

CHAPTER 2.04

CITY COUNCIL

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2.04.010: Regular Council Meetings: The Council shall meet on the first and third Tuesdays of each month at seven-thirty P.M. When a Council meeting falls on a holiday, the regular meeting shall be held on the following Wednesday at the same hour unless otherwise provided by motion. The City Council may cancel or reschedule regular meetings at a different date or time by a motion. The place of the meeting shall be the Council chambers in the City Hall, and all regular and special meetings shall be public. (Ord. 2902 Sec. 1, 1985; Ord. 2211 Sec. 1, 1978; Ord. 1286 Sec. 1, 1964)

2.04.020: Council Meeting Agenda:

(1) All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council shall, at least twelve business hours prior to each Council meeting, be delivered to the City Manager whereupon he shall arrange a list of such matters according to the order of business. The City Clerk shall furnish each member of the Council, the City Attorney, and local news media with a copy of the agenda at least eight business hours prior to the Council meeting, and under normal circumstances on the Friday preceding regular meetings.

(2) The City Council agenda will be made available upon request on the Friday preceding each regular Council meeting. Citizens desiring a mailed copy may subscribe for an annual subscription fee to cover the costs of mailing. Subscriptions by e-mail or fax are at no charge. The City Clerk shall also provide current Council information on the City web site. (Ord. 4082 Sec. 1, 2003; Ord. 3151 Sec. 4, 1988; Ord. 1286 Sec. 2, 1964)

2.04.030: Special Meetings:

(1) Special meetings may be called by the mayor or any four members of the Council. The City Clerk shall prepare a notice of the special meeting, stating the time, place, and object, and personally serve notice upon each of the City Council at least 24 hours before the time of meeting. The City Clerk shall attempt to notify each member of the Council in person, either by telephone or otherwise, of the special meeting. The City Clerk shall give notice of the special meeting to local news media. The City Council may not make final disposition of any matter not mentioned in the notice.

(2) Written notice may be waived in writing by any Councilmember and is waived by his presence at the meeting.

(3) Special meetings may be called in less than 24 hours, and without the notice required in this section, to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage. (Ord. 4082 Sec. 2, 2003: Ord. 3151 Sec. 3 1988: Ord. 1286 Sec. 3, 1964)

2.04.040: Adjourned Sessions: Any session of the Council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting thereafter. (Ord. 1286 Sec. 4, 1964)

2.04.045: Executive Sessions: Executive sessions or closed meetings may be held in accordance with the provisions of the Washington State Open Meetings Act. (Ord. 3242 Sec. 2, 1990)

2.04.050: Presiding Officer: The mayor shall take the chair at the hour appointed for the Council to meet, and shall immediately call the members to order. The roll shall then be called by the clerk, who shall enter in the minutes of the meeting the names of the members present. Four Council members shall be in attendance to constitute a quorum. (Ord. 1286 Sec. 5, 1964)

2.04.060: Call to Order: The meetings of the Council shall be called to order by the Mayor, or, in his absence, by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Clerk for the election of a temporary chairman. The roll shall then be called by the City Clerk, who shall enter in the minutes of the meeting the names of the members present. Four Councilmembers shall be in attendance to constitute a quorum. (Ord. 4082 Sec. 3, 2003: Ord. 1286 Sec. 6, 1964)

2.04.070: Presiding Officer - Powers: The presiding officer may move, second, and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges of a Councilman by reason of his acting as the presiding officer. (Ord. 1286 Sec. 7, 1964)

2.04.080: City Manager: The City Manager shall attend all meetings of the Council, unless excused by the Council. He shall keep the Council fully advised as to the financial condition and needs of the City. He may make recommendations to the Council and may take part in discussion on all matters concerning the welfare of the City. He shall have a seat, but no vote, in the meetings of the City Council. (Ord. 1286 Sec. 8, 1964)

2.04.090: City Clerk: The City Clerk, or such other person as the City Manager may designate, shall be ex officio clerk of the Council and shall keep minutes of the meeting and

perform such other further duties in the meeting as may be ordered by the City Manager. (Ord. 3242 Sec. 1 (part), 1990: Ord. 1286 Sec. 9, 1964)

2.04.100: City Attorney: The City Attorney shall attend all meetings of the Council, unless excused by the City Manager. Any member of the Council may, at any time during a regular or special meeting of the Council, call upon the City Attorney for an oral or written opinion to decide any question of law, but not to decide upon any parliamentary rules. (Ord. 3242 Sec. 1 (part), 1990: Ord. 1286 Sec. 10,1964)

2.04.110: Officers and Employees to Attend: The head of any department or any officer or employee of the City, when requested by the mayor, the City Council, or the City Manager shall attend any regular, adjourned, or special meeting and confer with the Council on all matters relating to the City. (Ord. 1286 Sec. 11, 1964)

2.04.120: Order of Business: The business of all regular meetings of the Council shall be transacted in the following order, unless the Council, by a majority vote of the members present, suspends the rules and changes the order:

- (1) Call to order - Roll call;
- (2) Approval of agenda;
- (3) Consent agenda;
- (4) Visitors;
- (5) Ordinances and resolutions;
- (6) Public hearings/Meetings;
- (7) Unfinished business;
- (8) New business;
- (9) Council action/Discussion;
- (10) Adjournment.

The consent agenda may contain items which are of a routine and noncontroversial nature which may include but are not limited to the following: communications, memos and reports for information of Council, resolutions, agreements, petitions, minutes of commission and boards, applications, approval of accounts, which may be accepted by consent of the Council by a single vote without reading, unless a member of the Council should request such reading and such request shall be granted. Minutes of the preceding meeting, and bills tendered for payments shall not be read in detail at each meeting prior to approval, unless a member of the Council should request such reading. In such instances the request shall be granted. Any item on the consent agenda may be removed and considered separately as an agenda item at the request of any Councilmember. (Ord. 3242 Sec. 1 (part), 1990: Ord. 2774 Sec. 1, 1983: Ord. 2180, 1978: Ord. 1996 Sec. 1, 1976: Ord. 1286 Sec. 12, 1964)

2.04.130: Rules of Order: "Robert's Rules of Order Newly Revised" shall govern the deliberations of the City Council, except as they may be in conflict with the following specific rules:

- (1) Motion to be Stated by Chair - Withdrawal: When a motion is made and seconded, it shall be stated by the chair before debate. Any member may demand that it be put in writing. A motion may not be withdrawn by the mover without the consent of member seconding it, and the approval of the Council;
- (2) Motion Out of Order: The presiding officer may at any time by a majority vote, permit a member to introduce an ordinance, resolution, or motion out of the regular order;

(3) Motion to Adjourn: When not in order, not debatable. A motion to adjourn shall be in order at any time, except as follows:

- (a) When repeated without intervening business or discussion,
- (b) When made as an interruption of a member while speaking,
- (c) When the previous question has been ordered,
- (d) While a vote is being taken. A motion to adjourn is debatable only as to the time to which the meeting is adjourned;

(4) Amend to Strike Out and Insert: On an amendment to "strike out and insert" the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out and those to be inserted shall be read, and finally the paragraph as it would stand if so amended shall be read;

(5) Reconsideration: After the decision on any question any member who voted with the majority may move a reconsideration of any action at the same or the next succeeding meeting; provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. After a motion for reconsideration has once been acted on, no other motion for a reconsideration thereof shall be made without unanimous consent. (Ord. 4082 Sec. 4, 2003: Ord. 3242 Sec. 1 (part), 1990: Ord. 1286 Sec. 13, 1964)

2.04.150: Ordinances - Introduction: All proposed ordinances shall be prepared by the City Attorney and bear his certification that they are in correct form. The City Manager shall attach to each proposed ordinance a brief digest of the provisions thereof and where it is proposed to amend an existing ordinance; such digest shall indicate the change sought to be made; said digest shall also show the name of the department or party at whose request the proposed ordinance was prepared by the City Attorney. (Ord. 1286 Sec. 15, 1964)

2.04.160: Ordinances - Enactment Procedure: The title to an ordinance shall in all cases be read prior to its passage. The enacting clause of all ordinances shall be as follows: "The City Council of the City of Kennewick do ordain as follows:". No ordinance shall contain more than one subject and that must be clearly expressed in its title.

No ordinance or any section or subsection thereof shall be revised or amended unless the new ordinance sets forth the revised ordinance or the amended section or subsection at full length. (Ord. 3613 Sec. 1, 1995: Ord. 3493 Sec. 1, 1993: Ord. 3151 Sec. 1, 1988: Ord. 1286 Sec. 16, 1964)

2.04.170: Ordinances - When Effective: No ordinance shall take effect until five (5) days after the date of its publication unless otherwise provided by statute, except an ordinance passed by a majority plus one of the whole membership of the Council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace, may be made effective upon adoption, but such ordinance may not levy taxes, grant, renew, or extend a franchise, or authorize the borrowing of money. The City Clerk will normally publish a summary of all ordinances unless otherwise directed by the City Council or Manager or unless otherwise required by law. (Ord. 3151 Sec. 2, 1988: Ord. 1286 Sec. 17, 1964)

2.04.180: Consent to Lobby - City Council:

(1) It is recognized by the City Council that it is in the best interest of the citizens of the City for the preservation of their individual rights and the collective needs of the City

and its citizens that it is the moral and practical responsibility of the City Council to participate in the process of drafting and enacting State and Federal legislation subject to the limitations and requirements of chapter 42.17 RCW.

(2) Members of the City Council shall be reimbursed for all necessary travel and living expenses incurred for services rendered on behalf of the City in connection with providing information to or communicating with any Federal or State elected official or legislative or administrative body; provided, that this Section shall not permit the use of any such funds as direct or indirect emolument, or direct or indirect campaign contribution, provided to any Federal or State elected official employee, legislative or administrative body who is contacted. All funds so expended shall be reported as required by RCW 42.17.190. (Ord. 2362 Sec. 4 (part), 1979; Ord. 2037 Sec. 4, 1977)