CITY OF KIRKLAND
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Marilynne Beard, Deputy City Manager

Date: October 6, 2015

Subject: CITY COUNCIL POLICIES AND PROCEDURES – REMOTE ATTENDANCE AT CITY COUNCIL MEETINGS

RECOMMENDATION:

City Council approves the attached resolution amending the City Council Policies and Procedures to provide for remote attendance by City Council members at City Council meetings.

BACKGROUND DISCUSSION:

On several occasions in the past, City Council members have participated in Council meetings via conference phone. These occasions included participation in study sessions and board and commission interview meetings. Staff is recommending that the City Council formally adopt a policy regarding the conditions and procedures for attending remotely. The draft policy was presented to the Finance and Administration Committee and their recommended changes are incorporated in the proposed policy.

The proposed policy (shown as Attachment A to this memo) allows Council members to remotely attend all or a portion of a study session, regular or special meeting up to two times per year. The City Clerk would provide for a conference phone and amplification so that the City Council and audience can hear the Council member's comments and the Council member can hear Council's comments as well as those of speakers. The ability to participate remotely is conditioned on the ability for all persons present at the meeting to hear the remote participant and vice versa. Council members who intend to participate remotely would notify the City Council at the meeting prior to the meeting that they wish to attend remotely. If that is not possible, they would notify the City Manager at least a day prior to the meeting. If circumstances do not allow notification the day prior to the meeting, remote participation would depend on staff's ability to set up the necessary equipment. Every effort will be made to allow for the member's remote participation.

If a Council member is participating remotely, they would generally be called on last for each round of Council comments on an agenda item. Otherwise, the Mayor and City Clerk will assure that the Council member is recognized when requesting to comment. Any votes taken during remote attendance would be roll call votes so that voting results are clear to the City Council, City Clerk and the public.

The policy applies only to City Council meetings. The Committee agreed that any member can participate remotely in Council committee meetings.

ATTACHMENT A

3.24 Remote Attendance at Council Meetings. From time to time, a Council Member may not be able to be physically present at a Council meeting, but will want to be involved in the discussion and/or decision on a particular agenda item. The procedure and guidelines for permitting a Council Member to attend a Council meeting by speakerphone or other audio/video equipment are as follows. Remote attendance should be the rare exception, not the rule, and remote attendance is limited to two times per year per Council Member.

1. Examples of situations where remote attendance would be appropriate include, but are not limited to:

    a. An emergency exists which prevents Council Members from attending in person and immediate action is needed.

    b. An agenda item is time sensitive, and remote attendance is needed for a quorum.

    c. An agenda item is of very high importance to the Council Member who cannot be physically present.

    d. It is important for all Council Members to be involved in a decision, but one Council Member is unable to be physically present.

2. Procedure and Guidelines. If a Council Member wishes to participate in Council meeting agenda items remotely, the Council Member should notify Council of his or her intent at the Council meeting prior to the meeting which they wish to attend remotely. If that is not possible, the Council Member should notify the City Manager not later than the business day prior to the Council meeting which the Council Member wishes to attend remotely. With less notice, it may not be possible to make the necessary arrangements to allow remote attendance. If the Mayor attends remotely, he or she may participate in discussions, but the Deputy Mayor, if physically present at the Council meeting shall be the presiding officer.

When the particular agenda item involving remote attendance is ready to be discussed, the presiding officer shall inform all present of the intent to initiate a remote communication.

    a. The presiding officer shall confirm and announce that all present at the meeting and in the remote location can clearly hear all other parties and (as appropriate) access visual content that may be presented.

    b. With such confirmation, Council Members – whether they are physically at the meeting or at a remote location - constituting a majority may approve the use of remote communication for all or any specified portion of the meeting.

c. When the portion of the Council meeting for which remote attendance has been approved has concluded, the presiding officer shall announce the same and the attendance of the Council Member communicating remotely shall end. The City Clerk shall record the beginning and ending times of the remote attendance.

d. In the event that a remote communication link is broken or significantly degraded such that it no longer meets the full requirements of this section, the presiding officer shall confirm the loss of service and announce the close of the remote attendance. The attendance of the Council Member communicating remotely shall end. The City Clerk shall record the time of the closure.

3. Requirements of the System. The Council Member attending remotely must be able to hear the discussion on the agenda item taking place in the Council chambers, and must be able to be heard by all present in Council Chambers.

4. For purposes of voting, remote attendance at a Council meeting shall be considered equal to being physically present at the meeting. All votes conducted with a Council Member attending remotely shall be conducted by roll call.

RESOLUTION R-5164

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ADDITION OF SECTION 3.24, "REMOTE ATTENDANCE AT COUNCIL MEETINGS," TO THE KIRKLAND CITY COUNCIL POLICIES AND PROCEDURES, AND READOPTING ALL OF THE COUNCIL POLICIES AND PROCEDURES.

WHEREAS, the City Council approved updated and consolidated City Council Policies and Procedures, as recommended by the Finance and Administration Committee, with the passage of Resolution R-5145 on September 1, 2015; and

WHEREAS, the Finance and Administration Committee now recommends that the full Council add a new section entitled "Remote Attendance at Council Meetings" to the City Council Policies and Procedures and that the Council readopt all of the Council Policies and Procedures; and

WHEREAS, the City Council desires that City government be transparent and accountable to the public; and

WHEREAS, the City Council seeks to govern in a manner that is responsive to the community, in collaboration with City management, and in a business-like and professional manner; and

WHEREAS, written principles, policies and procedures best assure an atmosphere conducive to principled, accountable and transparent governance.

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The updated "City of Kirkland City Council Policies and Procedures," including the addition of Section 3.24, "Remote Attendance at Council Meetings," dated October 2015, attached as Exhibit A and incorporated by this reference are approved.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2015.

Signed in authentication thereof this _____ day of _____, 2015.

_____
MAYOR

Attest:

_____
City Clerk

R-5164
Exhibit A

CITY OF KIRKLAND
CITY COUNCIL POLICIES AND PROCEDURES

October 2015

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CHAPTER 1: CITY COUNCIL VISION AND GOALS

1.01 Vision. Kirkland is an attractive, vibrant and inviting place to live, work and visit. Our lakefront community is a destination for residents, employees and visitors. Kirkland is a community with a small-town feel, retaining its sense of history, while adjusting gracefully to changes in the twenty-first century.

1.02 Goals — Purpose. The purpose of the City Council Goals is to articulate key policy and service priorities for Kirkland. Council goals guide the allocation of resources through the budget and capital improvement program to assure that organizational work plans and projects are developed that incrementally move the community towards the stated goals. Council goals are long term in nature. The City's ability to make progress towards their achievement is based on the availability of resources at any given time. Implicit in the allocation of resources is the need to balance levels of taxation and community impacts with service demands and the achievement of goals.

1.03 Operational Values. In addition to the Council goal statements, there are operational values that guide how the City organization works toward goal achievement:

- **Regional Partnerships** – Kirkland encourages and participates in regional approaches to service delivery to the extent that a regional model produces efficiencies and cost savings, improves customer service and furthers Kirkland's interests beyond the our boundaries.

- **Efficiency** – Kirkland is committed to providing public services in the most efficient manner possible and maximizing the public's return on their investment. We believe that a culture of continuous improvement is fundamental to our responsibility as good stewards of public funds.

- **Accountability** – The City of Kirkland is accountable to the community for the achievement of goals. To that end, meaningful performance measures will be developed for each goal area to track our progress toward the stated goals. Performance measures will be both quantitative and qualitative with a focus on outcomes. The City will continue to conduct a statistically valid citizen survey every two years to gather qualitative data about the citizen's level of satisfaction. An annual Performance Measure Report will be prepared for the public to report on our progress.

- **Community** – The City of Kirkland is one community composed of multiple neighborhoods. Achievement of Council goals will be respectful of neighborhood identity while supporting the needs and values of the community as a whole.

The City Council Goals are dynamic. They should be reviewed on an annual basis and updated or amended as needed to reflect citizen input as well as changes in the external environment and community demographics.

1.04 City Council Goals

NEIGHBORHOODS

Value Statement: The citizens of Kirkland experience a high quality of life in their neighborhoods.

Goal: Achieve active neighborhood participation and a high degree of satisfaction with neighborhood character, services and infrastructure.

PUBLIC SAFETY

Value Statement: Ensure that all those who live, work and play in Kirkland are safe.

Goal: Provide for public safety through a community-based approach that focuses on prevention of problems and a timely response.

HUMAN SERVICES

Value Statement: Kirkland is a diverse and inclusive community that respects and welcomes everyone and is concerned for the welfare of all.

Goal: To support a regional coordinated system of human services designed to meet the special needs of our community and remove barriers to opportunity.

BALANCED TRANSPORTATION

Value Statement: Kirkland values an integrated multi-modal system of transportation choices.

Goal: To reduce reliance on single occupancy vehicles and improve connectivity and multi-modal mobility in Kirkland in ways that maintain and enhance travel times, safety, health, and transportation choices.

PARKS, OPEN SPACES AND RECREATIONAL SERVICES

Value Statement: Kirkland values an exceptional park, natural areas and recreation system that provides a wide variety of opportunities aimed at promoting the community's health and enjoyment.

Goal: To provide and maintain natural areas and recreational facilities and opportunities that enhance the health and well-being of the community.

DIVERSE HOUSING

Value Statement: The City's housing stock meets the needs of a diverse community by providing a wide range of types, styles, size and affordability.

Goal: To ensure the construction and preservation of housing stock that meet a diverse range of incomes and needs.

FINANCIAL STABILITY

Value Statement: Citizens of Kirkland enjoy high-quality services that meet the community's priorities.

Goal: Provide a sustainable level of core services that are funded from predictable revenue.

ENVIRONMENT

Value Statement: We are committed to the protection of the natural environment through an integrated natural resource management system.

Goal: To protect and enhance our natural environment for current residents and future generations.

ECONOMIC DEVELOPMENT

Value Statement: Kirkland has a diverse, business-friendly economy that supports the community's needs.

Goal: To attract, retain and grow a diverse and stable economic base that supports city revenues, needed goods and services and jobs for residents.

DEPENDABLE INFRASTRUCTURE

Value Statement: Kirkland has a well-maintained and sustainable infrastructure that meets the functional needs of the community.

Goal: To maintain levels of service commensurate with growing community requirements at optimum life-cycle costs.

CHAPTER 2: CITY COUNCIL CODE OF CONDUCT

2.01 Code of Conduct for City Council and Boards and Commissions. The Code of Conduct is supplemental to the Kirkland Municipal Code and the Code of Ethics and applies to the City Council and all members of City advisory boards and commissions. The Code of Conduct describes how Kirkland officials treat each other and work together for the common good of the community. Conducting the City's business in an atmosphere of respect and civility is the underlying theme in this Code. City Officials are responsible for holding themselves and each other accountable for displaying actions and behaviors that consistently model the ideals expressed in the Code.

Implicit in the Code of Conduct is recognition of the worth of individual members and an appreciation for their individual talents, perspectives and contributions. The Code will ensure an atmosphere where individual members, staff and the public are free to express their ideas and work to their full potential.

As a City Official of the City of Kirkland, I agree to these principles of conduct:

We consistently demonstrate the principles of professionalism, respect and civility in working for the greater good of Kirkland.

We assure fair and equal treatment of all people.

We conduct ourselves both personally and professionally in a manner that is above reproach.

We refrain from abusive conduct, personal charges or verbal attacks on the character or motives of Council members, commissioners, staff and the public.

We take care to avoid personal comments that could offend others.

We show no tolerance for intimidating behaviors.

We listen courteously and attentively to all public discussions and treat all people the way we wish to be treated.

We serve as a model of leadership and civility to the community.

Our actions inspire public confidence in Kirkland government.

Keeping in mind the common good as the highest purpose, we will focus on holding efficient meetings that achieve constructive solutions for the public benefit.

We work as a team to solve problems and render decisions that are based on the merits and substance of the matter.

We respect differences and views of other people.

We adhere to the principles and laws governing the Council/Manager form of government and treat all staff with respect and cooperation.

We will refrain from interfering with the administrative functions and professional duties of staff.

We will not publicly criticize individual staff but will privately communicate with the City Manager any concerns about a department or department director or staff person.

We will refrain from negotiating or making commitments without the involvement and knowledge of the City Manager.

We will work with staff in a manner that consistently demonstrates mutual respect.

We will not discuss personnel issues, undermine management direction, or give or imply direction to staff.

We will communicate directly with the City Manager, department directors or designated staff contacts when asking for information, assistance or follow up.

We will not knowingly blindside one another in public and will contact staff prior to a meeting with any questions or issues.

We will not attend City staff meetings unless requested by staff.

CHAPTER 3: CITY COUNCIL MEETINGS

3.01 Rules Governing the Conduct of Meetings. The order of procedure contained in this Chapter shall govern deliberations and meetings of the Council of the City of Kirkland, Washington. *Roberts Rules of Order, Newly Revised*, shall govern the deliberations of the Council except when in conflict with any of the rules set forth in this Chapter.

3.02 Submittal of Council Agenda Items. Items of business to be considered at any Council meeting shall be submitted to the City Manager no later than the Wednesday morning prior to a scheduled Council meeting. A written agenda and informational material is to be prepared and sent the Friday preceding each meeting to each Councilmember. Urgent items arising after the regular agenda has been prepared may be placed on the agenda if the Councilmember or City Manager explains the necessity and receives a majority vote of the Council on a motion to add the item.

3.03 Regular Meetings. Regular meetings of the Council shall be held as provided for by ordinance.

3.04 Quorum. At all meetings of the Council, a majority of the Councilmembers shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time to secure the attendance of absent members.

3.05 Order of Business. The order of business shall be as follows:

1. Call to Order
2. Roll Call
3. Study Session
4. Executive Session
5. Honors and Proclamations
6. Communications
    a. Announcements
    b. Items from the Audience (See Section 3.07 for the three minute limitation.)
    c. Petitions
7. Special Presentations
8. Consent Calendar
    a. Approval of Minutes
    b. Audit of Accounts and Payment of Bills and Payroll
    c. General Correspondence
        i. Routine
        ii. Written correspondence relating to quasi-judicial, including land use public hearing matters and placed in the appropriate hearing file.
    d. Claims
    e. Award of Bids
    f. Acceptance of Public Improvements and Establishing Lien Periods
    g. Approval of Agreements
    h. Other Items of Business

9. Public Hearings
10. Unfinished Business
11. New Business

12. Reports
    a. City Council Reports
        (1) Finance and Administration Committee
        (2) Planning and Economic Development Committee
        (3) Public Safety Committee
        (4) Public Works, Parks and Human Services Committee
        (5) Tourism Development Committee
        (6) Legislative Committee
        (7) Regional Issues
    b. City Manager Reports
        (1) Calendar Update
13. Items from the Audience
14. Adjournment

3.06 Consent Calendar. Any matter, which because of its routine nature, would qualify for placement on the Consent Calendar pursuant to section 3.05, may be included on the Consent calendar, notwithstanding action on the matter may, by law or otherwise, require adoption of a resolution or ordinance.

Any item may be removed from the Consent calendar and moved to the regular agenda upon the request of any Councilmember. All items remaining on the Consent calendar shall be approved by a single motion. Whenever an ordinance is included on the Consent calendar, approval of the calendar shall be by roll call vote.

3.07 Public Comment. The Council believes that the following procedure for public comment during regular City Council meetings will best accommodate the desires and concerns of the Council and the public:

1. During the time for "Items from the Audience," speakers may not comment on matters which are scheduled for a public hearing, or quasi-judicial matters. The Council will receive comments on other issues, whether the matter is on the agenda for the same meeting or not. When possible, items on the agenda will be marked with an asterisk when the Council cannot receive comments on such matters during the time for "Items from the Audience."

2. During the times for "Items from the Audience," whether at the beginning or end of the meeting, each speaker will be limited to three minutes. No more than three speakers may address the Council on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the Council. Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period at the end of the meeting; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject, however, speakers who have not yet addressed the Council will be given priority.

3.08. Petitions. In the event that the City Council is presented with a petition from a citizen, the City Council will take a formal vote providing direction which may include any of the following options:

1. Accept the petition and refer the matter to a Council Committee for further study.
2. Accept the petition and refer to staff for follow-up.
3. Accept the petition and determine that no further action is needed.

Any petition referred to a Council Committee or staff will be presented at a subsequent regular meeting with an explanation of the resolution.

In order to be considered complete, a petition should include each signer's name and their city of residence.

3.09 Committee Reports. The chairman of each respective committee, or the Councilmember acting for him/her in his/her place, shall submit or make all reports to the Council when so requested by the presiding officer or any member of the Council.

3.10 Duties of the Presiding Officer. It shall be the duty of the presiding officer of the Council to:

1. Call the meeting to order.
2. Keep the meeting to its order of business.
3. Announce the agenda item and determine if the Council wishes to receive a staff report.
4. If, after presentation of the report or based upon the written report, action is desired, recognize Councilmember to make a motion to propose appropriate action. Require a second to each motion, for those motions which must be seconded.
5. Handle discussion in an orderly way:
    a. Give every Councilmember who wishes an opportunity to speak.
    b. Permit audience participation at appropriate times.
    c. Keep all speakers to the rules and to the question.
    d. Give pro and con speakers equal opportunity to speak.
    e. Repeat motions, put motions to a vote and announce the outcome.
    f. Suggest but not make motions for adjournment.
    g. Appoint committees when authorized to do so.

3.11 Rules for Councilmember Conduct.

1. No member shall speak more than twice on the same subject without permission of the presiding officer.

2. No person, not a member of the Council, shall be allowed to address the Council while it is in session without the permission of the presiding officer.

3. All questions on order shall be decided by the presiding officer of the Council with the right of appeal to the Council of any member.

4. Motions shall be reduced to writing when required by the presiding officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

3.12 Voting. Each member present shall vote on all questions put to the Council. The duty to vote shall be excused when a Councilmember has a financial interest in the question or, in quasi-judicial matters, where a Councilmember has an appearance of fairness problem. When voting on any matter before the Council, a majority of the entire membership of the Council is required for passage of any ordinance, resolution or motion, provided that a simple majority of the members present shall be sufficient with respect to the following motions:

1. To adjourn, to table or continue a matter,

2. To go into or out of executive session,
3. To schedule a special meeting of the City Council,
4. To add or remove items on a future Council meeting agenda,
5. To approve or authorize the sending of a letter or other communication so long as the letter or communication sets forth a policy or position previously agreed to by a majority of the entire Council membership,
6. To establish the date for a public hearing, unless such hearing is required to be set by ordinance or resolution,
7. To authorize call for bids or requests for proposals, and
8. To approve a Consent calendar, provided that any ordinance, any grant or revocation of franchise or license, or any resolution for payment of money included on the Consent calendar, has first been removed.

3.13 Tie Votes. A tie vote, on a matter requiring four affirmative votes for passage, shall not be dispositive of the matter voted upon, but shall be deemed to have tabled the matter until the next succeeding regular meeting at which all seven Councilmembers are present. At that meeting, any member may move to take the matter off the table.

3.14 Non-Tie Vote with Lack of Affirmative Votes. A non-tie vote which fails for a lack of four affirmative votes, as to a matter which requires four affirmative votes for passage, shall be deemed to defeat the matter voted upon. Any Councilmember may move to reconsider the matter at the next succeeding regular meeting at which all seven Councilmembers are present.

3.15 Motions to Reconsider. Except as provided in Section 3.14, motions to reconsider must be made by a member who votes with the majority, and at the same or next succeeding meeting of the Council.

3.16 Motions to Lay A Matter on the Table. Motions to lay any matter on the table shall be first in order; and on all questions, the last amendment, the most distant day, and the largest sum shall be put first.

3.17 Motion for Adjournment. A motion for adjournment shall always be in order.

3.18 Motions and Discussion by the Presiding Officer. The presiding officer, as a member of the Council may, at his or her discretion, call any member to take the chair, to allow the presiding officer to make a motion, but may otherwise discuss any other matter at issue subject only to such limitations as are imposed by these rules on other Councilmembers.

3.19 Suspension of Rules. The rules of the Council may be altered, amended or temporarily suspended by a vote of two-thirds of the members present; provided, that at least four affirmative votes be cast.

3.20 City Staff Attendance at Meeting. The City Manager, Attorney, City Clerk, and such other officers and/or employees of the City of Kirkland shall, when requested, attend all meetings of the Council and shall remain in the Council chamber for such length of time as the Council may direct.

3.21 Minutes. The City Clerk shall keep correct minutes of all proceedings. The votes of each Councilmember on any ordinance and the ayes and nays on any other question shall be entered in the minutes. Copies of the minutes shall be sent to the members of the Council prior to their next regular meeting.

3.22 Procedure for Considering Process IIA Appeals. The City Council shall consider a Process IIA appeal under Kirkland Zoning Code (KZC) Chapter 150 at one meeting, and shall vote on the appeal at the next or a subsequent meeting, in order for the Council to gather more information from the record and consider the appeal; provided, that the Council, by a vote of at least five members, may suspend this rule and consider and vote on the appeal at the first meeting. The Council's vote (to affirm, modify or reverse the decision of the Hearing Examiner, or direct the Hearing Examiner to hold a rehearing) shall occur within 60 calendar days of the date on which the letter of appeal was filed, pursuant to KZC 150.125.

3.23 Procedure for Considering Process IIB Applications. The City Council shall consider a Process IIB application under KZC Chapter 152 at one meeting, and shall vote on the application at the next or a subsequent meeting; provided, that the Council, by a vote of at least five members, may suspend this rule and consider and vote on the application at the first meeting. The Council shall first consider the application at a meeting held within 45 calendar days of the date of issuance of the Hearing Examiner's recommendations, pursuant to KZC 152.90.

3.24 Remote Attendance at Council Meetings. From time to time, a Council Member may not be able to be physically present at a Council meeting, but will want to be involved in the discussion and/or decision on a particular agenda item. The procedure and guidelines for permitting a Council Member to attend a Council meeting by speakerphone or other audio/video equipment are as follows. Remote attendance should be the rare exception, not the rule, and remote attendance is limited to two times per year per Council Member.

1. Examples of situations where remote attendance would be appropriate include, but are not limited to:

    a. An emergency exists which prevents Council Members from attending in person and immediate action is needed.

    b. An agenda item is time sensitive, and remote attendance is needed for a quorum.

    c. An agenda item is of very high importance to the Council Member who cannot be physically present.

    d. It is important for all Council Members to be involved in a decision, but one Council Member is unable to be physically present.

2. Procedure and Guidelines. If a Council Member wishes to participate in Council meeting agenda items remotely, the Council Member should notify Council of his or her intent at the Council meeting prior to the meeting which they wish to attend remotely. If that is not possible, the Council Member should notify the City Manager not later than the business day prior to the Council meeting which the Council Member wishes to attend remotely. With less notice, it may not be possible to make the necessary arrangements to allow remote attendance. If the Mayor attends remotely, he or she may participate in discussions, but the Deputy Mayor, if physically present at the Council meeting shall be the presiding officer.

When the particular agenda item involving remote attendance is ready to be discussed, the presiding officer shall inform all present of the intent to initiate a remote communication.

a. The presiding officer shall confirm and announce that all present at the meeting and in the remote location can clearly hear all other parties and (as appropriate) access visual content that may be presented.

b. With such confirmation, Council Members – whether they are physically at the meeting or at a remote location - constituting a majority may approve the use of remote communication for all or any specified portion of the meeting.

c. When the portion of the Council meeting for which remote attendance has been approved has concluded, the presiding officer shall announce the same and the attendance of the Council Member communicating remotely shall end. The City Clerk shall record the beginning and ending times of the remote attendance.

d. In the event that a remote communication link is broken or significantly degraded such that it no longer meets the full requirements of this section, the presiding officer shall confirm the loss of service and announce the close of the remote attendance. The attendance of the Council Member communicating remotely shall end. The City Clerk shall record the time of the closure.

3. Requirements of the System. The Council Member attending remotely must be able to hear the discussion on the agenda item taking place in the Council chambers, and must be able to be heard by all present in Council Chambers.

4. For purposes of voting, remote attendance at a Council meeting shall be considered equal to being physically present at the meeting. All votes conducted with a Council Member attending remotely shall be conducted by roll call.

CHAPTER 4: STUDY SESSIONS AND RETREATS

4.01 Study sessions. Study sessions shall be held as provided by Kirkland Municipal Code 3.10.020. Study sessions are used by the Council to review upcoming agenda items, current and future programs or projects, to discuss, investigate, review or study matters of City business for informational purposes. No final action is taken while in study session; however, the Council may provide direction to staff by consensus or vote. Council direction shall be summarized in writing and presented to the City Council at a regular meeting. Final action on direction provided at a study session will be scheduled for a regular or special council meeting.

4.02 Council retreats. Council retreats are held annually or semi-annually at the Council's discretion. The purpose of the retreats is to allow the Council to devote concentrated attention to single or multiple time consuming subjects. No final action is taken at retreats; however, the Council may provide direction to staff by consensus or vote. Council direction shall be summarized in writing and presented to the City Council at a regular meeting. Final action on direction provided at will be scheduled for a regular or special council meeting.

CHAPTER 5: COUNCIL COMMUNICATIONS

5.01 Written Correspondence. Access to the City Council by written correspondence is a significant right of all members of the general public, including in particular, residents of the City. The City Council desires to encourage the exercise of this access right by the general public to bring to the attention of the Council, matters of concern to Kirkland residents. In order to do this most effectively, some orderly procedure for the handling of written correspondence is essential. One concern of the City Council is application of the appearance of fairness doctrine to correspondence addressed to the Council, concerning matters which will be coming before the City Council in a quasi-judicial or land use hearing context. Special care in the way the content of those letters is brought to the attention of the individual members of the Council is essential in order that an unintended violation of the appearance of fairness doctrine does not result.

The Council believes that the following procedure for handling of written correspondence addressed to the Council will best accommodate the desires and concerns of the Council as set forth in this section:

1. Correspondence of an Information Only Nature — Correspondence which is purely of an informational nature and which does not require a response or action should not be placed on the Council meeting agenda by the City Clerk, but rather transmitted to the Councilmembers in the normal course of daily business.

2. Routine Requests — Items of a routine nature (minor complaints, routine requests, referrals, etc.) shall be answered by staff. Routine requests and staff responses shall be transmitted to the Councilmembers in the normal course of daily business.

3. Significant Correspondence — Correspondence that requires policy decision or approval by Council shall be placed by the Clerk on the regular Council agenda, either under New Business or if appropriate, under Unfinished Business, and shall be accompanied by staff report as are all other agenda items. Direct replies may be made by the City Manager if policy matters are not involved or the Council has previously provided policy direction. Replies shall be transmitted to the Councilmembers in the normal course of daily business.

4. Correspondence Directly Relating to Quasi-Judicial Hearing Matters — All such correspondence when so identified by the City Clerk shall be listed by name and reference to hearing matter on the Consent agenda under the item Written Correspondence relating to quasi-judicial matters. Copies of such correspondence shall not then be included within the agenda materials, but shall be placed in a City Council communication holding file, or directly into the appropriate hearing file, so that they will be circulated to City Councilmembers at the time that the matter comes before the City Council for its quasi-judicial consideration, and as a part of the hearing record for that matter. The City Clerk shall also advise the sender of each such letter, that the letter will be coming to the attention of the City Council at the time that the subject matter of the letter comes before the Council in ordinary hearing course.

5. Prompt Acknowledgments — The City Manager will promptly acknowledge the receipt of all written correspondence and inquiries and, where appropriate, advise the writer of referral to the City Council or a City department.

5.02 Council Communications with the Public. The Kirkland City Councilmembers are committed to open and progressive communications in their capacity as elected officials. Individual Councilmembers use a variety of methods to communicate with the public, stakeholders, partners and the media. Social media platforms offer a way to deliver public information and customer service to constituents and give citizens another means to interact with their government. The purpose of this policy is to provide guidelines for Council communication with the public, when Councilmembers are acting in their official capacity or commenting on City government matters, through traditional media outlets or the use of social media platforms through personal accounts or pages.

The Council believes that the following guidelines will provide consistency in procedures and allow for use of more tools to communicate with the public.

1. The content and tenor of all public communications should model the same professional behavior displayed during Council meetings and community meetings and reflect well on the individual Councilmember, the City Council as a whole and the community.

2. The following disclaimers should be included in whole or referenced with a link to the disclaimers for all communications initiated by Councilmembers in open forums.

    a. The views expressed represent the views of the author and may not reflect the views of the Kirkland City Council.

    b. Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion must be held in an open public meeting if a quorum of the City Council participates.

    c. Comments posted in response to a Councilmember-initiated communication may be subject to public disclosure under the Public Records Act.

3. Media outlets such as newspapers, radio and television news coverage may be used as communications medium by individual Councilmembers provided that the communication clearly states that the views expressed do not represent those of the City Council or the City of Kirkland but the views of the individual Councilmember.

4. Communications Initiated by Councilmembers. Guest editorials, letters to the editor and blog posts published by Councilmembers should be provided to the full City Council at the same time they are delivered to the media outlet. Drafts of guest editorials, letters to the editor or blog posts may not be circulated for comment by a quorum of the Council prior to publication as this may violate the Open Public Meetings Act.

5. Use of Social Media. Posts to social media sites (Web 2.0) such as blogs, Facebook and Twitter may be used by individual Council members to communicate with the public provided the following guidelines are used:

    a. Blog posts or other posts to social media sites should include, or reference by a link, the disclaimers listed in Section 2.

    b. Social media sites are not to be used for the conduct of City Council business other than to informally communicate with the public. Public notices, items of legal or fiscal significance that have not been released to the public and discussion of quasi-judicial matters may not be included in Councilmembers social

media posts. Councilmembers are encouraged to maintain social media sites with settings that can restrict users' ability to comment in order to avoid inadvertent discussions of these items. Unsolicited public comments on quasi-judicial matters must be placed on the record by the Councilmember at the time the matter is before the City Council for consideration.

c. In order to demonstrate- openness and a willingness to listen to the entire community, Councilmember posts on social media sites should be made through a public-facing page or by marking individual posts as available to the public as a whole.

d. When commenting on a post or an article published by someone other than a Councilmember, a link to the standard disclaimers in Section 2 should be included within the thread.

6. If a Councilmember makes a factual error in a public communication, it should be corrected as soon the error comes to light. Blog posts may be corrected by amending a previous post with a note that a correction was made.

7. Retention of Council Electronic Communications and Social Media Content. All email and text messages, files downloaded from outside sources and other electronic files, relating to the conduct of government or the performance of any governmental or proprietary function, are considered official City business records and are subject to the Washington State Public Records Act and the laws governing the retention and destruction of public records.[1]

   a. Email messages sent or received via City email addresses are captured by the City archiving system servers. Council communications are potentially archival and will be retained in accordance with the State retention schedule.
   b. Email messages sent or received using personal addresses should be forwarded to the member's City account, but should also be maintained in their original form to preserve associated metadata. Attachments should be saved to City server drives as appropriate.
   c. Text message records are maintained by the communications carrier/providers with varying policies and practices, and can be difficult to retrieve and to maintain in accordance with State law. At this time, Councilmembers should only use text messaging for transitory communications and not to discuss City business.
   d. Social Media postings should be captured via screen shots which are emailed to, and retained in, the Councilmember's City email account as an interim archiving method pending selection of an appropriate social media archiving technology solution.
   e. Members should consult with the City Clerk's Office for assistance with any retention questions.

8. Use of City-owned equipment to update personal social media sites or email accounts is subject to Administrative Policy 7.1 which allows for incidental use of City equipment for personal needs provided the activity does not cause the City to incur additional cost or

[1] "Public record" is broadly defined in RCW 42.56.010(3) to include, ". . . any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. . . "

liability or pose additional risk to security, privacy or conflict with any other City policy. Use of City-owned equipment or email accounts for campaign purposes is prohibited by RCW 42.17A.555.

CHAPTER 6: PROCLAMATIONS

6.01 Proclamations. A proclamation is a formatted certificate, issued by the Mayor, to give recognition and support to ceremonial occasions and special events, or to raise awareness about concerns of interest to the community as a whole. Proclamations are symbolic; no official policy, action or legal act is imparted or intended as a result.

1. All proclamations will be issued at the discretion of the Mayor.

2. Proclamations can recognize international, national, state, and local events, as well as matters of historical interest, in order to bring them to the attention of Kirkland citizens. Proclamation content should relate to a public purpose or benefit.

3. A proclamation that has not previously been issued by the Mayor of Kirkland shall be reviewed by the Mayor and Deputy Mayor for content to ensure that it does not conflict with an adopted policy position of the Kirkland City Council.

4. The City Manager's Office will coordinate all requests for proclamations. Proclamation requests should be received no later than two weeks prior to a City Council Meeting to allow time for the proclamation to be prepared, reviewed, and added to the Council Agenda.

5. Proclamations shall be presented at Council Meetings only if a recipient is present in the audience or at the discretion of the Mayor. All other proclamations will be sent by mail to the recipient.

CHAPTER 7: COUNCIL COMMITTEES

7.01 Purpose and Relationship to City Council. Committees are advisory and do not take action on behalf of the Council. The purpose of Council Committees is to review matters in detail and to make reports to the full Council for possible Council actions. Council Committees may be standing committees or ad hoc committees which are appointed for special or time-limited subjects. Ad hoc committees are disbanded when they complete their assigned task.

There are four standing Council Committees:

- Finance and Administration
- Public Safety
- Planning and Economic Development
- Public Works, Parks and Human Services

7.02 Council Committee Topics. Committee topics are developed through a collaborative process between the City Council and staff or by referral by the City Council. Council Committees will be assigned an agenda topic when it supports a policy or budget decision that will come before the City Council in the near future. Agenda items may be:

- Identified by the Committee and approved by the City Council;
- Referred by City Council to a committee for monitoring or input, or;
- Referred by the City Manager for early input prior to presentation to the City Council.

New topics requested by a Councilmember that involve more than four hours of staff time should be reviewed by the City Manager for staff impacts. All topics referred to Council Committees will have final consideration before the full Council after receiving a report from the Council Committee regarding all policy options presented. The chair of each Council Committee is responsible for reporting to the City Council, at a regular meeting, the topics discussed and results of the committee's most recent meeting. Meeting minutes for every Council Committee meeting will be posted to the City's webpage and the Council's internal web page along with a list of current and future topics being discussed by each committee. The topic lists will also indicate when and by whom the topics were initiated. Pending agenda topics for Council Committees will be reviewed at least annually by the full Council when outdated or unnecessary topics may be eliminated unless the City Council decides to carry over a particular topic into the next year

7.03 Council Committee Meetings. The regular time and location of standing Council Committee meetings will be posted on the City's website. Special meetings and/or changes in the date, time or location will also be posted.

Finance and Administration	Monthly, last Tuesday, 9 a.m.	City Hall - 123 5th Ave.
Planning and Economic Development	Monthly, 2nd Monday, 3 p.m.	City Hall - 123 5th Ave.
Public Works, Parks and Human Services	Monthly, 1st Wednesday, 10 a.m.	City Hall - 123 5th Ave.
Public Safety	Monthly 3rd Thursday, 8:30 a.m.	City Hall - 123 5th Ave.

Standing Council Committee meetings are open to the public. Members of public may attend standing Council Committee meetings, but may not provide testimony or participate in the meeting discussion. Unless a quorum of the Council is in attendance, ad hoc meetings of Council Committees, such as tours or meetings with other elected officials, do not need to be posted the City's website.

If a committee member is unable to attend the committee meeting in person, they may attend by speaker phone provided that adequate notice is provided to the Chair and the City Manager.

7.04 Council Committee Appointments. Council Committee appointments are generally for a two-year period. Unless a vacancy occurs, Council Committee appointments are made every even-numbered year to coincide with the Council selection of the Mayor. Immediately following the first regular Council meeting in even-numbered years, City Council members should let the Mayor know about their interest in serving on the various City Council and regional committees. The Mayor and Deputy Mayor will then meet to consider committee appointments and they will develop a recommended list of committee appointments. This list of recommended appointments will then be presented at the second City Council meeting in January for Council's consideration at which time the committee appointments will be made by the City Council.

If a vacancy should occur during the year, this appointment opportunity should be announced at a Council meeting. Those Council members interested in filling this position should let the Mayor know before the next City Council Meeting. The Mayor and Deputy Mayor will make a recommendation for City Council's consideration to fill this vacancy at that following Council meeting.

7.05 Council Standing Committees.

Committee/Topic Areas	Staff
Finance and Administration • Finance and budget • Utility rates • Human Resources and Performance Management • Technology • Public Records • Council Policies and Procedures	*Deputy City Manager and Director of Finance and Administration*
Public Safety • Police • Fire and Emergency Medical Services • Municipal Court • Emergency Management • Code Enforcement	*Deputy City Manager*
Planning and Economic Development • Business Retention and Recruitment • Business Roundtable • Tourism • Events • Development Services (permitting) • Long Range Planning • Housing	*Planning and Community Development Director and Economic Development Manager*

Public Works, Parks and Human Services • Public Works operations and CIP • Parks Operations and CIP • Parks planning • Environment • Utilities • Facilities and Fleet • Human Services	*Public Works Director and Parks and Community Services Director*

7.06 Council Intermittent Committees

Committee/Topic Areas	Staff
Legislative • State and Federal Legislative Agenda and Monitoring • Liaison with State and Federal Elected Officials	*Intergovernmental Relations Manager*

CHAPTER 8: BOARD AND COMMISSION APPOINTMENTS

It shall be the policy of the Kirkland City Council to make appointments to official advisory boards or commissions generally in accordance with the following:

8.01 Applicability/Definition. **Unless otherwise provided by statute or the Kirkland Municipal Code,** for the purposes of this policy, the term advisory board shall include the following appointed bodies:

Cultural Arts Commission
Design Review Board
Park Board
Human Services Advisory Committee
Planning Commission
Library Board
Tourism Development Committee (Lodging Tax Advisory Committee)
Salary Commission
Transportation Commission

8.02 Eligibility. Relatives, family members or domestic partners of Councilmembers will not be eligible to serve on City advisory boards. Members of the family of a City employee who works in a department, that provides staff assistance or support to an advisory board, shall not be eligible to serve on that board.

8.03 Non-Discrimination. The Council shall not discriminate on the basis of an applicant's race, ethnic background, creed, age*, sex, marital status, sexual orientation, or sensory or physical handicap in the making of appointments.

*City council has made age a qualification for specific seats on certain advisory bodies.

8.04 Concurrent Offices. At no time shall any person serve concurrently as a member of more than one of the above listed City Boards.

8.05 Terms. Appointments shall be made for four-year terms, unless otherwise provided by statute or Kirkland Municipal Code. Terms shall expire on the 31st of March of the applicable year. A member being appointed to fill a vacant position shall be appointed to fill the vacancy for the remainder of the unexpired term.

8.06 Term Limitations. No individual shall serve more than two full four-year terms as a member of a City of Kirkland appointed advisory board; provided, if an individual is appointed to fill 365 days or less of an unexpired term and serves that term, the individual is eligible to apply for and serve two additional four-year terms. If an individual is appointed to fill 366 days or more of an unexpired term and serves that term, the individual would be eligible to apply for and serve for only one additional four-year term.

8.07 Attendance. Appointees shall attend 80 percent of all meetings in any 12-month period for which there is no prearranged absence, but in any case shall attend no less than 60 percent of all meetings unless waived by the City Council.

8.08 Appointment/Reappointment. An open competitive process will be used to fill vacancies. City Council will initiate an open and competitive application process and solicit applicants for the position(s). All advisory board members completing their term who are interested in and eligible for reappointment may be reappointed by the City Council for a second term without an open competitive process.

8.09 Criteria for Reappointment. Information will be sought from the Board/Committee Chairs and the City Manager (or appropriate staff) when considering reappointments. Reappointments are based on the following criteria:

Minimum performance – attendance, incumbent reads the materials, has a basic understanding of the issues and participates in discussion.

Performance – has well-thought-out arguments, logically presented, and is a good advocate. Shows ability to analyze complex issues and to judge issues on substantive grounds. Understands difference between quasi-judicial and legislative matters.

Personal relations – has good understanding of relative roles of Council, Commissioners and staff and is sensitive to staff's job. Is generally respectful of others' viewpoints. Is a good team player, shows willingness to compromise, work toward a solution, without sacrificing his/her own principles.

Growth/improvement – has shown personal and/or intellectual growth in the position. Has shown improved performance, has taken advantage of continuing education opportunities or other indicia of growth or improvement.

Public benefit – reappointment provides a benefit to the commission as a body; provides or enhances balance on the commission geographically and/or philosophically.

8.10 Reappointment Process. Prior to the beginning of the open competitive process, an ad hoc committee of the Council will be chosen, by lot, to review and recommend incumbents for a second term. The recommendations will be based upon past performance and made in consultation with the appropriate Board or Commission chair for presentation to the City Council at the next regular meeting.

8.11 Application Process. Openings for advisory board positions shall be widely advertised in local newspapers, as well as other means available and appropriate for this purpose. Applicants shall be required to complete a City application form provided for this purpose, and to submit a completed application by the specified recruitment deadline. Late applications will not be accepted; however, the City Council may choose to extend an application deadline, if necessary, to obtain a sufficient number of applicants for consideration. Copies of all applications will be provided to the City Council.

8.12 Appointment Process. Upon receipt of applications, the Council will review the applications and reduce the number of applicants for interview to three applicants for each vacancy. For example, if there were one vacancy on a board or commission, the Council would reduce the pool of applicants to be considered to three. If there were two vacancies, the Council would reduce the pool of applicants to be considered to six. In cases where the number of applicants for interview require a reduction from the number that have applied, the ad hoc committee of the Council will recommend to the entire Council those to be interviewed for each board or commission and those recommended not to be interviewed.

Interviews of applicants shall be conducted in open session. The chairperson of the respective advisory board (or a representative) will also be invited to attend the interviews, and may participate in the process to the degree desired by the Council. Upon completion of the interviews, the Council shall, in open session, make its reappointments of incumbents and appointments of new members and may designate alternates that could be considered for appointment in the event of a vacancy occurring within six months of the appointment through resignation or removal. Following appointment, the appointee and alternates, as well as all other candidates, will be notified in writing of the Council's decision.

8.13 Criteria for Removal. Failure to continue to meet the criteria for reappointment to boards and commissions and the attendance standard set forth above is cause for the removal of a member of a board or commission by a majority vote of the Council.

8.14 Open Government Training Requirement. Within 90 days of assuming their positions, all members of boards and commissions appointed by the City Council must receive the training required by the Open Government Trainings Act regarding the Open Public Meetings Act.