



City Council Workshop Agenda

March 11, 2025 at 6:30 PM

City Hall Council Chambers - 210 W 6th Ave and Virtual

The City of Kennewick broadcasts Council meetings on the City's website at

<https://www.go2kennewick.com/CouncilMeetingBroadcasts>.

Written public comment is accepted pursuant to KMC 2.04.047.

1. Governance Manual: Discussion and Consensus
2. Fire Impact Fee

Council Agenda Coversheet	Item Number: 1.	Date: 3/11/2025	Category: Info Only
	Item Type:	Presentation	
	Subject:	Governance Manual: Discussion and Consensus	
	Department:	City Manager	
<u>Summary</u> A Governance Manual is a document that outlines the rules, policies, and procedures that guide how Council operates and makes decisions. It serves as a reference tool to ensure the Council functions effectively, transparently, and in compliance with legal and ethical standards. Council has been reviewing versions and making suggestions for this document over the last several months. On January 28, 2025, Council held a workshop to work through the final decision points in the document. The revised version is attached for Council review. The pending items for discussion are Appendix A - Council Travel and Training Policy and Appendix B - City Manager Performance Review Process. The City Manager will lead a review of the working draft of the Governance Manual. A final draft will be created based on the discussions from the workshop, with its final review and potential adoption scheduled for March 18, 2025.			
Attachments: 1. Draft Governance Manual			

**CITY OF KENNEWICK
CITY COUNCIL
GOVERNANCE COORDINATION MANUAL**

Adopted month, day, year

A Comprehensive Collection of Information about Kennewick City Government, Meeting Rules, Coordination Procedures, Administrative and Public Hearing Procedures, Best Practices and Applicable References from the Revised Code of Washington.

A Message to the Kennewick City Council:

In order to maintain structure and strong leadership, the Kennewick City Council follows general meeting procedures, including Roberts Rules of Order. Since 1906, the City has implemented a range of policies, procedures, and traditions to streamline proceedings. However, these were often conflicting and presented in various formats. The Governance Manual consolidates these practices into a single document, offering a comprehensive approach to leadership.

Given the intricate regulatory environment today, modern governance requires regular updates to ensure effective City operations. This manual aims to make it easier for the City Council to navigate and implement necessary changes compared to previous methods. The Kennewick Governance Coordination Manual establishes the standards for governmental practices in Kennewick in a detailed document. The document includes several key components: meeting rules, coordination procedures, and administrative references. It also outlines public outreach guidelines and public hearing procedures, along with relevant sections of the Revised Code of Washington. Additionally, it presents the City Council's Core Beliefs and policies that guide both the Council and Administration. Furthermore, the document emphasizes encouraging public involvement and includes various appendices.

This manual serves as a valuable resource outlining how the City Council and Administration collaborate to achieve efficient and effective local governance.

It is advised that City Council members and City leaders familiarize themselves with the manual's contents and keep it easily accessible for reference.

Respectfully,

Erin Erdman, City Manager

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City of Kennewick Governance Coordination Manual

CHAPTER 1 - USE OF RULES

Purpose. These Rules of Procedure are designed to provide guidance for the City Council and City Administration. They are not to be considered restrictions or expansions of the City Council's or City Manager's statutory authority. These rules have been prepared from review of many statutes, ordinances, court cases and "best practices". To promote a harmony of interrelated functions involving the Legislative and Executive branches of city government operations, some rules contained herein describe procedures where both branches are in complete agreement but they are not intended to be an amendment or substitute for those statutes, ordinances, court decisions or other authority.

Use. No action taken by a Councilmember or by the Council which is not in compliance with these rules, but which is otherwise lawful, shall invalidate such Councilmember's or Council's action or be deemed a violation of oath of office, misfeasance or malfeasance. No authority other than the City Council or City Manager may enforce these rules or rely on these rules.

Public Use or Reliance Not Intended. Because these rules are designed to assist the City Council and Administration and not to provide substantive rules affecting constituents, it is expressly stated that these rules do not constitute land use regulations binding upon or to be used by or relied upon by members of the public. These rules do not amend statutory or other regulatory (such as ordinance) requirements.

Adoption and Changes. The Governance Manual shall be adopted by Resolution. City Council shall review the Governance Manual as needed and adopt any revisions/updates per Resolution. If changes to the KMC are required due to updates in the Governance Manual then those shall be updated prior to the adoption of the Governance Manual.

End of Chapter 1 - Use of Rules

CHAPTER 2 - COUNCIL MEETINGS

A. GENERAL

1. Open Public Meetings Act

Under the Open Public Meetings Act (OPMA), RCW 42.30, all meetings of the City of Kennewick's governing bodies must be open to the public. The Act includes requirements concerning notification, public comment, executive session, and more. The City of Kennewick will strictly adhere to all requirements of the OPMA. All meetings of the City Council and of governing boards and commissions thereof shall be open to the public, except as provided for in RCW 42.30.110 or RCW 42.30.140.

2. Time and Location – Regular and Workshop Meetings

- A. Regular business meetings of the Council shall be held on the first and third Tuesday of each month at 6:30 p.m. in the Council Chambers of City Hall at 210 W 6th Avenue, Kennewick, WA 99336, unless cancelled or postponed in accordance with applicable State or local procedures.
- B. Regular workshop meetings of the Council shall be held on the second and fourth Tuesday of each month at 6:30 p.m. in the Council Chambers of City Hall at 210 W 6th Avenue, Kennewick, WA 99336, unless cancelled or postponed in accordance with applicable State or local procedures.

3. Presiding Officer.

The Mayor shall preside at meetings of the Council and be recognized as the head of the City for all ceremonial purposes. The Mayor shall have no regular administrative or executive duties. In case of the Mayor's absence or temporary disability, the Mayor Pro Tem shall act as Mayor during the continuance of the absence. In case of the absence or temporary inability of the Mayor and Mayor Pro Tem, an acting Mayor Pro Tempore selected by a majority vote of the remaining members of the Council shall act as Mayor during the continuance of the absences. The Mayor (or in the absence of the Mayor the Mayor Pro Tem, is referred to as "Presiding Officer" from time-to-time in these Rules of Procedure. In case of a mid-term vacancy in the position of Mayor, the Mayor Pro Tem will assume the title and duties through the unexpired term. The Council will then select a Mayor Pro Tem to complete the unexpired term (see Chapter 2 – Selection of Officers)

4. Agenda Packet Distribution – Councilmembers (KMC 2.04.020)

- A. The City Clerk will publish regular business and workshop agendas and packets to the electronic board portal no later than 5:00 p.m. the last business day of the week preceding the meeting date.
 - 1. Additions to regular agendas and significant revisions to Council packet materials must be distributed to the City Council no later than eight business hours before the meeting.

2. If changes are needed and there are less than eight business hours prior to the meeting, then a council member can make a motion to add/remove an item during the approval of the agenda section of the meeting. The City Manager shall forward any pertinent information to Council in advance of the meeting if possible.
- B. The City Clerk will publish special meeting agendas and packets via the electronic board portal at soonest opportunity but no later than 24 hours prior to the meeting (unless a true emergency per RCW 38.52.010 (13) necessitates a shorter timeframe).

5. Agenda Packet Distribution – Public (KMC 2.04.020)

- A. Regular business meeting agendas and packets shall be published to the City website and distributed electronically to all meeting subscribers no later than 5:00 p.m. the last business day of the week preceding the meeting.
- B. Regular workshop agendas shall be published to the City website and distributed electronically to all meeting subscribers no later than 5:00 p.m. the last business day of the week preceding the meeting.
- C. Regular workshop packets shall be published to the City website and distributed electronically to all meeting subscribers no later than 8:00 a.m. the day of the meeting.
- D. Special meetings agendas/notices (absent an emergency) shall be published to the City website and distributed electronically to all media contacts on file and all meeting subscribers no later than 24 hours preceding the meeting.
- E. Request for presentation from outside entities or individuals to be placed on a future agenda will only be permitted if they are considered the official business of the City. Such requests shall be submitted to the City Clerk at least 10 days prior to the appropriate Council meeting. The City Clerk shall consult with the City Manager and the Mayor for a determination of whether the matter is an administrative issue or whether it should be placed on an upcoming Council Agenda. Any presentation materials shall be pre-screened and pre-approved by the City Manager.

6. Permission Required to Address the Council

Persons other than Council and Administration may be permitted to address the Council at the proper time upon recognition and/or introduction by the Mayor or designee. A Councilmember or the City Manager may request the Mayor to recognize other citizens that would like to speak.

7. Forms of Address

- A. The Mayor shall be addressed as “Mayor (surname)” or “Your Honor”. The Mayor Pro Tem shall be addressed as “Mayor Pro Tem (surname)”. Members of the Council shall be addressed as “Councilmember (surname)”.

B. MEETINGS

1. Regular Meetings Order of Business (KMC 2.04.120).

1. Call to Order

- Roll Call
- Pledge of Allegiance
- Invocation – See Section C (1) - *Invocation*
- Honors & Recognitions

2. Visitors See Section C (2) – *Public comment*

3. Approval of Agenda

Council can add or remove items from the agenda during this time. If council wishes to remove an item from the consent agenda and place it on the agenda as a stand-alone discussion item they may do so here. In case of an emergency or an extremely time-sensitive issue of which neither the administration nor the entire Council was aware prior to the distribution of the agenda and materials, a new item may be introduced by a council member and suggested as an amended agenda item for the present meeting. If a new item added, the council shall then consider a motion to approve the amended agenda.

4. Consent Agenda

Items that may be placed on the Consent Agenda are those, which have been previously discussed by Council; can be reviewed by a Councilmember without further explanation; are so routine; technical; or not substantive in nature that passage without discussion is likely; or are otherwise deemed in the best interest of the City.

5. Ordinances/Resolutions See Section C (12 & 13) – Ordinances and Resolutions

6. Public Hearings/Meetings See Section C (15) – Public Hearings

7. New Business

8. Unfinished Business

10. Council Comments/Discussion

Information regarding upcoming community events or events they have attended or matters for the good of the order. A council member may also utilize this as an opportunity to request that specific topic be placed on a future agenda with a vote of the majority of the council concurring with the request. Discussion regarding the specific topic shall not occur during this time except as necessary to clarify the request and to take a vote placing it on a future agenda.

11. Adjourn

2. Workshop Meetings (KMC 2.04.047)

Workshop meetings are meant to be informal to allow Councilmembers and staff to do concentrated strategic planning, to review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar information from the City Manager.

- A. Action items. Although action items may be included on a workshop agenda, it is the preference of Council to keep those instances to a minimum. Because a workshop is a recognized meeting according to the “Open Public Meetings Act”, it is permissible for Council to take a final action during these meetings.
- B. Unexpected Motions. Because workshops are usually understood by the public and media as referring to meetings at which the Council considers and discusses items and does not take final action or vote, it could be misleading to the public as to purpose of the meeting if a motion is made unexpectedly. As such, the Council considers it inappropriate to make a “surprise” motion unless there is a rare special circumstance. Voting or making a motion when neither is included on the agenda does not violate state law, but for consistency sake and to avoid any surprises to the public and media, the practice is discouraged.
- C. Order of Business (numbered *in accordance with the agenda outline*)
 - 1. Call to Order
 - 2. Roll Call
 - 3. Public Comments. Written public comment are accepted pursuant to the following;
 - Comments are due, in writing, to the City Clerk no later than 3:00 PM on the day of the meeting.
 - Comments must pertain to items on the current meeting agenda and no other topics.
 - Verbal comments are not permitted unless the Council, by a majority vote of the members present, suspends the rules.
 - 4. Present topics on the agenda
 - 5. Adjourn

3. Regular Meeting: Executive Session (KMC 2.04.045)

- A. Executive sessions or closed meetings may be held in accordance with the provisions of the Washington State Open Meetings Act.
- B. The Mayor will publicly announce the executive session by stating the purpose of the executive session and the time when the executive session will end. If the executive session is not over at the stated time, it may be extended only if the Mayor announces to the public at the meeting place that it will be extended to a stated time.

4. Special Council Meetings (RCW 42.30.080 and KMC 2.04.030)

- A. Special meetings may be called by the mayor or any four members of the Council.
- B. 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.
- C. 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.

5. City Council Retreats

- A. Retreats are categorized under as Special Meetings under the Open Public Meetings Act.
- B. As necessary, the City Manager shall engage the services of a professional facilitator to assist Council with in-depth analysis of the Council's priorities, goals, and work plan.
- C. Council shall make no disposition of any item at a retreat, but may come to a consensus during debate and collaboration.
- D. Retreats shall be in a less formal setting, but shall not discourage public observation. Retreats are generally not broadcast or recorded and public comment is not accepted.
- E. The City Manager shall arrange the retreat topics for discussion, task Department Directors with preparing staff reports and supporting materials, and direct the City Clerk to publish the agenda and packets.

C. MEETING RULES AND PROCEDURES

1. Invocation

- A. City Council provides an opportunity at each regular city council meeting for one invocation to be presented by a volunteer resident of the City of Kennewick
- B. Invocation guidelines are as follows;
 - 1. Invocations shall be scheduled on a first come first served basis. Preference shall be given to persons who have not yet given an invocation over persons who have already done so.
 - 2. No one may give an invocation more than two times per year.
 - 3. Once a request form is submitted, the City Clerk will verify the volunteer's eligibility (based on residence) and research the last time (if ever) they provided an invocation.

4. Once the volunteer's eligibility is confirmed, the City Clerk will contact them and offer a selection of dates to choose from. Upon selecting the date(s), confirmation will be made, and the volunteer will receive instructions for attending the scheduled meetings.
5. Selection of persons wishing to give an invocation shall be nondiscriminatory and the contents of the invocation may be dictated by the beliefs of the individual offering the invocation.
6. The invocation should not exceed sixty (60) seconds.
7. No city employee or elected official, or anyone in attendance shall be required to participate in an invocation.
8. Persons scheduled should not request that anyone stand for the invocation or participate.
9. No compensation shall be given for providing an invocation, nor shall any fee be required to participate.

2. Public Comment

- A. The City Clerk will publish instructions on the City's website to facilitate public comment at Council meetings.
- B. Public comments are generally limited to three minutes per speaker with a maximum amount 30 minutes for all speakers.
 1. A majority of Councilmembers present may move to suspend the rules to permit an additional period of no more than 30 minutes.
- C. Written and verbal public comment is accepted at all Council regular business meetings pursuant to the following:
 1. Written comments are due, in writing, to the City Clerk no later than 3:00 p.m. the day of the meeting.
 2. Persons wishing to address the Council via tele/video conferencing must register with the City Clerk's Office no later than 3:00 p.m. the day of the meeting.
 3. Persons attending in person need not register in advance.

3. Quorum

- A. At all meetings of the Council, a majority of the Councilmembers who hold office shall constitute a quorum for the transaction of business.
- B. Voting shall remain consistent with RCW 35A.12.120.

- C. Quorum outside of regular meetings and workshops. If council is requested to attend events the Executive Assistance of the City Manager shall reach out to City Councilmembers to determine how many will be in attendance. If a quorum is established the Executive Assistant will communicate with the City Clerk to post a quorum for the event.
 - a. Should Councilmembers be in attendance at an event that was not posted and four or more show up, then the last councilmember(s) to arrive shall leave so there is no violation of the Open Public Meetings Act.

4. Seating Arrangement

Councilmembers shall occupy the respective seats in the Council Chamber assigned to them by the City Clerk.

5. Attendance

A. Unexcused Absences:

- 1. A Councilmember's responsibility to attend Council meetings should not be taken lightly, nor should a decision to remove a Councilmember for missing meetings.
- 2. Pursuant to RCW 35A.12.060 "a council position shall become vacant if the council member fails to attend three consecutive regular meetings of the council without being excused by council."

B. Excused Absences:

- 1. Members of the Council may be excused from meetings with prior notification to the Mayor, , and City Manager prior to the meeting, and by stating the reason for the inability to attend.
 - a. Following roll call, the City Clerk shall inform the presiding officer of the member's absence. The presiding officer shall inquire if there is a motion to excuse the member. The motion shall be non-debatable.
 - b. Upon passage of such motion by a majority of members present, the absent member shall be considered excused, and the City Clerk shall make an appropriate notation in the minutes.
- 2. Example of excused absences are:
 - a. Personal illness or medical emergency.
 - b. Family emergency or urgent family matters.
 - c. Pre-approved personal or professional commitments.
 - d. Conflicts related to city-related business such as travel, testimony hearings, regional/state committee assignments, and the like.
 - e. Other exceptional circumstances as agreed upon on a case-by-case basis by a majority of those members present.

C. Requesting an Excused Absence:

1. Council members are required to provide one business day's advance notice if they need to absent from a scheduled City Council meeting or workshop.
 2. Notice must be given to both the City Manager and the Mayor. The City Manager (or designee) will notify the full Council and City Clerk of the absence prior to the meeting.
 3. In cases of emergency or sudden illness, Councilmembers may provide less notice. Councilmembers shall notify both the City Manager and the Mayor as soon as reasonably possible, explaining the general nature of the emergency or illness.
 4. A request for an excused absence will not be accepted beyond the subsequent regular meeting following the absence.
 5. Petitions to reconsider an unexcused absence are subject to Roberts Rules of Order.
- D. Leave of Absence: A Councilmember whose serious health or physical condition would prevent them from performing the duties of a councilmember may request a leave of absence under the following conditions:
1. Such serious health or physical condition must be certified in writing by a medical physician. Medical records from a medical provider are confidential from disclosure under the Washington State Health Care Information Act, RCW 70.02.
 2. The request for a leave of absence shall be in writing and hand-delivered or mailed to the Mayor and City Manager at least one week prior to the date when such leave would commence.
 3. The request for a leave of absence must state the anticipated date the Councilmember will resume their duties.
 4. By a majority vote of the whole Council, a leave of absence shall be granted with the following conditions:
 - a. The absence shall not exceed 90 days from the date the motion is passed by Council;
 - b. The absent Councilmember shall retain pay and medical benefits during the leave of absence;
 - c. At the end of the leave of absence, the absent Councilmember shall either:
 - i. Return to normal Council duties commencing with the first Tuesday following the end of the leave; or
 - ii. Resume status as an active-duty Councilmember, subject to the attendance requirement of RCW 35A.12.060.
 5. A leave of absence of any duration may only be granted twice during a Councilmember's four-year term, with a minimum of six months between the end date of the prior request and the beginning date of the subsequent request.

6. Councilmembers on a leave of absence shall not be replaced with a pro-tem Councilmember. The long-term absence of a Councilmember will require diligence by the remaining members to ensure a quorum and that majority votes are not negatively impacted by absences from other Councilmembers.

E. Tele/Video Conferencing (Attendance by remote technology,(KMC 2.04.048)

1. To the extent consistent with applicable state law, Councilmembers may attend and participate in a Council meeting remotely ("Remote Attendance") utilizing a City-approved virtual platform.
2. Any Councilmember intending to utilize remote attendance for a meeting shall provide at least six-hours' notice prior to the scheduled meeting of such intent to the City Clerk and City Manager to allow adequate staff time to setup the required equipment together with their other meeting-related functions.
3. During any meeting that a Councilmember is attending via remote communication, the City Clerk shall state for the record that a particular Councilmember is attending via remote communication.
4. Councilmembers attending remotely are responsible to ensure familiarity with the meeting platform, connecting to the voting platform, having basic knowledge of their city-owned and personal equipment, and the ability to secure a reliable connection.
5. Councilmembers should immediately report any technical difficulties with City-owned equipment to the technology department in order to resolve any problems prior to the scheduled meeting.
6. Staff will assist with testing and troubleshooting virtual connections between 5:45 and 6:00 p.m. the day of the meeting.
7. A remote attendee must maintain the ability to listen and speak to all audience members and Councilmembers for the full duration of the meeting. Video is recommended but optional.
8. Any Councilmember utilizing remote attendance shall bear the risk that the virtual platform may fail and effectively prevent the Councilmember's attendance and participation at the meeting.
 - a. If connection cannot be established, is lost, or the audio is too poor to allow meaningful communication, the Councilmember will be considered absent. A decision to excuse the absence is at the discretion of Council.
 - b. Except to the extent necessary to ensure a quorum, no such malfunction or operational failure shall require the adjournment, continuation or cancelation of any Council meeting, or the postponement of any Council vote; provided, that the City Council may in its sole discretion vote to adjourn, continue or cancel a meeting, or postpone a Council vote, as deemed appropriate to respond to a malfunction or operational failure of the virtual platform.

9. Remote attendance is optional; Councilmembers are responsible for the cost of Wi-Fi, internet/cellular service, and any other related expenses.
10. In the case of executive sessions, the Council may permit participation from remote location(s) only when the Council on a case-by-case basis considers such participation necessary and the Council is confident in the security of such remote communications.

6. Respect and Decorum

- A. It is the duty of the Mayor and Council to maintain dignity and respect for their offices, City staff and the public. While the Council is in session, the Mayor shall preserve order and decorum and no member of the public shall, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disrupt or disparage any Councilmember while speaking. Council and the public shall obey the proper orders of the Mayor.
- B. Any person making disruptive, disparaging or impertinent remarks or unreasonably interrupting the business of the Council, while addressing the Council or attending the proceedings, shall be asked to leave or be removed from the meeting. Continued disruptions may result in a recess, forced removal or adjournment as set forth in the Ethics Policy.
- C. Council members shall refrain from using personal electronic devices at the dais during meetings, except in the case of an emergency.

7. Adjournment Due to Emergency or Disruption

In the event of an emergency such as a fire or other natural or catastrophic disaster, threatened violence, or inability to regain or retain good order, the Presiding Officer shall forthwith declare a recess, adjourn, or continue the meeting, and the City Council as well as everyone in the room shall immediately leave the meeting room and if necessary, leave the building. The presiding Officer may reconvene the meeting when it has been determined by the appropriate safety officials that it is safe to do so.

8. Permission Required to Address the Council

Persons other than Council and Administration may be permitted to address the Council at the proper time upon recognition and/or introduction by the Mayor or designee. A Councilmember or the City Manager may request the Mayor to recognize other citizens that would like to speak

9. Parliamentary Procedures at a Glance

Roberts Rules of Order §	IF YOU WANT TO	YOU SAY	INTERRUPT	NEED 2ND	Can be Debated	Can be Amended	VOTE
11	Postpone indefinitely (the purpose is to prevent action or kill an issue.)	I move to postpone (an affirmative vote can be reconsidered; a negative vote cannot.) indefinitely	No	Yes	Yes	No	Majority

12	Modify wording of motion	I move to amend the motion by . . .	No	Yes	Yes	Yes**	Majority
14	Postpone to a certain time	Ex: I move to postpone the motion to the next Council meeting.	No	Yes	Yes	Yes	Majority
16	Close debate	I move the previous question, or I call for the question ***	No	Yes	No	No	Majority*
17	To Table a motion	I move to lay on the table, the motion to	No	Yes	No	No	Majority
19	Complain about noise, room temperatures etc.	Point of Privilege	Yes	Yes	Yes	Yes	Chair decision
20	Take break	I move to recess for . .	No	Yes	No	Yes	Majority
21	Adjourn meeting	I move to adjourn	No	Yes	No	No	Majority
23	Object to procedure or personal affront	Point of Order	Yes	No	No	No	Chair decision
25	Suspend rules	I move to suspend the rules and . . .	No	Yes	No	No	Majority*
34	Take matter from table	I move to take from the table the motion to	No	Yes	No	No	Majority
35	Reconsider something already disposed of	I move we reconsider action on.....	No	Yes	Yes	Yes	Majority

*(*Robert's Rules of Order Newly Revised* states 2/3 vote required. Council direction is to base vote on majority except on matters where 2/3 (or majority plus one) is required by state statute.

** If the main motion to amend can be amended.

***Call for the Question: if it is felt that debate on a motion on the floor has continued longer than warranted, a member of Council may "call the question." The "call for the question" is a motion to end debate and vote immediately. If this "call for the question" motion is passed by a majority vote, then the vote must be taken on the original debated motion on the floor.

Placing items on an Agenda

- A. The Mayor and the City Manager each have authority to add items to the agenda. If a Councilmember requests to have an item added to the agenda and the neither the Mayor or the City Manager add the requested item then during *Council Comments/Discussion* portion of the meeting a Councilmember may request to have items placed on a future agenda. Each request shall be treated separately. The following process shall be used to propose an item for a future meeting:
 1. A Councilmember may propose an item and give a brief explanation the issue and its importance to the City.'

2. The Mayor will ask the City Clerk to start a vote for adding the item to the agenda. Consensus of four or more Councilmember may move the item forward to a future agenda.
3. The City Manager, in recognition of his/her familiarity with the staff's workload, shall determine when the item can be prepared and brought forward to the City Council, unless the City Council wants to discuss the item prior to the staff's involvement.

10. Recusal From Discussion and Consideration

- A. Situations may arise when a Councilmember should consider whether to recuse themselves from the consideration and decision-making on a particular item. These situation can arise in various ways, including having an interest in a contract being considered by the City, or when a Councilmember has a bias in some fashion regarding an issue before the Council.

1. *Prohibited acts.* There are some conflicts which cannot be waived, and some actions in which Councilmembers shall not engage. RCW 42.23.070 prohibits municipal officers from:
 1. Using "his or her position to secure special privileges or exemptions for himself, herself, or others."
 2. Directly or indirectly giving or receiving or agreeing to receive "any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law."
 3. Accepting employment or engaging in business or professional activity that "the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position."
 4. Disclosing confidential information "gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit."
2. *Conflict of interest – contracts.* In contractual matters, Councilmembers are required to avoid directly benefitting from contracts entered into by the City. When a Councilmember is aware that they may benefit from such a contractual relationship, they are required to recuse themselves. Other situations may arise where a Councilmember may indirectly benefit. In these circumstances, the determination of whether a conflict of interest exists such that they should recuse themselves will have to be made by that Councilmember based on facts and circumstances known at the time.

3. *Bias for or against a proposed action.* There will be situations for each Councilmember where, based upon their current or prior work or personal relationships, the Councilmember may not be able to participate in a discussion and decision on a given issue because they likely can't be objective. In such an event, the Councilmember must give due consideration to their potential to be predisposed and whether they believe they can objectively consider and decide on the issue. If the answer is yes, then the Councilmember may proceed. If this self-analysis is difficult as to whether the Councilmember can be objective, but the determination is that they can, the Councilmember should strongly consider disclosing the nature of the potential bias to the Council and then announce whether they believe they can or cannot proceed. If the Councilmember does not believe they can be reasonably objective, they should recuse themselves from the discussion and consideration. The purpose for recusal under such circumstances is that the Council wants the public to have the utmost confidence that decisions are made objectively and that all citizens and businesses will be treated equally and fairly.

4. *Appearance of Fairness Doctrine: The Appearance of Fairness Doctrine is a rule of law requiring government decision-makers to conduct non-court hearings and proceedings in a way that is fair and unbiased in both appearance and fact. It was developed by the courts as a method of insuring that due process protections, which normally apply in courtroom settings, extend to certain types of administrative decision-making hearings, such as rezones of specific property. The doctrine attempts to make sure that all parties to an argument receive equal treatment.*

1. *The doctrine requires that adjudicatory or quasi-judicial* public hearings meet two requirements:*

a. *They must be procedurally fair.*

b. *They must appear to be conducted by impartial decision-makers.*

5. *Process and Disclosure:* When a Councilmember determines recusal is appropriate, or when it is required by law, the Councilmember shall announce that they need to recuse themselves, explain the factual circumstances, and then step off the dais and out of the Council chambers. A staff member will retrieve the Councilmember once that issue is finished being discussed. The determination of whether to recuse oneself from an issue, and then

formally recusing, shall occur before any discussion has taken place on that issue to ensure that Councilmember does not participate in the matter in any fashion.

*"Quasi-judicial action" or "quasi-judicial matter" means an action of the City Council that determines the legal rights, duties or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions do not include legislative actions adopting, amending or revising comprehensive, community or neighborhood plans, zoning regulations, other land use planning documents, or the adoption of area-wide amendments to the Official Land Use Map.

11. Ordinances (KMC 2.04.150, 160, and 170)

A. General.

1. An ordinance, once enacted, is a local law (legislative act) prescribing general rules of conduct. Council action shall be taken by ordinance when required by law, or where prescribed conduct may be enforced by penalty.
2. An ordinance is a legislative act within its sphere as much as an act of the State Legislature.
3. The general guiding principle is that ["actions relating to subjects of a permanent and general character are usually regarded as legislative and those providing for subjects of a temporary and special character are regarded as administrative"] (*Durocher v. King County*, 80 Wn.2d 139, 153, 492P2d 547(1972).)

B. Sponsorship

1. Councilmember Sponsorship
 - a. When a Council member wishes to assume sponsorship or advocacy of an ordinance or resolution, he/she should so announce the sponsorship in open session, make the initial motion, provide an introduction and advocate the measure before the Council.
 - b. The Mayor/Mayor Pro Tem then may assign the proposed ordinance to the administration or the Council of the whole for consideration. The committee or administration shall report its findings to the Council.
2. Sponsorship by Others:
 - a. The City Manager and the City Attorney may propose the drafting of ordinances and resolutions.
 - b. Citizens, boards and commissions may also propose consideration of ordinances and resolutions.

C. Repeal

1. Any ordinance repealing any portion of the Kennewick Municipal Code shall also repeal the respective portions of the underlying ordinance(s).
2. Ordinances repealing earlier ordinances shall not apply to acts, incidents, transactions, or decisions occurring before such repeal.

12. Resolutions

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

13. Ceremonial Proclamations. (For Proclamation of Emergency, see KMC 10.22, Emergency Powers.)

- A. Ceremonial proclamations are not issued on matters related to politics, ideological or religious beliefs, matters of international diplomacy, individual conviction, and on behalf of profit-making or commercial entities (with the exception of events sponsored by the Tri-Cities Regional Chamber of Commerce, Port of Kennewick, or the Historic Downtown Kennewick Partnership).
- B. All ceremonial proclamations will be prepared by the City Clerk and signed by the Mayor and City Clerk.
- C. Tri-City Regional Chamber of Commerce Sponsored Events:
 1. The City shall create and have published Mayoral proclamations celebrating the grand openings, ribbon cutting ceremonies, groundbreaking events, and other economic-development growth.
 2. These proclamations shall be presented to the business owner at the event with a copy retained by the City Clerk's office.
- D. Days of Celebration and Awareness:
 1. Annually, the City Clerk will prepare for the City Council's approval, a list of ceremonial proclamations to create public awareness and recognition of a cause or matter of significance to the Kennewick community.
 2. These proclamations shall be presented at a regular Council meeting to the recipient with the official copy included in the official record.

14. Public Hearings

- A. Public hearings are held to obtain public input on legislative decisions on matter of policy, some of which may be required by state law.
- B. Public hearing process is as follows:
 1. All public comment shall be given from the speaker's podium or by unmuting for the virtual platform once called upon.
 2. All individuals must state their name and place of residence.

3. All public comment shall be limited to three minutes per speaker and members of the public are not permitted to give any of their own speaking time to other members of the public.
4. Individuals can only speak once per issue.
5. There shall be no demonstrations, applause or other audience participation, before, during, or at the conclusion of anyone's presentation. Such expressions are disruptive and take time away from the speaker.

15. Reconsideration.

- A. Any action of the Council, including final action on applications for legislative changes in land use status, shall be subject to a motion to reconsider except for:
 1. Any action previously reconsidered,
 2. Motions to adjourn or motions to suspend the rules,
 3. An affirmative vote to lay an item on, or take an item from, the table,
 4. Or a vote electing to office one who is present and does not decline.
- B. Such motion for reconsideration can only be made by a member of the prevailing side on the original action.
- C. A motion to reconsider must be made no later than the next succeeding regular Council meeting.
- D. A motion to reconsider is debatable only if the action being reconsidered is debatable. Upon passage of a motion to reconsider, the subject matter is returned to the table anew at the next regular Council meeting for any action the Council deems advisable.
- E. Any motion for reconsideration of a matter which was the subject of a required public hearing or which is a quasi-judicial matter may not be discussed or acted upon unless and until the parties or their attorneys and the persons testifying have been given at least five (5) business days advance notice of such discussion and/or action.

CHAPTER 2: LEGISLATIVE PROCESS AND PROCEDURES

The City of Kennewick is a non-charter optional municipal code city, operating under Title 35A of the Revised Code of Washington with a council/manager form of government. The following subchapters are the authority for the City Council to regulate itself.

A. Election of Councilmembers—Eligibility—Terms—Vacancies—Forfeiture of Office—Council Chair

RCW 35A.13.020: “In council-manager code cities, eligibility for election to the council, the manner of electing councilmembers, the numbering of council positions, the terms of councilmembers, the occurrence and the filling of vacancies, the grounds for forfeiture of office, and appointment of a mayor pro temp or councilmember pro tempore shall be governed by the corresponding provisions of RCW 35A.12.030, 35A.12.040, 35A.12.050, 35A.12.060, and 35A.12.065 relating to the council of a code city organized under the mayor-council plan, except that in council-manager cities where all council positions are at large positions, the city council may, pursuant to RCW 35A.13.033, provide that the person elected to council position one shall be the council chair and shall carry out the duties prescribed by RCW 35A.13.030.”

B. Council meetings —Quorum — Rules — Voting

RCW 35A.13.170: “All provisions of RCW 35A.12.110, as now or hereafter amended, and 35A.12.120, relating to council meetings, a quorum for transaction of business, rules and voting at council meetings, shall be applicable to code cities organized under this council-manager plan.”

C. Selection of Officers – Mayor.

The procedures for choosing a Mayor is as follows:

1. Pursuant to RCW 35A.13.030, biennially, at the first meeting of the new council, the members thereof shall choose a chair and from among their number by majority vote. The chair of the council shall have the title of Mayor and shall preside at meetings of the council. In addition to the powers conferred upon him/her as Mayor, he/she shall continue to have all the rights, privileges and immunities of a member of the Council.
2. Each Councilmember is automatically nominated for the position of Mayor. There is no need for additional nominations or seconding.
3. The City Clerk initiates the voting process by calling upon each Councilmember in reverse alphabetical order (using their last name).
4. As the City Clerk calls each Councilmember, the Councilmember states their vote aloud, (including themselves if they wish).
5. The City Clerk records each vote on the tally sheet as it is cast.
6. The first Councilmember to receive four votes is declared the Mayor. The City Clerk announces the results immediately.
7. If no Councilmember receives four votes in the initial round, or if there is a tie, the City Clerk will repeat the voting process as if the prior round did not occur. The

Councilmembers are called upon again in reverse alphabetical order to cast their votes. This process continues, up to three times for a total of four rounds.

- a. If, at the end of four voting cycles a preferred Mayor is not selected, the two persons receiving the most number of total votes will advance to a tie breaker round.
- b. The tie will be broken by the toss of a coin.
 1. The City Manager will assign “heads” to one candidate and “tails” to the other candidate.
 2. The City Clerk will toss the coin and announce the result of the coin toss.
8. Once a Councilmember achieves the required four votes, or the tie is broken by a coin flip, the City Clerk formally announces the new Mayor.
9. The new Mayor assumes their position immediately and presides over the balance of the meeting.

D. Selection of Officers – Mayor Pro Tem. The procedure for choosing a Mayor Pro Tem is as follows:

1. Pursuant to RCW 35A.13.035, biennially, at the first meeting of the new council, the members thereof shall choose a Mayor Pro Tem from among their number by majority vote. The Mayor Pro Tem shall serve in the absence or temporary disability of the mayor. The Mayor Pro Tem shall continue to have all the rights, privileges and immunities of a member of the Council.
2. Each Councilmember, with the exception of the Mayor, is automatically nominated for the position of Mayor Pro Tem. There is no need for additional nominations or seconding.
3. The Mayor initiates the voting process by calling upon each Councilmember in alphabetical order (using their last names).
4. As the Mayor calls each Councilmember, the Councilmember states their vote aloud, (including themselves if they wish).
5. The City Clerk records each vote on the tally sheet as it is cast.
6. The first Councilmember to receive four votes is declared the Mayor Pro Tem. The Mayor announces the results immediately.
7. If no Councilmember receives four votes in the initial round, or if there is a tie, the Mayor will repeat the voting process as if the prior round did not occur. The Councilmembers are called upon again in alphabetical order to cast their votes. This process continues, with as many rounds as necessary, until a Councilmember secures four votes. This process continues, up to three times for a total of four rounds.
 - a. If, at the end of four voting cycles a preferred Mayor Pro Tem is not selected, the two persons receiving the most number of total votes will advance to a tie breaker round.

- b. The tie will be broken by the toss of a coin.
 - 1. The City Manager will assign “heads” to one candidate and “tails” to the other candidate.
 - 2. The City Clerk will toss the coin and announce the result of the coin toss.
- 8. Once a Councilmember achieves the required four votes, or the tie is broken by a coin flip, the Mayor formally announces the new Mayor Pro Tem.
- 9. The new Mayor Pro Tem assumes their position immediately.
- E. Filling Council Vacancies.** If a vacancy occurs on the City Council, the Council will follow the procedures outlined in RCW 35A.13.020.
 - 1. In order to fill the vacancy with the most qualified person available until an election is held, a notice of the vacancy shall be published in the newspaper of record by the City Clerk and placed upon the website and any other outlets deemed appropriate by the City’s Public Information Officer (PIO) as soon as possible after the vacancy occurs so that the position may be filled at the earliest opportunity.
 - 2. The City Clerk shall prepare an application which contains relevant information and may include questions relating to city business.
 - 3. The City Clerk shall distribute the application form and procedures for applying.
 - 4. The City Clerk shall notify applicants of the appointment process.
 - 5. The City Clerk, in coordination with the Benton County Auditor, shall confirm the eligibility of each applicant to fill the unexpired term.
 - 6. The Council may review the qualifications of applicants during an executive session pursuant to RCW 42.30.110 (6).
 - 7. The Council may interview the applicants in an open public meeting.
 - 8. Action including nominations and voting will take place at a meeting open to the public. Balloting will continue up to a total of four times until a nominee receives a majority of votes and then the Mayor shall declare the nominee receiving the majority vote as the new Council member.
 - a. If, at the end of four voting cycles a preferred candidate is not selected, the two persons receiving the most number of total votes will advance to a tie breaker round.
 - b. The tie will be broken by the toss of a coin.
 - 3. The City Manager will assign “heads” to one candidate and “tails” to the other candidate.
 - 4. The City Clerk will toss the coin and announce the result of the coin toss.
 - 9. The new Councilmember shall be sworn into office by the City Clerk no later than the next regularly scheduled City Council meeting.

F. Legislative Agenda

1. Councilmembers and staff shall work each year to draft a “legislative agenda” to address Council ideas, suggestions and specific legislative programs in terms of upcoming or pending legislative activity in Olympia that would or could have an effect on our city. Additionally, Councilmembers can also choose to work each year to draft a separate “legislative agenda” to address concerns on a national level.

G. Council Compensation and Reimbursement

1. Council compensation is set in KMC 2.04.075 and is updated every odd year to include 4 years of projected salaries.
2. Travel and Business Expense Policy – Council shall follow the City’s Travel Policy and Procedure for expenses incurred while on official city business. A copy of this policy is in Appendix A.
3. Cancellation – A Councilmember shall adhere to cancellation deadlines when canceling conferences, seminars, regional meetings, hotel, and airfare, or any other pre-payment or obligation made on his/her behalf. Except in the case of a personal or family emergency, or in the event the cancellation was a City business decision, expenses incurred by the City resulting from failure to conform to cancellation deadlines are the personal responsibility of the Councilmember and the Finance Department shall be informed. Those expenses shall be repaid to the City within fourteen (14) calendar days of cancellation.

CHAPTER 3: COUNCIL CONTACTS AND ROLES

A. Council Contacts and Interactions

1. Council Representation.
 - a. All council members shall represent the City and their positions in an appropriate manner. That includes social media, photos, dress and language.
 - b. If the council member appears on behalf of the City before another governmental agency, another organization, through the media or otherwise speaks to an issue on which the council has taken a position, the council member will state the majority position of the Council, if known, on such issue.
 - c. Personal opinions and comments which differ from the council majority may be expressed if the council member clearly states that these statements do not represent the Council's position.
 - d. Any correspondence with the media shall be communicated to all members of the council. Any meetings with City employees must be arranged in advanced through the City Manager.
 - e. Communication with non-elected public sector officials shall be communicated through the City Manager and the Council informed.
2. Social Media.
 - a. Councilmembers shall not use social media as a mechanism for conducting official City business, although it is permissible to use social media to informally communicate with the public.
 - b. Examples of what may not be communicated through the use of social media include making policy decisions, official public noticing, and discussing items of legal or fiscal significance that have not been released to the public.
 - c. As with telephone and e-mails, communication between and among Councilmembers via social media could constitute a "meeting" under the Open Public Meetings Act, and for this reason, Councilmembers are strongly discouraged from "friending" other Councilmembers, and adding reactions ("likes") to posts from other Councilmembers.

B. Staff Contacts and Interactions

1. Role of the City Manager. (KMC 2.04.080)
 1. The City Manager is the chief administrative officer of the City of Kennewick. The City Manager is directly accountable to the City Council for the execution of the City Council's policy directives, and for the administration and management of all City departments. The powers and duties of the City Manager are defined by Washington law RCW 35A.13.080. Such duties may be expanded by Ordinance or Resolution. Balanced with the City Manager's accountability to the City Council for policy implementation is the need for the Council to allow the City Manager to perform legally defined duties and

responsibilities without interference by the City Council in the management decisions of the City Manager.

2. Administrative Interference by Councilmembers (RCW 35A.13.120).
 - a. Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his/her removal from, any office by the City Manager or any of his/her subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative branch solely through the City Manager and neither the Council nor any committee or member thereof shall give any orders to any subordinate of the City Manager, either publicly or privately; provided, however, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the City Manager anything pertaining to appointments and removals of City officers and employees and City affairs.
3. City Clerk - Minutes - Public Information Access (KMC 2.04.090)
 - a. The City Clerk is an appointed member of the Executive Department under direction of the City Manager.
 - b. The City Clerk is the keeper of the public record.
 - c. He/she shall be ex-officio Clerk-of-the-Council and shall keep minutes as required by law, and shall perform such other duties in the meeting as may be required by the Council, Presiding Officer, or City Manager.
 - d. In the absence of the City Clerk, the City Clerk shall appoint a replacement to act as Clerk-of-the-Council.
 - e. Generally, in accordance with Robert's Rules of Order, the minutes shall mainly record the action taken by the Council and not what is said by the members, unless such information explains a member's vote or the member states that he / she would like something on the record
 - f. The Clerk-of-the-Council shall keep minutes, which identify the general discussion of the issue and complete detail of the official action or consensus reached, if any.
 - g. The City Clerk shall make audio recordings of all public hearings, regular and special Council meetings, and all land use and quasi-judicial proceedings. Access to the recordings shall be made reasonably available to any party who so requests, according to City public information procedures and State retention schedules.
4. City Staff – Attendance at Meetings (KMC 2.04.110).
 - a. Attendance at meetings by City staff shall be at the discretion of the City Manager.

- b. It is the intent of the Council that the Manager schedule adequate administrative support for the business at hand but also to protect the productive capability of Department Heads.

CHAPTER 4 COMMITTEES, BOARDS, AND COMMISSION

The City of Kennewick has established Boards and Commissions and a Hearing Examiner System by ordinance which are governed and more fully described under the Kennewick Municipal Code Chapter 2.16. The following references highlight the major aspects of Boards and Commissions and Council's role in managing them.

A. Qualification (KMC 2.16.90).

1. Generally, members shall be residents of the City or an owner of a business whose primary office is located within the City, not employees or appointed or elected officers of the City, and qualified by experience or education to effectively perform their duties as members. When exceptions to this rule exist, they are described in the board/commission section of the Kennewick Municipal Code.
2. Immediate family members of sitting council members may not serve on the Planning Commission.
3. Council members shall recuse themselves from voting on family member assignment to a board, commission, or committee.

B. Attendance Requirements (2.16.970).

1. All members of boards, commissions or agencies shall be removed from their appointment if they have three or more unexcused absences in any calendar year.
2. The expected minimum standard of attendance at all meetings is 75 percent, regardless of whether absences are excused or unexcused.

C. Filling of Vacancies (2.16.960).

1. If a vacancy should occur prior to the expiration of a term, the City Council, through the Interview Committee Process, will appoint a new committee member to fill the vacancy of an unexpired term.

D. Citizen Committees Boards and Commissions (KMC 2.16)

1. The Council may create committees, boards, and commissions to assist in the conduct of the operation of the city government with such duties as the Council may specify not inconsistent with the Kennewick Municipal Code.
2. Membership and selection of members shall be as provided by the Council if not specified by the Kennewick Municipal Code. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Manager except as otherwise specified by the Kennewick Municipal Code.
3. The Council may remove any member of any board or commission prior to the expiration of their term of office by a vote of at least a majority of the Council.

4. Established boards and commission

- a. Department of Emergency Services (KMC 2.16.010)
- b. Historic Preservation Commission (KMC 2.16.100)
- c. Planning Commission (RCW 35.63 and KMC 2.16.200)
- d. Civil Service Commission (KMC 2.16.300)*
- e. Parks and Recreation Commission (KMC 2.16.400)
- f. Arts Commission (KMC 2.16.420)
- g. Disability Board (KMC 2.16.500)*
- h. Block Grant Advisory Committee (KMC 2.16.520)
- i. Housing Authority (KMC 2.16.600)*
- j. Fire Pension Board (RCW 41.16 and KMC 2.16.820)*
- k. Public Facilities District (KMC 2.16.840)*
- l. Lodging Tax Advisory Committee (KMC 2.16.870)*
- m. Tourism Promotion Area Commission*
- n. The Tri-Cities Regional Hotel Motel Association*

*Indicates boards and commissions not appointed through the Interview Committee process.

5. Interview Committee (KMC 2.16.030)

There shall be an Interview Committee established consisting of three Council Members who shall interview applicants and make recommendations for appointment by the City Council

- a. Interview Committee – Powers and Duties.
 - I. All applications will be reviewed by the Interview Committee. An applicant will be interviewed if upon request by one or more of the Interview Committee. If insufficient applications are received, the Interview Committee may decide to re-advertise.
 - II. The Interview Committee shall evaluate each applicant on an objective basis utilizing the following criteria:
 - 1) Residency: Unless otherwise provided, members of boards, commissions or agencies shall be residents of the City, not employees or appointed or elected officers of the City, and qualified by experience or education to effectively perform their duties as members. (KMC 2.16.930)

- 2) **Contributive Potential:** The Interview Committee shall evaluate the potential contribution that each applicant may make if appointed to a City board, commission or committee. Factors to guide the Committee in its evaluation of this could include desire to perform public service; ability to express ideas, concepts or philosophies; experience in the community on other boards and committees; special knowledge important to a particular board or commission.
- 3) **Time Available to Serve.** The expected minimum standard of attendance at all meetings is 75%, regardless of whether absences are excused or unexcused.

b. **Reappointment**

- I. There is not a vested right to reappointment for any position. An incumbent seeking reappointment must so indicate by submitting the appropriate application form confirming their desire for reappointment. No reappointments will be made automatically. (KMC 2.16.925)
- II. The Interview Committee may unanimously agree to recommend appointment without an interview.
- III. In considering reappointment, the Interview Committee shall also evaluate the candidate using the following performance criteria:
 - 1) Regularity of attendance;
 - 2) Understanding of committee or commission function;
 - 3) Effectiveness;
 - 4) Demonstrated contribution during past term of office on issues, programs, policies, etc., of the advisory board, committee or commission; and
 - 5) Number of terms served.
- I. The committee shall forward a recommendation to the full Council for consideration.

- c. **Term of office.** The term of office for members of boards, commissions and committees which are not for an indefinite period shall commence on the 1st day April and end on the 31st day of March, unless another date is prescribed by statute or ordinance. (KMC 2.16.920)

- d. Filling of Vacancies. Of a vacancy should occur prior to the expiration of a term, a new committee member shall be appointed by a majority vote of the City Council to complete the remainder of the unexpired term. (KMC 2.16.960)

E. Council Relations with Private Boards, Commissions and Advisory Bodies

1. The purpose of these appointments is to provide Council with insight into areas of interest or concern within each board. As liaisons and representatives of the City, it is the duty of Councilmembers to remember that their sole purpose in attending these meetings and participating as an appointed board/committee member is to represent the City; and as such during those meetings. Councilmembers may not act as a representative of any other business, group or organization without the express consent of the Council
2. Councilmembers are encouraged to share with all Councilmembers, copies of minute from any statutory board, commission, or committees on which they serve and participate. Communication from such boards, commissions and bodies to the City Council which seek action or feedback, should be acknowledged by the Council, preferably by a letter from the Mayor. Any member of the Council may also bring such communication to the Mayor's attention under *Council Comments/Discussion or Approval of the Agenda* if any member of the Council request that any such communication be officially answered by the Council.

Appendix A: Travel Policy

Purpose

This policy provides guidelines for elected officials coordinating travel for City-related business, including conference registration, lodging, airfare, meals, and reimbursements.

Travel Arrangements

- All travel arrangements, including conference registration, hotel reservations, and airline bookings, must be coordinated through the City's Executive Assistant.
- Elected officials do not have access to City purchasing cards; all advance travel expenses will be paid directly by the Executive Assistant.
- The Executive Assistant will begin a **Travel Request Form** for all members traveling.

Air Travel & Checked Bags

- Airfare will be booked by the Executive Assistant at the most economical rate available.
- For trips three days or less, checked bag fees will not be reimbursed.
- For trips longer than three days, the City will reimburse the cost of one standard checked bag.
- Overweight baggage fees will not be reimbursed.

Lodging

- Hotel reservations will be made by the Executive Assistant using the government or conference rates (whichever is least costly).
- Lodging expenses are paid directly by the City.
- Parking expenses, if not included in the room rate, will be reimbursed to the Elected Official following completion of the **Travel Expense Report**.

Ground Transportation

- Elected officials should use the most cost-effective and practical means of ground transportation.
- Personal vehicles may be used for official travel, with mileage reimbursed per IRS regulations.
- When necessary, reasonable expenses for taxis, ride-share services, or public transportation will be reimbursed with receipts.
- Rental vehicles are generally not authorized unless deemed necessary for business purposes and reserved through the Executive Assistant.
- Parking fees related to official travel are reimbursable with receipts.

Per Diem & Meals

- Per diem rates for meals follow the same guidelines as City employees.
- Meals included in conference registration will not be reimbursed separately.
- No receipts are required for per diem meal reimbursements.
- Tips are reimbursed up to 15% of the cost of meals, taxi, and ride-share services, not including sales tax. Gratuities in excess of 15% or for other services are not reimbursed.

Travel Companions & Personal Travel

- If an elected official chooses to bring a travel companion (such as a spouse, family member, or friend), all additional costs and travel arrangements for the companion are the sole responsibility of the elected official.
- The City will not coordinate travel or incur any costs related to a travel companion, including but not limited to airfare, lodging, meals, or transportation.
- If a companion increases the cost of the elected official's travel (e.g., upgraded hotel room or airfare costs due to companion itinerary changes), the elected official is responsible for the additional expense.
- Personal days added to business travel are the responsibility of the elected official, including any increase in:
 - Hotel costs
 - Airfare adjustments
 - Ground transportation
 - Mileage reimbursement

Other Travel Expenses

- Necessary expenses such as parking, tolls, and business-related incidentals are reimbursable with receipts.
- Personal expenses, entertainment, and alcohol are not reimbursable.

Expense Reporting & Reimbursement

- At the conclusion of travel, the Executive Assistant will complete the **Post Travel Expense Report**.
- The official must provide and submit items required receipts for reimbursement to the Executive Assistant.

Cancellations

- If travel plans change, the elected official must notify the Executive Assistant as soon as possible to avoid unnecessary charges.

Additional Notes

- This policy applies only to elected officials and is separate from the employee travel policy.

For any travel-related questions, elected officials should contact the City's Executive Assistant.

APPENDIX B– CITY MANAGER REVIEW PROCESS

City Manager Performance Review Policy

Purpose This policy establishes the framework and process for evaluating the City Manager's performance for the City of Kennewick, Washington. It ensures regular performance reviews based on predetermined goals, objectives, and deliverables occur at least annually by the sitting City Council.

Background The City of Kennewick maintains an established personnel evaluation system under the City Manager's direction. The employment contract between the City Council and City Manager stipulates minimum annual performance reviews at the request of the Mayor or any Council member. These reviews serve as the basis for determining the City Manager's compensation adjustments.

Performance Review Process

1. **Timing and Frequency** The City Council shall conduct the City Manager's performance review annually, typically coinciding with their work anniversary date, or as mutually agreed upon by both parties.
2. **Review Objectives** The performance review process shall:
 - Enhance communication between the City Council and City Manager
 - Provide constructive performance feedback
 - Enable the City Manager to share insights and observations with the City Council
 - Address concerns proactively to minimize future conflicts while recognizing achievements
 - Define and clarify the respective roles and responsibilities of the City Council and City Manager
3. **Goal Setting and Evaluation** During each review cycle, the City Council may:
 - Establish specific performance goals and milestones for the upcoming year
 - Evaluate the City Manager's progress in achieving previously set goals and milestones
 - Adjust goals as needed based on changing municipal priorities
4. **Evaluation Procedure**
 - The City Council shall adopt a standardized evaluation form
 - Each Council member shall complete an individual evaluation
 - The Mayor and Mayor Pro Tem shall consolidate the evaluations
 - The Council may convene in Executive Session to discuss the evaluation prior to meeting with the City Manager
 - The Council shall meet with the City Manager in Executive Session to discuss the performance review
 - Evaluation may include input from the executive staff with the goal to ensure honest feedback. HR may use contracted services if necessary.

5. **External Consultation** The City Council may, at its discretion, engage the services of a qualified consultant to:
 - Facilitate the evaluation process
 - Provide objective third-party perspectives
 - Assist in developing evaluation criteria and tools
 - Guide goal-setting discussions
 - Support the compilation and presentation of evaluation resultsThe decision to retain a consultant shall be made by majority vote of the Council, and any associated costs shall be included in the City's budget.
6. **Formal Actions** Any modifications to the City Manager's contract or compensation must be conducted and approved in an open meeting.
7. **Professional Assistance** Council may choose to hire a consultant to assist with the City manager performance review process

Compensation Review

The City Council shall consider adjustments to the City Manager's base salary and/or benefits package during the annual performance review, taking into account:

- Achievement of established goals and objectives
- Overall performance evaluation results
- Market competitiveness
- Budgetary considerations

Council Agenda Coversheet 	Item Number: 2. Item Type: Presentation Subject: Fire Impact Fee Department: Fire Department	Date: 3/11/2025 Category: Info Only
<u>Summary</u> The purpose of this evening's presentation is to reaffirm City Council's desire to implement a fire impact fee. During the Council retreat last spring, Council expressed an interest in considering fire impact fees for the Southridge area, and indicated a potential interest in exploring a fire impact fee throughout the remainder of the City as well. Tonight's presentation will cover: • General impact fee information: What they are, why we have them, and general criteria for their implementation and use • The methodology and formula used to arrive at the costs associated with a Fire impact fee • How a Fire impact fee would utilized • The specific area that would be affected by the impact fee (Southridge) • The affect of development in Southridge area on fire and emergency medical services If Council expresses a desire to move forward with implementing a fire impact fee in the Southridge area, the ordinance to put a fire impact fee in place will be brought forward at a future Council meeting. In addition to the ordinance, a fire impact fee table has been developed that outlines the fee payment amounts based on the size and type of new development being constructed. All fees collected will directly contribute toward meeting the demand for service relative to new development in the Southridge area by paying a portion of the capital costs for constructing a new fire station and purchasing the associated apparatus and equipment. The demand for emergency services in the Southridge area is expanding and continues to increase. Although Council is still discussing the exact timing for the commencement of the Fire Station 6 construction project, it is recognized that a fire station and other capital are needed to deliver effective emergency fire and EMS response to the Southridge community. The fire impact fee will provide significant assistance with the funding needed to better serve this growing area. <u>Attachments:</u> 1. Presentation		



City of Kennewick Fire Impact Fees



Tonight's Focus... Key Policy Decisions

1. Reaffirm City Council's desire to **implement a Fire impact fee**
2. Provide City Council with the following details regarding Fire impact fees **in the Southridge area**:
 - Methodology
 - Formulas
 - Calculated amounts
3. If the decision is made to implement Fire impact fee, should it be applied only to the Southridge area, or to the entire city?

Impact Fees Explained



What are Impact Fees?

Impact Fees are **one-time** capital **charges** assessed to offset the cost of **new development** by providing funding for the capital improvements necessitated by that development.

Typical impact fees are:

- Levied on an **“up-front”** or “front-end” basis
- Dedicated to a **specific** public use
- Calculated using a cost basis **formula**
- Prescribed by **ordinance**





Typical Questions Asked by the Community

- Who really pays?
- How the fee is calculated?
- Where does the money go?
- How and where is the money spent?
- Who really benefits from the new or expanded public facility?
- What is the impact on development?





Why Do We Have Impact Fees? (Option 2)

Impact fees are not new and are not unique to Washington State.

- Impact fees have been imposed by local jurisdictions in WA State since: **1990**
- First Initiated in:
 - **Clark County**
 - **King County**
- Why?
 - **High levels of growth**
 - **Restrictive tax systems**

Impact fee use has grown due to:

- Local governments needing to extend services to newly developed areas and/or urban expansion areas
- Traditional financing can be unpopular with existing residents (*e.g., new taxes, bonds and levies*)
- Limited options available to local governments for funding new services



Authority to Impose Impact Fees

A number of states have enabling legislation that specifically authorizes impact fees.

Washington State's Growth Management Act (GMA) authorizes counties, cities, and towns to impose impact fees per RCW 82.02.090 and RCW 82.02.050-.110 for:

- **Public streets and roads**
- **Publicly owned parks, open spaces, and recreational facilities**
- **School facilities**
- **Fire Protection Facilities**



Key Principles

Impact fees authorized by the GMA are regulated by the following key principles:

- For **capital facilities** only
- Only for improvements reasonably related to impacts **caused by new development**
- Must use **more than one** funding source
- Must be included in the **comprehensive plan**
- Must adhere to **established deadline** for spending collected funds



Current Fire Impact Fees in Washington

Numerous cities and fire agencies within Washington State have enacted fire impact fees. These include, but are not limited to:

- Redmond
- Auburn
- Tukwila
- Shoreline
- Puget Sound Fire Authority
- Clark County Fire District #3

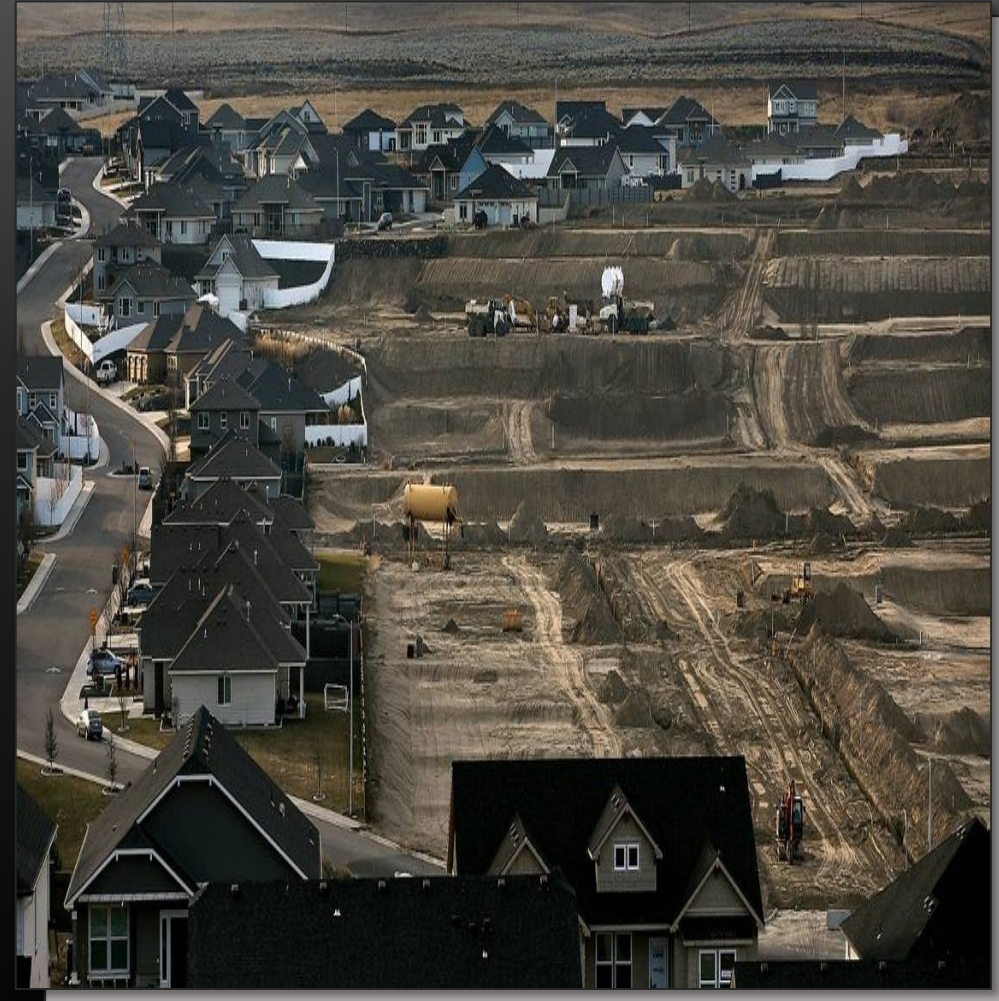




Rational Nexus Test

Cost justification basis:

- Must demonstrate a link between the service needs of new development, and the additional facilities and equipment needed to meet those needs.
- Must demonstrate a link between the fee amount and the benefits received by new development.
- Must not exceed the proportional share of costs for the additional facilities and equipment.

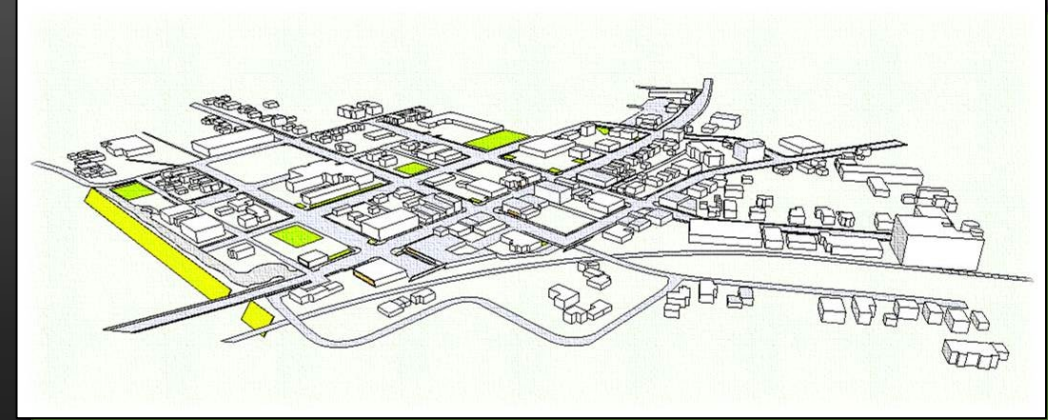




Methodology

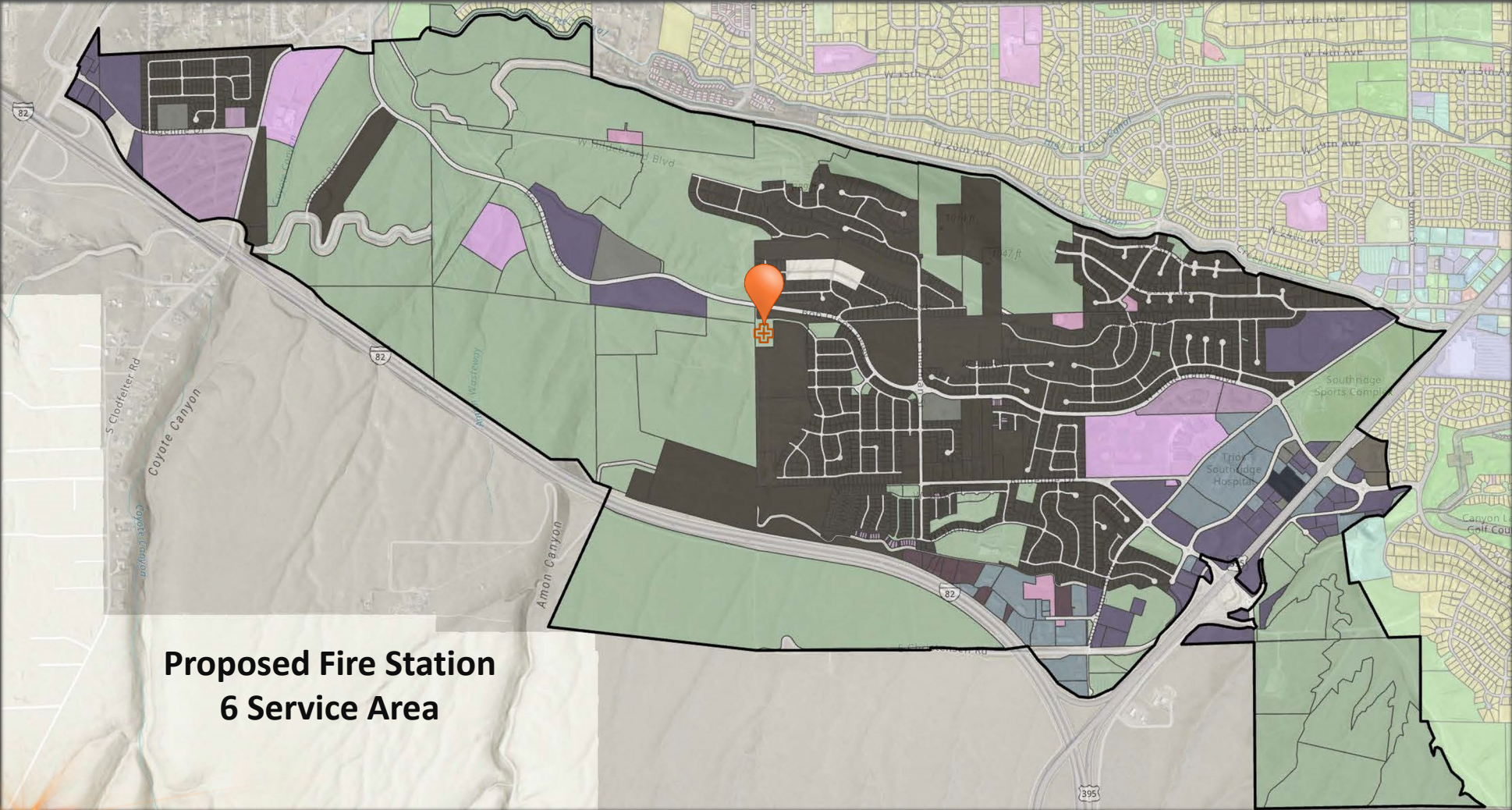
The methodology used must:

- Define the service area boundary and standard of service
- Identify the capital needed to address service requirements
- Allocate the costs between current and future customers
- Allocate costs according to the impact of use
- Calculate costs and justify the fee



Southridge Fire Impact Fees

Boundary and Service Area



**Proposed Fire Station
6 Service Area**



Fire Capital Needed for Southridge Area

- Build Fire Station 6
- 1 – Fire engine
- 1 – Medic unit
- Equipment for both the engine and the medic unit



Breakdown of Property Types



Single-Family Residential



Multi-Unit Residential



Residential Care Facility



Hotel / Motel



Office Space



Assembly / Gathering



Retail / Commercial



Industrial / Storage





Ratio of Calls for Service (CFS) per Unit Value

Single-Family Residential



1 CFS : 5 Homes

Multi-Unit Residential



1 CFS : 4 Units

Residential Care Facility



1.2 CFS : 1 Bed

Hotel / Motel



1 CFS : 3 Rooms

Office Space



1 CFS : 4,175 sq ft

Assembly / Gathering



1 CFS : 3,229 sq ft

Retail / Commercial



1 CFS : 4,390 sq ft

Industrial / Storage



1 CFS : 41,025 sq ft



Impact Fees by Occupancy Type

Occupancy Type	Basis Unit	Basis Fee	Example	Impact Fee
Single-Family Residential	Each	\$ 579.05	Tract of 10 Homes	\$ 5,790.47
Multi-Unit Residential	Unit	\$ 646.19	60-unit Apartment Building	\$ 38,771.60
Residential Care Facility	Bed	\$ 3,584.78	30-bed Care Facility	\$ 107,543.49
Hotel/Motel	Room	\$ 795.66	90-room Hotel	\$ 71,609.77
Office Space	Square Foot	\$ 0.67	12,000 sq ft	\$ 8,081.30
Assembly/Gathering	Square Foot	\$ 0.87	4,500 sq ft Restaurant	\$ 3,917.95
Retail/Commercial	Square Foot	\$ 0.64	80,000 sq ft Grocery Store	\$ 51,232.56
Industrial/Storage	Square Foot	\$ 0.07	500,000 sq ft Warehouse	\$ 34,263.47



Sample Rate Comparison: Single-Family Home

Home Size:
1,586 sq ft

Valuation:
\$306,978

**Pasco, Kennewick and Richland offer a reduced plan review fee and/or waive it entirely for single-family homes. The standard plan review fee in each of these cities is 65% of the building permit fee.*

***Kennewick and Richland have location-specific impact fees based on designated areas or zones. Area/Zone 1 was used for this sample comparison.*

Fee Breakdown by City	Kennewick	Pasco	Richland	West Richland
Permit Fees				
Building Permit Fee	\$ 2,152.95	\$ 2,152.95	\$ 2,152.95	\$ 2,366.10
State Fee	\$ 6.50	\$ 6.50	\$ 6.50	\$ 6.50
Plan Review Fee*	\$ -	\$ 50.00	\$ -	\$ 1,419.66
School Impact Fee	\$ -	\$ 4,700.00	\$ -	\$ -
Park Impact Fee**	\$ 1,064.00	\$ 1,908.06	\$ 1,680.00	\$ 3,100.00
Traffic Impact Fee**	\$ 1,621.00	\$ 709.00	\$ 2,647.13	\$ 1,915.65
Connection Fees - Water				
3/4" Meter Fee	\$ 745.00	\$ 258.16	\$ 1,020.00	\$ 660.00
Area Charge	\$ 117.92	\$ 305.01	\$ 1,122.90	\$ 786.10
Water System Fee	\$ 600.00	\$ 360.00	\$ 2,100.00	\$ 6,617.00
Connection Fees - Sewer				
Area Charge	\$ 314.44	\$ 367.90	\$ 2,245.80	\$ 786.10
Sewer System Fee	\$ 4,000.00	\$ 1,288.00	\$ 2,995.00	\$ 4,060.00
Sewer Connection/Inspection Fee	\$ 100.00	\$ 75.00	\$ 100.00	\$ 85.00
Current TOTAL Cost:	\$ 10,721.81	\$ 12,180.58	\$ 16,070.28	\$ 21,802.11



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1,586 sq ft

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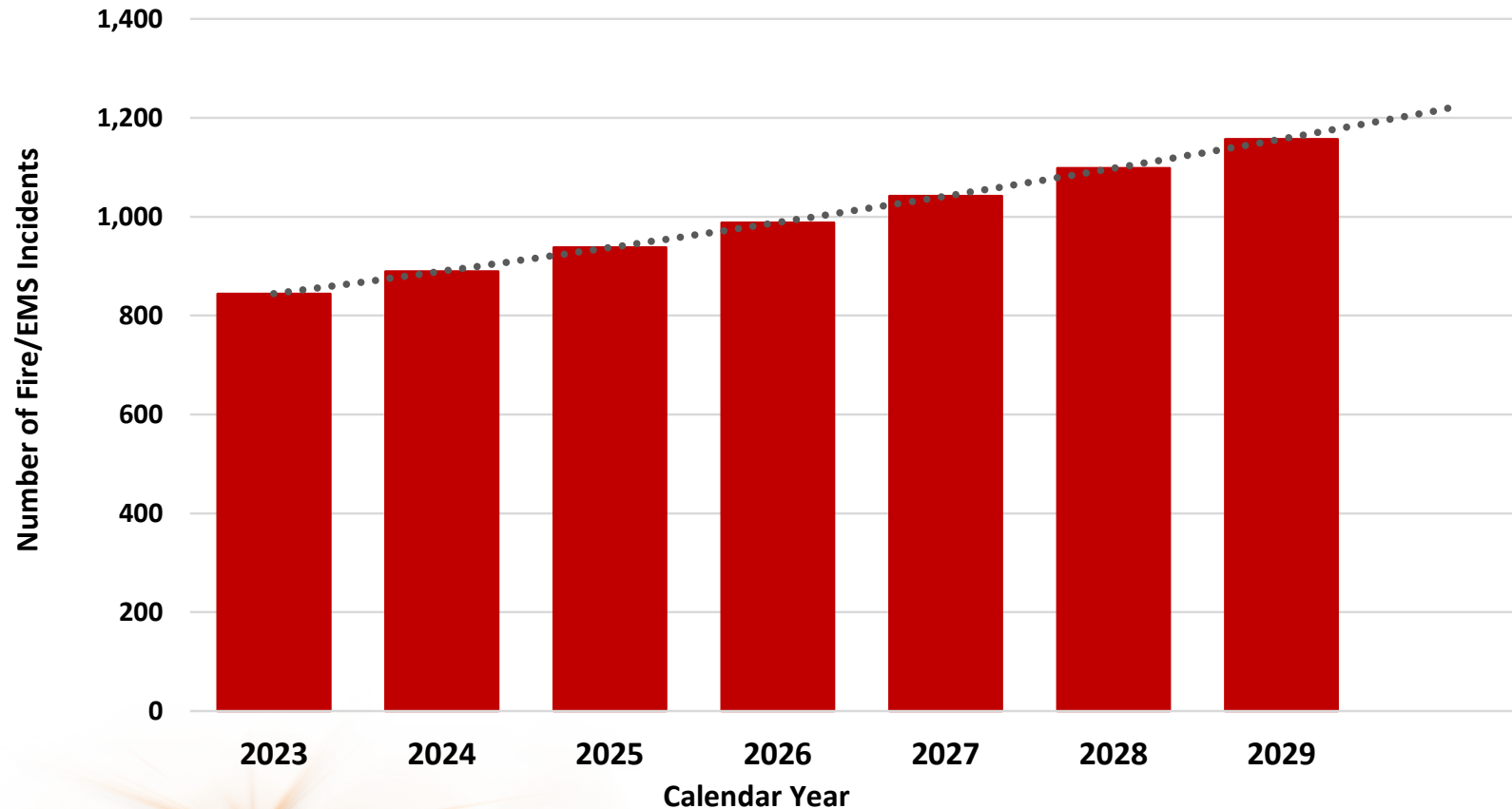
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Current TOTAL Cost:	\$ 10,721.81	\$ 12,180.58	\$ 16,070.28	\$ 21,802.11
Proposed TOTAL Cost: (with Fire Impact Fee)	\$ 11,300.86	\$ 12,180.58	\$ 16,070.28	\$ 21,802.11

Fire Station 6 Demand



Fire Station 6 Demand

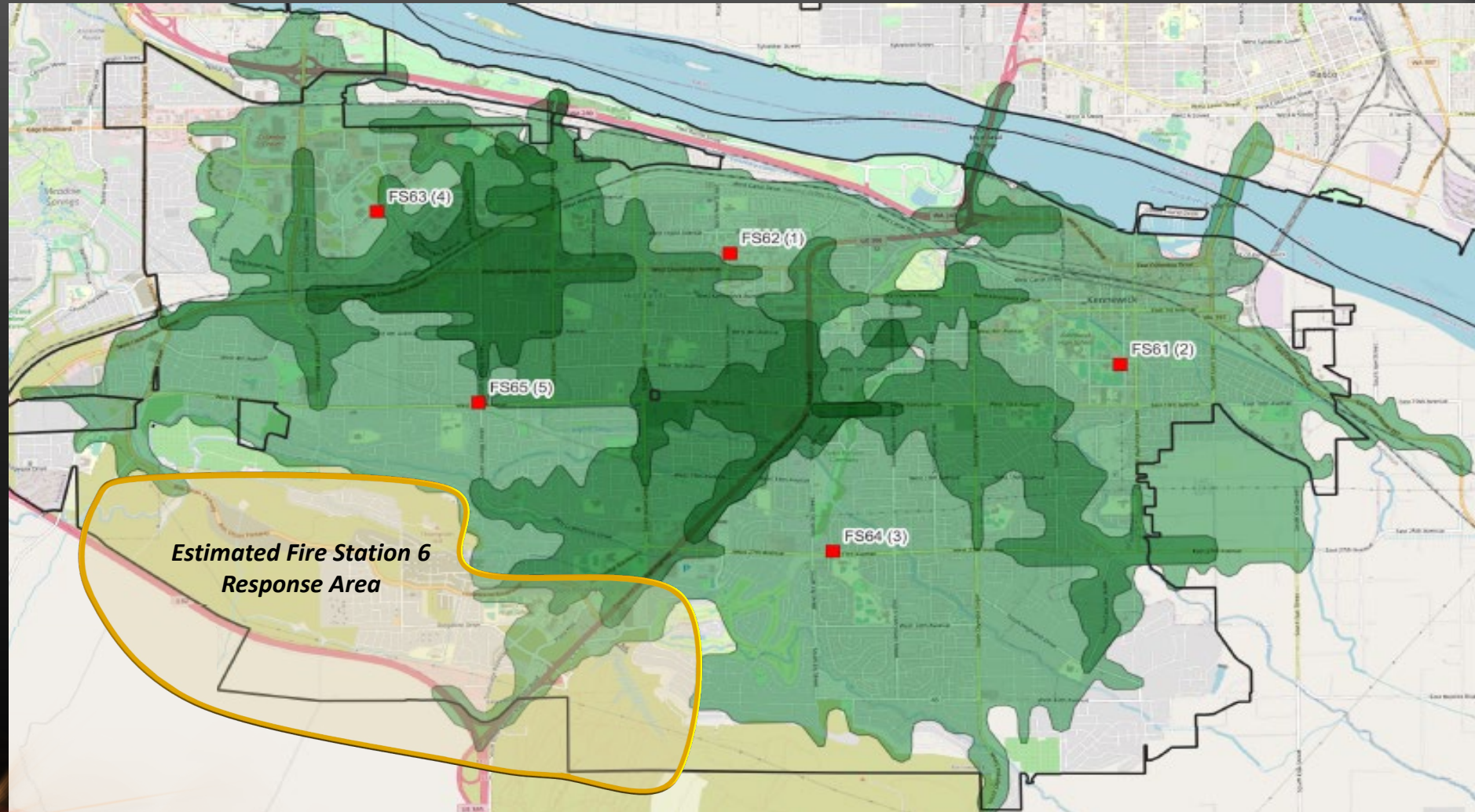
Fire Station 6 Area
Current & Projected Call Volume Growth



- Projected call volume growth was calculated using a compounded growth rate of approx. **5%** based on the overall rise in call volume over a 5-year time span.
- Note: These growth rate projections do **NOT** account for unfinished construction and/or building permits (regardless of status) due to unknown completion dates.



5-Minute Travel Time – All Calls





Adopted Performance Measurements

Performance Measurements for 1st Arriving Unit on Scene

The Kennewick Fire Department’s adopted performance time objectives for first arriving units 90% of the time (in mm:ss) are listed below.

Category	Turnout	Travel	Total Response
Emergency Medical – Advanced Life Support (ALS, Med 3 & 4)	01:00	05:00	06:00
Emergency Medical – Basic Life Support (BLS, Med 1 & 2)	01:00	08:30	09:30
Emergency Medical – Peak Hour Unit (BLS, Med 1 & 2)	01:00	10:00	11:00
Fire Suppression (All Types)	01:45	05:00	06:45
Technical Rescue	01:45	05:00	06:45
Hazardous Materials	01:45	05:00	06:45
Service Calls (All Types)	01:45	10:00	11:45



Informational Resources

Outside Resources and Reference Materials Used:

1. The Municipal Research and Services Center (MRSC)
[\(<https://mrsc.org/stay-informed/mrsc-insight/march-2023/impact-fees-local-government-dos-and-donts>\)](https://mrsc.org/stay-informed/mrsc-insight/march-2023/impact-fees-local-government-dos-and-donts)
2. The Town of Wakeforest
[\(<https://slideplayer.com/slide/14577136/>\)](https://slideplayer.com/slide/14577136/)
3. Impact Fee Handbook
[*\(\[impact-fee-handbook.pdf\]\(#\)\)*](#)



QUESTIONS?