it is not possible for a member of the Council

or Staff to attend a meeting in person. In limited instances a Councilmember or Staff member may attend a meeting via remote communication such as a speaker phone or video technology as provided under KMC 2.08.050.

H. Public Participation/Comment - The City Council appreciates hearing from the public about items on its agenda, and desires to set aside time at each Council business meeting for Public Comment. At the start and close of each meeting, the public may address the Council about any matter concerning City operations. Comments regarding items on the agenda will be taken when that agenda item is heard. Comments should not be taken on items subject to quasi-judicial consideration by the Council, unless it is during a specified public hearing. Speakers are asked to identify the specific agenda items they wish to address, if applicable. Speaker sign-in cards will be available for persons wishing to address the Council.

1. All comments by proponents, opponents or other members of the public shall be made from the microphone; any individuals making comments shall first give their name and address. This is required because an official recorded transcript of the public hearing is being made.

2. No comments shall be made from any other location than the public microphone. Anyone making "out of order" comments shall be subject to removal from the meeting at the request of the Mayor or a vote of the Council. If you are disabled and require accommodation, please advise the City Clerk. During this portion of the meeting, the Presiding Officer will invite the public to talk with the Council about topics that are not scheduled for public testimony on the evening's agenda. Speakers will limit their presentation to 3 minutes, to allow time for all present. No speaker may convey or donate his or her time for speaking to another speaker. If many people wish to speak to a particular issue, Council may limit the total amount of time dedicated to that single issue.

3. During specific agenda items, an opportunity for questions and/or public comment will be invited. Following the introduction and briefing of any of each item and prior to the beginning of Council discussion or a motion, the Presiding Officer will call for public comment on the issue.

4. If many people wish to speak to a particular issue, Council may choose to continue the time for public comment on that issue to a future Council meeting. In the event of single subject group comment, at the discretion of the presiding officer, single time allocation for a spokesperson greater than three (3) minutes can be allowed. Groups that qualify for this exception shall submit to the presiding officer, prior to comment, a list of present group constituents or others in agreement so that duplication will not occur.

5. Speakers are asked to sign in the provided sign-in sheet.

6. Written comments may be submitted into the record of a Council meeting by presenting the written document to the Clerk at the Meeting. A copy of the document will be provided to each Council Member; the document will not be read aloud unless a motion approved by a majority of Council present requests it.

I. Recording of Meetings - All meetings of the City Council with the exception of Executive Sessions, shall be recorded by the City Clerk Treasurer on an audio recording device, unless otherwise authorized by law and a majority vote of Council. Written minutes shall be taken as required by Washington statute.

RULE 2 – CONDUCT OF MEETINGS

A. PRESIDING OFFICER - The presiding officer at all meetings of the Council shall be the Mayor, and, in the Mayor's absence, the Mayor Pro Tempore, who shall conduct the business and deliberations of the Council under these rules. In the absence of the Mayor and Mayor Pro Tempore, with the presence of a quorum of the Council, the Council shall, by motion, appoint one of its members to serve as presiding officer of the Council until the return of the Mayor or Mayor Pro Tempore. The Mayor Pro Tempore shall be appointed as authorized by KMC 2.08.045.

The presiding officer shall:

1. Preserve order and decorum in the Council Chambers;
2. Observe and enforce all rules adopted by the Council for its government;
3. Decide all questions on order, in accordance with these rules, subject to appeal by any member to the Council; and
4. Recognize members of the Council in the order in which they request the floor. No member shall be recognized and given the floor to speak on the same matter more than once until after all other members of the Council have had an opportunity to be recognized and be heard.
5. Retain the authority, during Public Comment and Citizens' Forum, to determine whether a speaker's remarks fail to comply with these Rules or exceed the scope of the designated forums, and the presiding officer shall have the authority to suspend such person's right to speak, subject to the Council's right to overrule such decision.

When the presiding officer is a member of the Council, s/he shall have only these rights, and shall be governed in all matters and issues by the same rules and restrictions, as other Councilmembers. When the presiding officer is a member of the Council, s/he does not lose the right to vote.

B. Respect and Decorum - It is the duty of the Mayor and Council members to maintain dignity and respect for their offices, city staff and the public. While the Council is in session, the Council members shall preserve order and decorum and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disrupt or disparage any member while speaking. All persons present at the meeting of the Council have an obligation to obey the legitimate orders of the presiding officer.

All speakers during Public Comment, in the discussion, comments, or debate of any matter or issue, 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 in respect to any member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant, as determined by the presiding officer, to the questions or matter under discussion. Discourteous behavior may include, but is not limited to, things such as ad hominem attacks or personal insults.

Any person making disruptive, disparaging or impertinent remarks or unreasonably disturbing the business of the Council, either while addressing the Council or attending its proceedings, shall be asked to leave the meeting. Continued disruptions may result in a recess or adjournment

C. Questions/Information Requests - Any member of the Council shall have the right to

question any individual or staff member on matters germane to the issue before the Council without interruption from another councilmember or the presiding officer. A Councilmember may seek clarification or additional information before voting on an issue. If such request delays consideration to another date, approval of a majority of the Council is required.

D. Challenge to Ruling - Any member of the Council shall have the right to challenge any action or ruling of the presiding officer, or member, as the case may be, in which case the decision of the majority of the members of the Council present, shall govern.

E. Confidentiality - Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City's position is not compromised, and to comply with RCW 42.23.070(4), relating to disclosure of confidential information.

F. Transgression. The Council has power under state law to impose punishment on its members, short of removal of office, for violation of state law or Council rules. If a member of the Council shall transgress these rules, the presiding officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. If the presiding officer shall transgress these rules or fail to call such member to order, any other member of the Council may, under a point of order, call the presiding officer or such other member to order, in which case the presiding officer or such member, as the case may be, shall be silent except to explain or continue in order. Additional consequences may include a verbal admonition, written reprimand, censure, expulsion from the meeting at which the conduct is occurring, removal of the Councilmember from the Council committee chair positions or committee memberships, or removal of intergovernmental duties, based on an affirmative vote of a majority of the Council. Expulsion for such behavior in the Council's presence shall require the affirmative vote of a majority of the Council, specifying in the order of expulsion the cause thereof.

RULE 3 – COUNCIL AGENDA PREPARATION - The City Clerk Treasurer, under the direction of the Mayor and City Administrator will prepare the agenda for each Council meeting setting forth a brief description of each item and any supporting documentation to be considered by the Council.

A. Agenda Items - A Councilmember may request an item be considered on a future agenda either by making an oral request at a City Council meeting or submitting the request in writing to the Mayor, City Administrator or Clerk/Treasurer at least (7) seven working days prior to the meeting for which the item is requested to be placed on the agenda. Once an item is placed on the agenda, if a Councilmember wishes to make a formal presentation during that item, that Councilmember will coordinate with and bring materials (power point, handouts, etc.) to the Mayor or appropriate staff designee at least by the Wednesday preceding the scheduled meeting date.

B. Members of the Public - A member of the public may request an item be placed on a future agenda while addressing the City Council during a regular meeting and/or by submitting the request in writing to the City Council, through the City Clerk's office. City Staff will review and research the request within 10 working days. The City Clerk will notify the requester if the item has been placed on the agenda or if not will send in writing the results of the research and why it was not place on the agenda.

C. Council Packet Distribution - The notice of the preliminary agenda will be sent via email to all members of Council by 12:00 p.m. on Thursday prior to the following weeks Thursday evening Council meeting. The deadline for agenda item submission/changes to the draft agenda shall be

12:00 p.m. on Friday prior to the following weeks Thursday evening meeting. The agenda will be put in final form by 5:00 p.m. on that Friday with agendas and packets distributed via e-mail, through Google Drive, including all materials related to the agenda items. In addition, the agenda shall be posted on the city's website no later than 5:00 p.m. on Monday the week of the Thursday meeting. If there is a holiday the week of agenda preparation, the deadlines all move forward one business day.

D. Emergency Items - Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disasters, and other severe emergencies. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting.

E. Removing Items - During the "Changes to the Agenda" portion of the meeting, any item may be removed from the agenda for any reason upon the request of any Councilmember. However, two Councilmembers may demand the item be reinstated to the agenda. The item shall be brought before the Council as regular business on the agenda and only tabled, continued or rejected by a majority vote.

F. Adding Items - Items should be added through a request sent to the Mayor, City Administrator, or City Clerk prior to a meeting. If absolutely necessary, during the "Changes to the Agenda" portion of the meeting, any Councilmember can request that an item be added to that night's agenda. A majority of the Councilmembers present must approve the addition of the item through an affirmative motion. At a Special Meeting, items may be added for discussion but no action may be taken.

G. Executive Session/Recess. The agenda may be interrupted for a stated time to adjourn to Executive Session or recess at the prerogative of the Presiding Officer and/or Council President, unless overruled by a Council majority. At the call of the presiding officer, or with a majority vote, the City Council may recess to Executive Session to privately discuss and consider matters of confidential concern to the well-being of the City. The purposes for which an Executive Session may be held are identified in RCW 42.30.110 and in Rule 1, part F.

H. Consent Agenda Item. Matters of business which are routine in nature may be placed on the consent agenda. No discussion shall take place beyond simple questions for clarification. Any Councilmember may request a Consent Agenda Item be moved to the regular agenda, for which no second is required.

I. Agenda Rearrangement. During a meeting, the presiding officer may rearrange, change the sequence, or add to or remove items from the Agenda with agreement of a majority of the Councilmembers.

RULE 4 – ORDER OF BUSINESS

The order of business shall be as follows:

- Call to Order
- Flag salute
- Roll Call
- Changes to the Agenda

- Proclamations/Special Presentations
- Public Hearings
- Unfinished Business
- New Business
- Ordinances & Resolutions
- Public Comments
 - A second opportunity for the public to address the Council, following the same procedures and rules outlined in Rule 1- H.
- Mayor & Council Reports
- Department Reports
- Consent Agenda
 - Approval of the Consent Agenda, consisting generally of one or more of the following items:
 - Approval of minutes.
 - Approval of vouchers.
 - Setting dates of public hearings/workshops or special meetings.
 - Committee/Board Appointments
 - Other items as necessary.
- Executive Session (as needed)
- Adjournment

RULE 5 – Agenda Items

A. Public Hearings

1. Time of Hearings. The time for commencing a public hearing or appeal shall be noted in the Council meeting agenda. The presiding officer may modify the order of business under Rule 4 in order to conduct the hearing or appeal at or about the designated time.

2. Quasi-Judicial Body. In hearing appeals, the Council sits as a quasi-judicial body. It shall conduct the hearing on an appeal in accordance with provisions of the Kalama Municipal Code and these rules, as applicable.

3. Public Hearing Process - The Chair introduces the agenda item, opens the public hearing and announces the following Rules of Order:

a. All comments by proponents, opponents, or other members of the public shall be made from the podium; any individual making comments shall first give their name and address.

b. No comments shall be made from any other location. Anyone making "out of order" comments shall be subject to removal from the meeting. If you are disabled and require accommodation, please advise the chair.

c. There shall be no demonstrations (i.e. applause) during or at the conclusion of anyone's presentation.

d. These rules are intended to promote an orderly system of holding a public hearing, giving every person an opportunity to be heard ensuring that no individual is annoyed

or embarrassed by exercising his/her right of speech.

4. Order of the Hearing

a. The Chair may call City Staff to describe the matter under consideration.

b. The Chair calls upon proponents, opponents, and all other individuals who wish to speak regarding the matter under consideration.

c. The Chair inquires as to whether any Council member has questions to ask the proponents, opponents, speakers or staff. If any Council member has questions, the appropriate individual will be recalled to the podium.

d. The Chair continues the public hearing to a time specific or closes the public hearing.

5. Quasi-Judicial Hearings – These follow the same procedures as a standard public hearing with the exception of the following:

a. The Chair shall announce the matter for consideration and ask Council members to indicate any ex parte oral or written communications with a party, conflicts of interest or any appearance of fairness issues. After all disclosures are made, the Chair will ask if any party to the quasi-judicial matter desires to challenge or request a Council member abstain from the decision on the matter. The challenge shall be placed on the record.

B. Ordinances and Resolutions - No ordinance or resolution shall be read until reviewed as to form and legality by the City Attorney.

Reading of ordinances and resolutions at all Council meetings shall be deemed sufficient by the reading of a brief synopsis of the title of the ordinance or the purpose of the resolution, and the reading in full of the same shall not be required unless the full reading of any particular ordinance or resolution be requested by any member of the Council, in which event said request shall be complied with if a majority of the Councilmembers present concur in the request.

RULE 6 – MOTIONS & VOTING

A. Motions - Motions shall be clear and concise and shall not include arguments for the motion within the motion.

1. If a motion does not receive a second it dies. Motions that do not need a second include: questions of privilege, orders of the day, points of order, objecting to the consideration of the question, parliamentary inquiries, and points of information.

2. After a motion and a second, the Chair shall state the names of the Council members making the motion and second and Council will be given the opportunity to discuss their opinions on the issue prior to the vote.

3. No further citizen comments without Council request or permission may be heard once a motion and second is on the floor without a suspension of the rules.

4. Motions for items not related to an item on the agenda may be considered by the council if the matter is an emergency or action cannot wait until the next regular council meeting, Motions that do not fit this criteria will automatically be placed on the agenda for the next meeting.

5. A motion may be withdrawn by the maker of the motion at any time if there is no objection from any member of Council.

6. A motion to table requires a second only (no vote required) and is not debatable. If a motion to table prevails, the chair shall move to the next item on the agenda. A tabled motion can be taken from the table at the same meeting or at the next regular meeting. Any Council member may move to remove the item from the table for consideration. Such a motion requires a second and a majority vote of those present and is not debatable. If an item is not removed from the table by the end of the next regular meeting, it shall be considered expired.

7. A motion to postpone to a certain time requires a second is debatable, is amendable, and may be reconsidered at the same meeting or a future meeting. The question being postponed must be considered at that later time.

8. A motion to call for the question shall close debate on the main motion and is non-debatable. This motion must receive a second and fails without a 2/3 vote of those present. (If 5 Council members are present, then 3 must vote in the affirmative to meet this 2/3 requirement.) Debate is reopened if the motion fails.

9. A motion to amend is defined as amending the motion that is on the floor and has been seconded, by inserting or adding, striking out, or substituting.

10. The motion maker, the Mayor, or the City Clerk Treasurer should repeat the motion prior to voting. At the conclusion of any vote, the Chair shall inform the Council of the results of the vote.

B. Motions to Reconsider - Except in those circumstances described in Rule 6- A , a motion to reconsider must be made by a councilmember who voted with the majority on the principal question and must be made either at the same meeting at which the vote sought to be reconsidered was taken or at the next scheduled regular meeting. Councilmembers wishing to have a matter reconsidered must notify the Clerk-Treasurer in time for the reconsideration to be listed on the agenda as per Rule 3 of these rules.

Notwithstanding the preceding language, a motion to reconsider a quasi-judicial decision after the close of testimony is prohibited and is out of order. The Rules shall not be suspended to allow for reconsideration whenever the Council is acting in a quasi-judicial capacity. The Council reserves the right to enact rules specific to quasi-judicial hearings.

C. Voting - Votes during Council meetings shall be conducted as follows:

1. All votes shall be taken by roll call and recorded by the City Clerk Treasurer
2. Each Council member shall vote on all questions and matters before the Council, unless a conflict of interest or appearance of fairness disqualifies the member.

In accordance with RCW, the Mayor does not participate in Council votes, unless it becomes

necessary to a break a tie vote. The Mayor shall not break a tie Council vote involving the passage of an ordinance, the acceptance of a grant, the revocation of a franchise or a license, or the payment of money.

D. Questions of Interpretation - The City Attorney shall decide all questions of interpretations of these policies and procedures and all other questions of parliamentary nature to the best of his/her abilities, which may arise at a Council meeting. All cases not provided for in these policies and procedures shall be governed by the most recent version of Robert's Rules of Order. In the event of a conflict, these policies and procedures shall prevail.

Rule 7 – Communications

A. All letters, memoranda, and interactive computer communication involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function are public records. Copies of such letters, memoranda, and interactive computer communication may not be provided to the public or news media without the filing of a public records request with the City Clerk.

B. Emails, letters or other communications sent to the council as a whole should receive, at minimum, a response from the Mayor (or a designee, if appropriate). The response should be cc'd to all Councilmembers. This should not preclude a response from individual Councilmembers to these communications.

C. Written Communications. Written letters and memoranda received by the City, addressed to the Council as a body will be photocopied and/or scanned and provided to all City Councilmembers, and a copy kept according to the City's Records Retention Schedule.

D. Electronic Communications.

1. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes need not be retained. Users may delete these messages once their administrative purpose is served.

2. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.

- a. City Council email accounts will be automatically forwarded to ??????
- b. Councilmembers will forward any non-city account e-mail that pertains to City business to cityclerk@kalama.com.
- c. If a person sends an e-mail to a Councilmember and requests that it be included in the record of a particular public hearing, the Councilmember will forward said e-mail to the City Clerk at cityclerk@kalama.com.
- d. If a Councilmember wishes that an e-mail be distributed to a City staff member, the Councilmember will send that message directly to the City Administrator who will direct it to the relevant department head for a response.
- e. Staff will automatically save the e-mail according to an established retention schedule.
- f. Staff will not review e-mail unless a public records request is received.

3. Councilmembers should avoid e-mail exchanges which ultimately involve three

or more councilmembers. For example, if one Councilmember communicates to two Councilmembers, then that communication is forwarded to a third, a quorum has now participated and a meeting subject to the Open Public Meetings Act has occurred. Note that the third Councilmember need not reply to participate since a Councilmember may be silent during a regular open meeting without depriving a board of its quorum. This scenario is sometimes referred to as a "rolling quorum."

4. A Councilmember may send an informational e-mail to the Clerk/Treasurer or City Administrator for dissemination to the entire Council as informational only and that no response is desired.

5. E-mail should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other "confidential" City business. In general, e-mail is discoverable in litigation, and even deleted e-mail is not necessarily removed from the system. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.

6. City e-mail accounts will not be used for personal use, since Councilmembers' conventional e-mail addresses include the City's "return address".

7. Councilmembers are encouraged to use city email accounts to respond to email communications. This allows for proper record retention. If councilmembers choose to use personal email addresses, they should copy the City Clerk at cityclerk@kalama.com.

E. Social Media - This policy outlines the roles, responsibilities, and best practice recommendations for the use of social media/new media by individual Council Members in their capacity as elected officials. The Legislative Department is committed to open and progressive communications between elected officials and constituents within the limits of the law. To the extent possible, all forms of communication will be embraced and all online technologies are eligible for consideration.

1. Definitions

"Social media," aka "Web 2.0," is defined here as the use of third-party hosted online technologies that facilitate social interactions and dialogue. These online technologies are operated by non-city hosted services and are used by the Legislative Department and/or individual Council Members to communicate with the public. Such third-party hosted services/tools may include, but are not limited to, social networking sites (MySpace, FaceBook, Linked-In), micro-blogging tools (Twitter, RSS feeds), audio/visual networking sites (YouTube, Flickr), blogs, etc.

These guidelines apply to any social media site or tool used by individual Council Members in their official capacity to communicate with constituents or the general public. It is the individual Council Member's responsibility to ensure compliance with this policy.

"Council Member" here includes Council Members and any staff working on a Council Member's

behalf to represent him or her using a social media tool.

2. 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 sessions and community meetings.

Social media are not to be used as mechanisms 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. Council Members' social media site(s) should contain links directing users back to the Council's official website for in-depth information, forms, documents, or online services necessary to conduct official City business.

At the discretion of the Mayor or City Administrator, social media applications, tools, or sites may be limited or banned if they are not or cannot be used in compliance with this policy.

3. Compliance

No content that promotes or advertises commercial services, entities, or products may be posted.

Council Members shall not post comments or links to any content that endorses or opposes political candidates or ballot propositions, including links to a Council Member's campaign site (RCW 41.06.250; RCW 42.17.130; RCW 42.17.190).

4. Records Retention - State and local records retention laws and schedules apply to 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 to the extent possible. Prior approval of the retention format and procedures for each social media tool being used must be received from the City Clerk, her designee, or IT Department staff. It is the responsibility of each Council Member 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 Council Member, Council Member postings to social media sites maintained by others must be retained by the posting Council Member. Printouts of postings to others' sites may suffice for retention purposes. Council Members should consult with the City Clerk for the applicable retention schedule and method.

RULE 8 – SUSPENSION OF RULES

No rule shall be suspended except by a two-thirds majority vote of Councilmembers present at the meeting, and a motion to suspend a rule is not debatable. Vote on the motion may be by voice vote of the Council, or by roll call if requested by a member of the Council.

When matters are to be taken out of order, or a particular task can be better handled without formal rules in place, this motion can be approved by a two-thirds vote of the group. However, until the rules are restored, only discussion can occur; no decisions can be made. Second required, not debatable, not amendable.

This may be done when a more open discussion would be valuable.

DRAFT