

City Council Meeting

January 13, 2026
6:00 PM



<http://www.bonneylake.gov/>

AGENDA

Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

The public is invited to attend Council Meetings and Workshops. Options for attending are provided below.

In-Person: Bonney Lake Justice & Municipal Center at 9002 Main Street East in Bonney Lake

By phone: 323-792-6234 (Meeting ID: 678 478 69#)

By internet: Chrome- [TEAMS Meeting Link](#) (Meeting ID: 265 362 442 662 58)

(All public online cameras and microphones will be disabled except during public comments. Only staff and presenters will be visible and unmuted during the entire meeting.)

The City Council may add and take action on other items not listed on this agenda.

I. Call to Order

A. Pledge of Allegiance

B. Roll Call

Mayor Terry Carter, Deputy Mayor Dan Swatman, Councilmember Angela Baldwin, Councilmember Aaron Davis, Councilmember Gwendolyn Fullerton, Councilmember Kerri Hubler, Councilmember J. Kelly McClimans, and Councilmember Brittany Rock.

C. Agenda Modifications

II. Announcements, Appointments and Presentations: None.

III. Public Hearings, Public Comments & Correspondence

A. Public Hearing: None.

Public comments can be made in person, by phone or virtually during this portion of the meeting. Comments are limited to 5 minutes. All who comment will be asked to state their name for the meeting record. If you are attending virtually, we ask that you please email clerk@bonneylake.gov to give the last 4 of your phone number or screen name so we can ensure your mic and video will be seen/heard.

B. Public Comments

Public comments can be made in-person, by phone or virtually during this portion of the meeting. You will need to use the raised hand icon at the top of the TEAMS page to show that you would like to speak. Comments are limited to 5 minutes. All who comment will be asked to state their name for the meeting record.

C. Correspondence: None.

IV. Council Committee Reports

- A. Finance Committee
- B. Community Development Committee
- C. Public Safety Committee
- D. Other Reports

V. Consent Agenda

(The items listed below may be acted upon by a single motion and second of the City Council. By simple request to the Chair, any Councilmember may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.)

- A. Approval of Minutes: None.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable check/vouchers #100595 to #100679, and wire transfers #20251209, and #20251211 in the amount of \$477,733.40. Accounts Payable check/voucher wire transfer #2025121701 for City purchasing cards in the amount of \$50,763.06. Accounts Payable wire transfers #2025112001, and #2025120201 in the amount of \$34,788.01. Accounts Payable check/vouchers #100680 to #100728, and wire transfers #20251218, #50009564, #2025121501, and #2025121801 in the amount of \$1,255,822.05. Accounts Payable check/vouchers #100750 to #100757 in the amount of \$5,035.85. **Voids:** None.
- C. **Approval of Payroll:** December 1-15, 2025 for checks #35328 – 35335 including Direct Deposits and Electronic Transfers totaling \$852,919.48. Voids: Checks #35234, 35243, 35254, 35263, 35274, 35282, 35321; Replaced with #35321, 35322, 35323, 35324, 35325, 35326, 35327.
- D. ~~**AB26-5** An Ordinance of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Regarding The Office Of Recreation; Amending Section 2.08.030.F BLMC And 2.08.050 BLMC For The Purpose Of Relocating Recreation To The Department Of Public Services; Providing For Severability And Corrections; And Establishing An Effective Date.~~
(Moved to Full Council Issues Item B.)
- E. **AB26-8** An Ordinance of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Article III Of The Bonney Lake Council Policies & Procedures Relating To Regular Council Meeting Dates And Times; Repealing Ordinance No. 1546; Providing For Severability And Corrections; And Establishing An Effective Date.
- F. **AB26-3** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Changing The Regular Meeting Dates And Start Times For Council Standing Committees And Repealing Resolution Nos 2531 And 3219.
- G. **AB26-4** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Amending Administration And Police Department Sections Of The City's Fee Schedule Of Resolution 3282 To Add Clarifying Language And Update Fees In The Police Department Section.
- H. **AB26-9** A Resolution of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Award Of Contract With SCI Infrastructure, LLC For The 77th St Ct

and 205th Ave Sewer Repairs Project.

- I. ~~AB26-11 A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Adopting Robert's Rules Of Order As A Basic Guide For Fair And Orderly Procedure In Council Meetings And Repealing Resolution No 810. (Moved to Full Council Issues Item C.)~~
- J. ~~AB26-7 A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Amending The Council Policies And Procedures To Update The Parliamentary Procedure, Parliamentarian, Council Committees Sections, Updating Meeting Sections, And Other Sections To Reflect New Procedures. (Moved to Full Council Issues Item D.)~~
- K. **AB26-10** A Motion of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement With Akana For Construction Management Services For The 77th St Ct and 205th Ave Sewer Repairs Project.

VI. Full Council Issues

- A. **AB26-6** A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Interlocal Agreement With The Town Of South Prairie For Municipal Court Services.
- B. **AB26-5(Moved from Consent Agenda Item D.)** An Ordinance of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Regarding The Office Of Recreation; Amending Section 2.08.030.F BLMC And 2.08.050 BLMC For The Purpose Of Relocating Recreation To The Department Of Public Services; Providing For Severability And Corrections; And Establishing An Effective Date.
- C. **AB26-11 (Moved from Consent Agenda Item I.)** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Adopting Robert's Rules Of Order As A Basic Guide For Fair And Orderly Procedure In Council Meetings And Repealing Resolution No 810.
- D. **AB26-7(Moved from Consent Agenda Item J.)** A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Amending The Council Policies And Procedures To Update The Parliamentary Procedure, Parliamentarian, Council Committees Sections, Updating Meeting Sections, And Other Sections To Reflect New Procedures.

VII. Executive/Closed Session

Pursuant to RCW 42.30.110 and/or RCW 42.30.140, the City Council may hold an executive or closed session. The topic(s) and duration will be announced prior to the session.

VIII. Adjournment

Anything submitted at the Meeting will be added to the end of the packet the next day.

The City of Bonney Lake does not discriminate on the basis of disability, race, color, or national origin in its programs, services, or activities. If you need language assistance, translation, or an auxiliary aid, service, or policy modification to fully participate, please [email the City Clerk's Office](#) or call at 253-862-8062 (TTY 711) at least 5 business days before the event; later requests will be honored when feasible.

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number:	AB26-5
Agenda Item Type:	Ordinance
Presenter:	Jason Sullivan, Public Services Director
City Strategic Goal Category:	Parks Rec & Green Space Vision
Department/Division Submitting:	Public Services Director
Impacted Departments That Received Notification:	Executive Administrative Services Finance

Agenda Subject: Relocation of the Recreation Division to the Public Services Department

Full Title/Motion: ~~An Ordinance of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Regarding The Office Of Recreation; Amending Section 2.08.030.F BLMC And 2.08.050 BLMC For The Purpose Of Relocating Recreation To The Department Of Public Services; Providing For Severability And Corrections; And Establishing An Effective Date. (Moved to Full Council Issues Item B.)~~

Short Background Summary:

The proposed ordinance will move the recreation division from the Executive Department to the Public Services Department. The proposed move is to improve operational efficiency and coordination of the City's park and recreation services. Recreation programs rely on well-maintained facilities, and parks benefit from active use through programs. Having them in one department aligns their goals. Additionally, residents see parks and recreation as one singular service. Combining the functions into one department ensures a more consistent experience and makes it easier for the public to know where to go for help or information. Finally, long-term planning for parks and recreation is more effective when maintenance and programming are integrated.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
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Budget Explanation:

This reorganization will not have a budgetary impact. Council adopted budget amendment noted the change in the FTE chart.

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: City Council

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop

Date of Council Meeting

Date of Council Public Hearing

1/13/2026

ORDINANCE NO. D26-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, REGARDING THE OFFICE OF RECREATION; AMENDING SECTION 2.08.030.F BLMC AND 2.08.050 BLMC FOR THE PURPOSE OF RELOCATING RECREATION TO THE DEPARTMENT OF PUBLIC SERVICES; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Mayor has proposed to modify the organizational structure of the City to improve the operation of, coordination with, and support for the Office of Recreation; and

WHEREAS, the Council agrees to authorize the Mayor to make the adjustments to the City's general organizational structure outlined below;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **Amendment.** Subsection 2.08.030.F of the Bonney Lake Municipal Code is hereby amended to read as follows:

2.08.030 Executive department.

... F. Office of ~~Recreation and~~ Special Events. The office of ~~recreation and~~ special events shall be under the general supervision of the city administrator. Said office may be organized into distinct sections including but not necessarily limited to ~~recreation and~~ special events. The general functions of the office are ~~to coordinate and/or sponsor recreation programs and~~ to plan and coordinate community events and festivals.

Section 2. **Amendment.** A new subsection 2.08.050 of the Bonney Lake Municipal Code is hereby amended to read as follows:

2.08.050 Department of public services.

A. The department of public services shall be under the general supervision of a public services director. The public services director may serve as the supervisor of one or more divisions or offices of the department as needed or assigned. The mayor may organize said department into different divisions or sections including but not necessarily limited to the following: an engineering and infrastructure ~~development~~ division headed by the city engineer, a public works division headed by a superintendent of public works, a ~~permitting~~ division, an administration support division, and a ~~planning and building~~

development services division, and a recreation division. Wherever the Bonney Lake Municipal Code refers to the position of public works director, director of public works, or planning and community development director, it shall mean public services director until amended hereafter.

- B. The duties and responsibilities of the department of public services shall include, but are not necessarily limited to:
1. Transportation. The construction, operation and maintenance of all public streets, sidewalks, alleys, bridges, viaducts, street lights, signals, signs, highways and rights-of-way under jurisdiction of the city.
 2. Fleet. The acquisition, maintenance, and disposition of the city's equipment fleet as established in the equipment rental and replacement fund.
 3. Parks Maintenance. To operate and maintain the city's parks, trails, and open spaces; and to administer and maintain the community forestry program of the city.
 4. Water Supply and Distribution. The construction, operation and maintenance of the city's water supply, storage and distribution facilities, including water mains, pumping stations, reservoirs, springs, and wells.
 5. Sewer Collection. The construction, operation and maintenance of all sanitary sewers, sewer facilities and appurtenances, including sanitary sewers and pumping stations.
 6. Stormwater. The construction and maintenance of all city stormwater facilities and appurtenances, including storm sewers, drains, ditches, ponds, culverts and streams and watercourses under jurisdiction of the city.
 7. Planning and Building. To generally plan the physical development of the city; prepare the comprehensive and coordinated plans therefor; plan municipal parks, trails, open spaces; investigate code violations; inspect projects; administer, inspect, and enforce SEPA and all platting, zoning, building, environmental, and land use ordinances and regulations.
 8. Engineering. To ensure compliance with adopted public works standards and codes, and to undertake, administer and/or monitor the engineering and construction of public and private infrastructure and development within the city, including the city's capital improvement programs and other public works related engineering projects.

9. Permitting. To assist potential applicants in obtaining the appropriate permits as set forth in this code, in order to complete both private and commercial development projects within the city, and ensure businesses obtain a city-issued business license.

10. Recreation. To coordinate and/or sponsor recreation programs.

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto. Provided, however, that nothing in this section allows the city attorney, the city clerk, and/or the code publisher to change the intent of this Ordinance.

Section 6. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Bonney Lake and attested by the City Clerk in authentication of such passage on this ___ day of _____, 20__.

APPROVED by the Mayor this ___ day of _____, 20__.

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, MMC, City Clerk

AB ____
Passed:
Valid:
Published:
Effective Date:
This Ordinance totals ____ page(s)

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number:	AB26-8
Agenda Item Type:	Ordinance
Presenter:	Sadie Schaneman, City Clerk
City Strategic Goal Category:	None
Department/Division Submitting:	Admin
Impacted Departments That Received Notification:	Court Finance Executive Administrative Services Public Services Police Department

Agenda Subject: Changing Frequency Of Council Meetings

Full Title/Motion: An Ordinance of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Article III Of The Bonney Lake Council Policies & Procedures Relating To Regular Council Meeting Dates And Times; Repealing Ordinance No. 1546; Providing For Severability And Corrections; And Establishing An Effective Date.

Short Background Summary:

Council at the council orientation on 12/16/2025, asked to have a discussion on the frequency of council meetings to be placed on an agenda. Per RCW 35A.12.110, council shall meet regularly at least once a month. The Clerks' Office gathered meeting frequencies for local cities and came up with 3 options for council to start the discussion.

Council agreed to 3 meetings a month as a combined meeting/workshop at the January 6, 2026 Council Workshop.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
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Budget Explanation:

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: City Council

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop

Date of Council Meeting

Date of Council Public Hearing

1/6/2026

1/13/2026

ORDINANCE NO. TBD

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING ARTICLE III OF THE BONNEY LAKE COUNCIL POLICIES & PROCEDURES RELATING TO REGULAR COUNCIL MEETING DATES AND TIMES; REPEALING ORDINANCE NO. 1546; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined to change the starting time of their regular meeting; and

WHEREAS, the City Council has determined to change the frequency of their regular meeting; and

WHEREAS, the City Council has determined to combine both their regular meetings and their workshops.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Repeal. Bonney Lake Ordinance Number 1546 is hereby repealed.

Section 2. Amendment. Article III of the Bonney Lake Council Policies & Procedures to read as follows:

Article III. Types of Council Meetings

Regular council meetings.

The council shall meet on the ~~first~~, second and ~~fourth~~-third Tuesday of each month at 6:00 p.m. The meeting shall adjourn no later than 9:00 p.m. To continue past this time of adjournment, a council majority must concur. When a council meeting falls on a holiday, the council may determine an alternate day for the meeting or cancel the meeting. The council may reschedule regular meetings to a different date or time by motion. The location of the meetings shall be the council chambers at the Justice and Municipal Center and virtually by link provided on the city's website and noted on the agendas unless specified otherwise by a majority vote of the council. All regular and special meetings shall be public.

If possible, only one or two major topics (defined as issues of high interest, controversial or those which would take an extraordinary amount of city council meeting time) will be scheduled per meeting.

Council workshops.

The council shall ~~have workshops at the end of each council regular meeting meet on the first and third Tuesday of each month at 6:00 p.m.~~ to review forthcoming agenda issues, review reports on

current programs or projects, receive other similar information from city department heads or conduct procedure workshops. Decisions/votes on the issues discussed at workshops will generally be scheduled for ~~a-the next~~ regular or special council meeting, but the council may do anything at a Council workshop that they are legally permitted to do at a regular Council meeting, however, in general the Council will only take action at a workshop upon approval of a majority vote of the councilmembers present. If action is to be taken, public comments will be allowed for that item only prior to voting. Workshops shall have a council open discussion period ~~generally prior to at~~ the beginning of the workshop and towards the end of the regular council meetings section to discuss issues of concern unless waived by the council. Council workshops shall be open to the public and will be offered virtually also for those who cannot make the meeting in person.

Section 3. Severability. If any section, sentence clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or unconstitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto. Provided, however, that nothing in this section allows the city attorney, the city clerk, and/or the code publisher to change the intent of this Ordinance.

Section 6. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Bonney Lake and attested by the City Clerk in authentication of such passage on this 13th day of January 2026.

APPROVED by the Mayor on this 13th day of January 2026.

Terry Carter, Mayor

ATTEST/AUTHENTICATED:

Sadie A. Schaneman, MMC, City Clerk

AB _____
Passed:
Valid:
Published:
Effective Date:
This Ordinance totals _____ page(s)

Article III. Types of Council Meetings

Regular council meetings.

The council shall meet on the first, second and ~~fourth-third~~ Tuesday of each month at 6:00 p.m. The meeting shall adjourn no later than 9:00 p.m. To continue past this time of adjournment, a council majority must concur. When a council meeting falls on a holiday, the council may determine an alternate day for the meeting or cancel the meeting. The council may reschedule regular meetings to a different date or time by motion. The location of the meetings shall be the council chambers at the Justice and Municipal Center and virtually by link provided on the city's website and noted on the agendas unless specified otherwise by a majority vote of the council. All regular and special meetings shall be public.

If possible, only one or two major topics (defined as issues of high interest, controversial or those which would take an extraordinary amount of city council meeting time) will be scheduled per meeting.

Special meetings.

The mayor or any three members of the council may call special meetings as stipulated in RCW 35A.12.110. The city clerk or designee shall prepare a notice of the special meeting stating the time, place and business to be transacted. The city clerk shall attempt to notify each member of

Council workshops.

The council shall have workshops at the end of each council regular meeting ~~meet on the first and third Tuesday of each month at 6:00 p.m.~~ to review forthcoming agenda issues, review reports on current programs or projects, receive other similar information from city department heads or conduct procedure workshops. Decisions/votes on the issues discussed at workshops will generally be scheduled for ~~a~~ the next regular or special council meeting, but the council may do anything at a Council workshop that they are legally permitted to do at a regular Council meeting, however, in general the Council will only take action at a workshop upon approval of a majority vote of the councilmembers present. If action is to be taken, public comments will be allowed for that item only prior to voting. Workshops shall have a council open discussion period ~~generally prior to~~ at the beginning of the workshop and towards the end of the regular council meetings ~~section~~ to discuss issues of concern unless waived by the council. Council workshops shall be open to the public and will be offered virtually also for those who cannot make the meeting in person.

RCW 35A.12.110 Council meetings. The city council and mayor shall meet regularly, at least once a month, at a place and at such times as may be designated by the city council. All final actions on resolutions and ordinances must take place within the corporate limits of the city. Special meetings may be called by the mayor or any three members of the council by written notice delivered to each member of the council at least twenty-four hours before the time specified for the proposed meeting. All actions that have heretofore been taken at special council meetings held pursuant to this section, but for which the number of hours of notice given has been at variance with requirements of RCW 42.30.080, are hereby validated. All council meetings shall be open to the public except as permitted by chapter 42.30 RCW. No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed at any meeting not open to the public, nor at any public meeting the date of which is not fixed by ordinance, resolution, or rule, unless public notice of such meeting has been given by such notice to each local newspaper of general circulation and to each local radio or television station, as provided in RCW 42.30.080 as now or hereafter amended. Meetings of the council shall be presided over by the mayor, if present, or otherwise by the mayor pro tempore, or deputy mayor if one has been appointed, or by a member of the council selected by a majority of the councilmembers at such meeting. Appointment of a councilmember to preside over the meeting shall not in any way abridge his or her right to vote on matters coming before the council at such meeting. In the absence of the clerk, a deputy clerk or other qualified person appointed by the clerk, the mayor, or the council, may perform the duties of clerk at such meeting. A journal of all proceedings shall be kept, which shall be a public record. [2009 c 549 s 3011; 1993 c 199 s 3; 1979 ex.s. c 18 s 23; 1967 ex.s. c 119 s 35A.12.110.]

Severability—1979 ex.s. c 18: See note following RCW 35A.01.070.

Council Meeting Options

Option #1:

Meet 2 Tuesdays a month. 1 Tuesday for Workshop and the other for a Meeting to adopt items.

Option #2:

Meet 3 Tuesdays a month. 2 Tuesdays as Workshops and 1 for a Meeting to adopt items.

Option #3:

Have Council as a Whole instead of Standing Committees. Have 1 Tuesday be focused on CDC items, 1 focused on Finance items, and 1 focused on Public Safety items.

Have full discussions, then either have it brought back the next month or vote and pass that night. Everything would be full discussion except we would have approval of payroll, approval of minutes, approval of accounts payable and utility refund checks/vouchers, and any items that are not needed for full discussion as consent on each agenda as needed.

This would make it so all council hears all the items, can ask questions together, and items can be passed the same night. This would also free up staff and council time without having the standing committee meetings.

Local Meetings and Workshops

<u>City / Town</u>	<u>Regular Meetings</u>	<u>Workshops / Study Sessions</u>	<u>Total Monthly</u>	<u>Format</u>
Algona	2nd & 4th Mon	Same nights (precede Regular)	2	Hybrid (In-person, with Live Stream on YouTube/TV)
Auburn	1st & 3rd Mon	2nd & 4th Mon	4	In-Person (Generally, with live streaming/cablecast)
Black Diamond	1st & 3rd Thu	2nd Thu	3	Hybrid (Generally, check agenda for specific details)
Bonney Lake	2nd & 4th Tue	1st & 3rd Tue	4	Hybrid (In-person at City Hall and via TEAMS)
Buckley	2nd & 4th Tue	1st Tue	3	Hybrid (In-person with published Zoom/Call-in info)
Carbonado	2nd Monday	As needed	1+	Likely In-Person (Due to small size, check agenda)

Covington	2nd & 4th Tue	2nd & 4th Tue (precede Regular)	2	Hybrid (Generally, check agenda for specific details)
DuPont	2nd & 4th Tue	1st & 3rd Tue	4	Hybrid (Generally, check agenda for specific details)
Edgewood	2nd & 4th Tue	1st, 3rd, & 5th Tue	5	Hybrid (In-person at City Hall and via Zoom)
Enumclaw	2nd & 4th Mon	Varies (Standing Committees)	2+	Hybrid (In-person at City Hall, or by video-conferencing)
Fife	2nd & 4th Tue	3rd Tue	3	Hybrid (In-person, with online viewing via YouTube/TV)
Lakewood	1st & 3rd Mon	2nd & 4th Mon	4	Hybrid (In-person in Chambers, with Zoom for public comment)
Milton	1st & 3rd Mon	2nd Mon	3	Hybrid (In-person, with live stream)
Orting	2nd & 4th Wed	1st & 3rd Wed	4	Hybrid (In-person with published Zoom link and Live Stream)
Pacific	2nd & 4th Mon	Same nights (as Workshop)	2	In-Person (Public encouraged to attend, usually live streamed)
Puyallup	1st & 3rd Tue	2nd Tue	3	Hybrid (In-person in Chambers, often with virtual access)
Sumner	1st & 3rd Mon	2nd & 4th Mon	4	Hybrid (In-person, Zoom, and Live Stream)
Tacoma	Every Tuesday	Every Tuesday (at Noon)	8*	Hybrid (Generally, check agenda for specific details)
University Place	1st & 3rd Mon	As needed (usually Mon)	2+	Hybrid (Generally, check agenda for specific details)
Wilkeson	2nd & 4th Wed	As needed	2+	Likely In-Person (Due to small size, check agenda)

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number:	AB26-3
Agenda Item Type:	Discussion
Presenter:	Sadie Schaneman, City Clerk
City Strategic Goal Category:	None
Department/Division Submitting:	Admin
Impacted Departments That Received Notification:	Public Services Administrative Services Executive Finance Court Police Department

Agenda Subject: Changing Council Standing Committee Dates And Times

Full Title/Motion: A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Changing The Regular Meeting Dates And Start Times For Council Standing Committees And Repealing Resolution Nos 2531 And 3219.

Short Background Summary:

The Council decided to change the frequency of standing committee meetings and to change the start time for the Community Development Committee to correspond with the new Council Regular Meeting dates and time changes.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
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Budget Explanation:

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: City Council

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action		
Date of Council Workshop	Date of Council Meeting	Date of Council Public Hearing
1/6/2026	1/13/2026	

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, CHANGING THE REGULAR MEETING DATES AND TIMES FOR COUNCIL STANDING COMMITTEES AND REPEALING RESOLUTION NOS 2531 AND 3219.

WHEREAS, Article XVII of the Bonney Lake City Council Policy and Procedures provides that the regular meeting times and dates of all standing committees of the City Council shall be established by resolution; and

WHEREAS, the Council has recently changed the frequency of its regular council meeting; and

WHEREAS, the Council deems it appropriate to review and reset the meeting dates and times of its standing committees; and

NOW THEREFORE, BE IT RESOLVED: The City Council of the City of Bonney Lake, Washington, does hereby establish regular meeting dates and times for standing Council committees as follows:

Section 1. Finance Committee. The Finance Committee will regularly meet on the second Tuesday of the month at 5:00 p.m. when there is business to conduct; and

Section 2. Public Safety Committee. The Public Safety Committee will regularly meet on the second Tuesday of the month at 3:45 p.m. when there is business to conduct; and

Section 3. Community Development Committee. The Community Development Committee (CDC) will regularly meet on the first Tuesday of the month at 4:30 p.m. when there is business to conduct; and

Section 5. Meeting Places. The agenda and public notice of each of the standing Council committees shall include the meeting place, including the building and specific meeting room.

Section 6. Prior Resolutions Repealed. Resolution Numbers 2531 and 3219 are hereby repealed.

PASSED by the City Council this 13th day of January 2026.

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, MMC, City Clerk

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number:	AB26-4
Agenda Item Type:	Discussion
Presenter:	Patti McCann, Finance And Operations Manager
City Strategic Goal Category:	None
Department/Division Submitting:	ASD Staff
Impacted Departments That Received Notification:	Finance Police Department

Agenda Subject: Updating Administration And Police Department Fee Schedule

Full Title/Motion: A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Amending Administration And Police Department Sections Of The City's Fee Schedule Of Resolution 3282 To Add Clarifying Language And Update Fees In The Police Department Section.

Short Background Summary:

The City Of Bonney Lake Reviewed The Fee Schedule And Needs To Add Clarifying Language For Specific Fees Within The Administration And Police Department Sections. Also, Some Fees In The Police Department Section Were Needing To Be Updated To Reflect Current Rates. These are needed to update current practices with disclosures.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
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Budget Explanation:

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: City Council

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action		
Date of Council Workshop	Date of Council Meeting	Date of Council Public Hearing
1/6/2026	1/13/2026	

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON AMENDING ADMINISTRATION AND POLICE DEPARTMENT SECTIONS OF THE CITY'S FEE SCHEDULE OF RESOLUTION 3282 TO ADD CLARIFYING LANGUAGE AND UPDATE FEES IN THE POLICE DEPARTMENT SECTION.

WHEREAS, the Washington State Public Records Act ("PRA"), Chap. 42.56 RCW, requires the City to disclose upon request all written materials meeting the definition of "public record"; and

WHEREAS, the City adopted the state legislature's approved fees and costs for public disclosures; and

WHEREAS, the City wants to ensure fees are clarified and understandable; and

WHEREAS, this resolution adds clarifying language to the administration and the police department sections, updates the police department fees to Resolution No. 3282.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

To amend Administration and Police Department Sections of Resolution 3282 Exhibit A:

Administration Section. Adding fee clarifying language.

Police Department Section: Adding fee clarifying language and updating fees.

Section 2. Effective Date. This Resolution shall be effective upon its passage.

PASSED by the City Council this 13th day of January 2026.

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, MMC, City Clerk

Exhibit A
City of Bonney Lake
Fee Schedule
Adopted by Resolution No. 3282

This Fee Schedule shall be considered the official fee schedule of the City of Bonney Lake.

Administration

Fees can be combined to the extent that more than one type of charge applies to copies produced in response to a particular request.

1. Public Records Request Fee Schedule

Inspection of records at Justice Center	Free
Photocopies of records	\$0.15 per page
Records scanned into electronic format	\$0.10 per page
Electronic files and attachments uploaded to email, cloud-based storage service, or other means of electronic delivery	\$0.05 per 4 electronic files
Transmission size of public records in an electronic format	\$0.10 per gigabyte (GB)
Scans of large-format sheets-11"x17"-grayscale	.48 per impression, per side*
Scans of large-format sheets-11"x17"-color	.95 per impression, per side*
Maps and prints from plotter-18"x24"-grayscale	\$3.00 per map, per side*
Map and prints from plotter-18"x24"-color	\$6.00 per map, per side*
Maps and prints from plotter-24"x36" grayscale	\$6.00 per map, per side*
Map and prints from plotter-24"x36"-color	\$12 per map*
Maps greater than 24"x36"-grayscale	\$12 per map*
Maps greater than 24"x36"-Color	\$24 per map*
Postage/delivery services and other delivery methods	Actual costs. Advance payment may be required. The city will only provide fax copies if the city incurs no expense for long-- distance charges.

*Alternatively, if services are provided by a vendor, then the actual costs of the vendor shall be passed along to the requester. For all other record requests, the city charges the default statutory fees for public records as established in the Revised Code of Washington.

2. Miscellaneous Fees

City of Bonney Lake Fee Schedule

Certification by the City Clerk	\$10 per cert
Notary (fee waived if for City business)	\$10 per stamp
Passport Application Fee	Based on Current Prices from the U. S. Department of State
Passport Execution Fee	\$35 per application
Passport Photos	\$15 per person
Passport Adult Renewal Mailing and Convenience Fee	\$15
1-2 Day Express Delivery to Dept of State	\$30.45

Police Department

Fees can be combined to the extent that more than one type of charge applies to copies produced in response to a particular request.

Black and white copies of collision reports to insurance companies	\$5.00
Collision reports to the involved parties	No charge
Fingerprinting – Inked hard copies (non-criminal)	\$10.00 + <u>tax</u> per card
Printed general P police incident/ <u>collision</u> reports (No charge for involved parties)	\$0.15 per page
Color copies/pictures	\$0.15 per page
Reports, electronic files, or attachments uploaded to email, cloud-based storage service or other means of electronic delivery	\$0.10 per scanned page or \$10 per GB for digital photographs
<u>Electronic files and attachments uploaded to email, digital photographs; cloud-based storage service, or other means of electronic delivery</u>	<u>\$0.05 per 4 electronic files</u>
Transmission size of public records in an electronic format	\$0.10 per gigabyte (GB)

City of Bonney Lake Fee Schedule

Body Worn Camera or In-Car Camera video <u>& audio</u> where redacting, altering, distorting, pixilating, suppressing, or otherwise obscuring any portion of a body worn camera video or in-car camera video is necessary as allowed under RCW 42.56.240 (14)(II)	\$52.00 per hour- prorated charge applies for less than a full hour <u>for non-directly involved parties.</u>
Peddler Fee	\$50
Resident <u>Boat Launch</u> Parking Pass	\$40 /year <u>+ tax and vendor fees</u>
Vehicle Parking at Allan Yorke Park (0-4 hrs)	\$4.00+ tax <u>and vendor fees/transaction-fee by vendor</u>
Vehicle Parking at Allan Yorke Park (All Day – more than 4 hours)	\$10.00+ tax <u>and vendor fees/transaction-fee by vendor</u>
<u>Allan Yorke Park – Paid Parking Season Pass</u>	\$50.00 per calendar year + tax <u>and vendor fees/transaction fee by vendor</u>
<u>Allan Yorke Park Boat Launch Fee at Pay-Kiosk</u>	\$20.00

Vehicle parking rates also apply to vehicles towing a watercraft trailer. The fee for a Resident Parking Pass includes the fee to launch watercraft at Allan Yorke Park.

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number: AB26-9

Agenda Item Type: Resolution

Presenter: Andrew Fonda, Assistant City Engineer

City Strategic Goal Category:

Department/Division Submitting: Public Services Staff

Impacted Departments That Received Notification:

Agenda Subject: Authorizing Award of Contract with SCI Infrastructure, LLC for the 77th St Ct and 205th Ave Sewer Repairs Project.

Full Title/Motion: A Resolution of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Award Of Contract With SCI Infrastructure, LLC For The 77th St Ct and 205th Ave Sewer Repairs Project.

Short Background Summary:

In 2021, RH2 Engineering completed an analysis of the City sewer system to identify areas of the system that have high groundwater infiltration and inflow (I&I) issues. The analysis determined sewer repairs were needed at 77th St Ct and 205th Ave. RH2 completed the sewer repair design at these locations and the project was advertised in October 2025. Sixteen sealed bids were opened on December 4, 2025, with SCI Infrastructure, LLC submitting the lowest responsive bid in the amount of \$598,844.55. The City has included a 10% contingency in the amount of \$59,884.46 for a total construction approval request in the amount of \$658,729.01.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
\$4,000,000.00	\$3,804,616.00	\$658,729.01	\$3,145,887.00

Budget Explanation:

Bars # 402.925.035.594.35.63.05 I&I Reduction Program

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: Community Development Committee

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop

Date of Council Meeting

Date of Council Public Hearing

CITY OF BONNEY LAKE CONTRACTOR AGREEMENT

THIS AGREEMENT, is made and entered into in duplicate this 13th day of January, 2026 by and between the CITY OF BONNEY LAKE, a Washington municipal corporation, hereinafter referred to as the "CITY" and SCI Infrastructure Inc. hereinafter referred to as the "CONTRACTOR."

WITNESSETH:

WHEREAS, the CITY desires to have certain work, services and/or tasks performed as set forth below requiring specialized skills and other supportive capabilities; and

WHEREAS, the CONTRACTOR represents that the CONTRACTOR is qualified and possesses sufficient skills and the necessary capabilities, including technical and professional expertise, where required, to perform the work, services and/or tasks set forth in this Agreement.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, the parties hereto agree as follows:

1. SCOPE OF WORK.

The CONTRACTOR shall perform such work and accomplish such tasks, including the furnishing of all materials and equipment necessary for full performance thereof, as are identified and designated as CONTRACTOR responsibilities throughout this Agreement and as detailed in **Exhibit "A"** attached hereto and incorporated herein (the "Project").

2. TERM.

The Project shall begin no earlier than [Date], and shall be completed no later than [Date], unless sooner extended or terminated according to the provisions herein.

3. COMPENSATION AND METHOD OF PAYMENT.

- A. Payments for work provided hereunder shall be made following the performance of such work, unless otherwise permitted by law and approved in writing by the CITY.
- B. No payment shall be made for any work rendered by the CONTRACTOR except for work identified and set forth in this Agreement.
- C. The CITY shall pay the CONTRACTOR for work performed under this Agreement pursuant to accepted bid proposal attached hereto as **Exhibit "A"** and by this reference incorporated herein.
- D. The CONTRACTOR shall submit to the CITY on approved forms, a voucher or invoice for services rendered during the pay period. The CITY shall initiate authorization for payment after receipt of said approved voucher or invoice and shall make payment to the CONTRACTOR within approximately thirty (30) days thereafter.

4. REPORTS AND INSPECTIONS.

- A. The CONTRACTOR at such times and in such forms as the CITY may require, shall furnish to the CITY such statements, records, reports, data, and information as the CITY may request pertaining to matters covered by this Agreement. All of the reports, information data, and other related materials, prepared or assembled by the CONTRACTOR under this Agreement and any information relating to personal, medical and financial data will be treated as confidential insofar as is allowed by Washington State laws regarding disclosure of public information, Chapter 42.17, R.C.W. Generally, Chapter 42.17, R.C.W. requires disclosure of all but the most personal and sensitive information in CITY hands.
- B. The CONTRACTOR shall at any time during normal business hours and as often as the CITY or State Examiner may deem necessary, make available for examination all of its records and data with respect to all matters covered, directly or indirectly, by this Agreement and shall permit the CITY or its designated authorized representative to audit and inspect other data relating to all matters covered by this Agreement. The CITY shall receive a copy of all audit reports made by the agency or firm as to the CONTRACTOR'S activities. The CITY may, at its discretion, conduct an audit at its expense, using its own or outside auditors, of the CONTRACTOR'S activities which relate, directly or indirectly, to this Agreement.

5. INDEPENDENT CONTRACTOR RELATIONSHIP.

- A. The parties intend that an independent CONTRACTOR/CITY relationship will be created by this Agreement. The CITY is interested primarily in the results to be achieved; subject to paragraphs herein, the implementation of work and/or services will lie solely with the discretion of the CONTRACTOR. No agent, employee, servant or representative of the CONTRACTOR shall be deemed to be an employee, agent, servant or representative of the CITY for any purpose, and the employees of the CONTRACTOR are not entitled to any of the benefits the CITY provides for its employees. The CONTRACTOR will be solely and entirely responsible for its acts and for the acts of its agents, employees, servants, subcontractors or representatives during the performance of this Agreement.
- B. In the performance of the work herein contemplated the CONTRACTOR is an independent contractor with the authority to control and direct the performance of the details of the work, however, the results of the work contemplated herein must meet the approval of the CITY and shall be subject to the CITY'S general rights of inspection and review to secure the satisfactory completion thereof.

6. CONTRACTOR EMPLOYEES/AGENTS

The CITY may in its sole discretion require the CONTRACTOR to remove an employee(s), agent(s) or servant(s) from employment on this Project. The CONTRACTOR may however employ that (those) individual(s) on other non-CITY related projects.

7. HOLD HARMLESS INDEMNIFICATION.

- A. The CONTRACTOR shall indemnify and hold the CITY and its agents, employees, and/or officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the CITY arising out of, in connection with, or incident to the execution of this Agreement and/or the CONTRACTOR'S performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the CITY, its agents, employees, and/or officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the CONTRACTOR; and provided further, that nothing herein shall require the CONTRACTOR to hold harmless or defend the CITY, its agents, employees and/or officers from any claims arising from the sole negligence of the CITY, its agents, employees, and/or officers. The CONTRACTOR expressly agrees that the indemnification provided herein constitutes the CONTRACTOR'S waiver of immunity under Title 51 RCW, for the purposes of this Agreement. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.
- B. No liability shall attach to the CITY by reason of entering into this Agreement except as expressly provided herein.

8. INSURANCE.

The CONTRACTOR shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the CONTRACTOR, their agents, representatives, employees or subcontractors.

The CONTRACTOR shall provide a Certificate of Insurance evidencing:

- A. Automobile Liability insurance with limits no less than \$1,000,000 combined single limit per accident for bodily injury and property damage.
- B. Commercial General Liability insurance written on an occurrence basis with limits no less than \$1,000,000 combined single limit per occurrence and \$2,000,000 aggregate for personal injury, bodily injury and property damage.

The CITY shall be named as an additional insured on the insurance policy, as respects work performed by or on behalf of the CONTRACTOR and a copy of the endorsement naming the CITY as additional insured shall be attached to the Certificate of Insurance. The CITY reserves the right to request certified copies of any required policies.

The CONTRACTOR'S insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the insurer's liability.

Any payment of deductible or self-insured retention shall be the sole responsibility of the CONTRACTOR.

The CONTRACTOR'S insurance shall be primary insurance as respects the CITY and the CITY shall be given thirty (30) days prior written notice of any cancellation, suspension or material change in coverage.

9. TREATMENT OF ASSETS.

Title to all property furnished by the CITY shall remain in the name of the CITY and the CITY shall become the owner of the work product and other documents, if any, prepared by the CONTRACTOR pursuant to this Agreement.

10. COMPLIANCE WITH LAWS.

- A. The CONTRACTOR, in the performance of this Agreement, shall comply with all applicable federal, state or local laws and ordinances, including regulations for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals, and any other standards or criteria as described in this Agreement to assure quality of services.
- B. The CONTRACTOR specifically agrees to pay any applicable business and occupation (B & O) taxes which may be due on account of this Agreement.
- C. The CONTRACTOR shall fully satisfy, and shall require any subcontractors to fully satisfy, any obligation to make industrial insurance premium payments related to the Project and required under RCW 51.12.050 and/or RCW 51.12.070. Specified retainage relating to the Project will be withheld until receipt by the City of evidence that CONTRACTOR and all of its subcontractors have fully satisfied any obligation to make industrial insurance premium payments related to the Project and required under RCW 51.12.050 and/or RCW 51.12.070.

11. NONDISCRIMINATION.

- A. The CITY is an equal opportunity employer.
- B. Nondiscrimination in Employment. In the performance of this Agreement, the CONTRACTOR will not discriminate against any employee or applicant for employment on the grounds of race, creed, color, national origin, sex, marital status, age or the presence of any sensory, mental or physical handicap; provided that the prohibition against discrimination in employment because of handicap shall not apply if the particular disability prevents the proper performance of the particular worker involved. The CONTRACTOR shall ensure that applicants are employed, and that employees are treated during employment without discrimination because of their race, creed, color, national origin, sex, marital status, age or the presence of any sensory, mental or physical handicap. Such action shall include, but not be limited to: employment, upgrading, demotion or transfers,

recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and programs for training including apprenticeships. The CONTRACTOR shall take such action with respect to this Agreement as may be required to ensure full compliance with local, state and federal laws prohibiting discrimination in employment.

- C. Nondiscrimination in Services. The CONTRACTOR will not discriminate against any recipient of any services or benefits provided for in this Agreement on the grounds of race, creed, color, national origin, sex, marital status, age or the presence of any sensory, mental or physical handicap.
- D. If any assignment and/or subcontracting has been authorized by the CITY, said assignment or subcontract shall include appropriate safeguards against discrimination. The CONTRACTOR shall take such action as may be required to ensure full compliance with the provisions in the immediately preceding paragraphs herein.
- E. The contractor represents and warrants that it is in compliance with and agrees that it will remain in compliance with the provisions of the Immigration Reform and Control Act of 1986, including but not limited to the provisions of the Act prohibiting the hiring and continued employment of unauthorized aliens and requiring verification and record keeping with respect to the status of each of its employees' eligibility for employment. The contractor shall include a provision substantially the same as this section in any and all contracts with subcontractors performing work required of the contractor under this contract. The contractor agrees to indemnify and hold the City harmless from any and all liability, including liability for interest and penalties, the City may incur as a result of the contractor failing to comply with any provisions of the Immigration Reform and Control Act of 1986. Contractor understands and agrees that if it violates this section, this Agreement may be terminated by the City, and that Contractor shall be barred from performing any services for the City in the future unless and until a showing is made satisfactory to the City that discriminatory practices have terminated and that recurrence of such action is unlikely.

12. ASSIGNMENT/SUBCONTRACTING.

- A. The CONTRACTOR shall not assign its performance under this Agreement or any portion of this Agreement without the written consent of the CITY, and it is further agreed that said consent must be sought in writing by the CONTRACTOR not less than thirty (30) days prior to the date of any proposed assignment. The CITY reserves the right to reject without cause any such assignment.
- B. Any work or services assigned hereunder shall be subject to each provision of this Agreement and proper bidding procedures where applicable as set forth in local, state and/or federal statutes, ordinances and guidelines.
- C. Any technical/professional service subcontract not listed in this Agreement, must have express advance approval by the CITY.

13. CHANGES.

Either party may request changes to the scope of services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon the CITY unless such change or addition be in writing and signed by both parties. Such amendments shall be attached to and made part of this Agreement.

The CITY will have the right to make changes to the work provided for hereunder, within its general scope, and the contract time and for contract amount will be equitably adjusted to reflect the change. The CONTRACTOR will promptly commence and continue to perform the work as changed notwithstanding disagreement over the equitable adjustment owing therefore.

14. MAINTENANCE AND INSPECTION OF RECORDS.

- A. The CONTRACTOR shall maintain books, records and documents, which sufficiently and properly reflect all direct and indirect costs related to the performance of this Agreement and shall maintain such accounting procedures and practices as may be necessary to assure proper accounting of all funds paid pursuant to this Agreement. These records shall be subject at all reasonable times to inspection, review, or audit, by the CITY, its authorized representative, the State Auditor, or other governmental officials authorized by law to monitor this Agreement.
- B. The CONTRACTOR shall retain all books, records, documents and other material relevant to this agreement, for six (6) years after its expiration. The CONTRACTOR agrees that the CITY or its designee shall have full access and right to examine any of said materials at all reasonable times during said period.

15. POLITICAL ACTIVITY PROHIBITED.

None of the funds, materials, property or services provided directly or indirectly under tile Agreement shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.

16. PROHIBITED INTEREST.

No member, officer, or employee of the CITY shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

17. RETAINAGE.

Notwithstanding any other provision of this Agreement, in accordance with Ch. 60.28 RCW, the CITY shall retain from the monies earned by CONTRACTOR hereunder, five percent as a trust fund for the protection and payment of any person or persons, mechanic, subcontractor or materialman who shall perform any labor or furnish any supplies related to the Project, and the state with respect to taxes imposed pursuant to Title 82 RCW which may be due from CONTRACTOR. Said retainage shall be reserved in a CITY fund until thirty days following final

acceptance of the Project as completed, and shall not be released to CONTRACTOR until the CITY has received certification from the Washington State Department of Revenue that all taxes, increases and penalties due from CONTRACTOR, and all taxes due and to become due with respect to the Project, have been paid in full or are readily collectible without recourse to the state's lien on the retainage, and until the requirements of section 10(C) have been satisfied.

18. PERFORMANCE BOND.

In accordance with Ch. 39.08 RCW, CONTRACTOR shall furnish to the CITY a bond, with a surety company licensed as a surety in Washington as surety, conditioned that CONTRACTOR shall faithfully perform all provisions of this Agreement and pay all laborers, mechanics, subcontractors and materialmen, and all persons who supply such person or persons, or subcontractors, with provisions and supplies for carrying out the Project. Said bond shall be in the amount of the total amount of this Agreement. On contracts of one hundred fifty thousand dollars or less, at the option of the CONTRACTOR as defined in RCW 39.10.210, the CITY may, in lieu of the bond, retain ten percent of the contract amount for a period of thirty days after date of final acceptance, or until receipt of all necessary releases from the department of revenue, the employment security department, and the department of labor and industries and settlement of any liens filed under chapter 60.28 RCW, whichever is later. For contracts of one hundred fifty thousand dollars or less, the public entity may accept a full payment and performance bond from an individual surety or sureties.

19. PREVAILING WAGE.

CONTRACTOR shall pay all laborers, workers, or mechanics performing work under this Agreement prevailing wages as required by Ch. 39.12 RCW, and shall satisfy all other requirements of that chapter, including without limitation requiring that all subcontractors performing work related to the project comply with the requirements of that chapter. The hourly minimum rate of wage which may be paid to laborers, workers, or mechanics for work related to the Project. Prior to the CITY making any payment to CONTRACTOR under this Agreement, CONTRACTOR and each subcontractor shall submit to the CITY a Statement of Intent to Pay Prevailing Wages approved by the industrial statistician of the Washington State Department of Labor and Industries and complying with the requirements of RCW 39.12.040. Prior to release of the sums retained pursuant to section 17 of this Agreement ["Retainage"], as required CONTRACTOR and each subcontractor shall submit to the City an Affidavit of Wages Paid approved by the industrial statistician of the Washington State Department of Labor and Industries and complying with the requirements of RCW 39.12.040.

20. TERMINATION.

- A. Termination for Convenience. The CITY may terminate this Agreement, in whole or in part, at any time, by written notice to the CONTRACTOR. In the event of termination for the convenience of the CITY, the CONTRACTOR shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The CONTRACTOR shall promptly submit a termination claim to the CITY. If the CONTRACTOR has any property in its possession belonging to the CITY, the

CONTRACTOR will account for the same, and dispose of it in the manner directed by the CITY.

- B. Termination for Cause. If the CONTRACTOR fails to perform in the manner called for in this Agreement, or if the CONTRACTOR fails to comply with any other provisions of the Agreement and fails to correct such noncompliance within five (5) days written notice thereof, the CITY may terminate this Agreement for cause. Termination shall be effected by serving a notice of termination on the CONTRACTOR setting forth the manner in which the CONTRACTOR is in default. The CONTRACTOR will only be paid for services performed in accordance with the manner of performance set forth in this Agreement.

21. NOTICE.

Notice provided for in this Agreement shall be sent by certified mail to the addresses designated for the parties on the last page of this Agreement.

22. ATTORNEYS FEES AND COSTS.

If any legal proceeding is brought for the enforcement of this Agreement, or because of a dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled, reasonable attorney's fees and other costs incurred in that action or proceeding.

23. JURISDICTION AND VENUE.

- A. This Agreement has been and shall be construed as having been made and delivered with the State of Washington, and it is agreed by each party hereto that this Agreement shall be governed by laws of the State of Washington, both as to interpretation and performance.
- B. Any action of law, suit in equity, or judicial proceeding for the enforcement of this Agreement or any provisions thereof, shall be instituted and maintained only in any of the courts of competent jurisdiction in Pierce County, Washington.

24. SEVERABILITY.

- A. If, for any reason, any part, term or provision of this Agreement is held by a court of the United States to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.
- B. If it should appear that any provision hereof is in conflict with any statutory provision of the State of Washington, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform to such statutory provisions.

25. ENTIRE AGREEMENT.

The parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both parties recognize time is of the essence in the performance of the provisions of this Agreement. It is also agreed by the parties that the forgiveness of the nonperformance of any provision of this Agreement does not constitute a waiver of the provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

CITY OF BONNEY LAKE

CONSULTANT

By: _____
Terry Carter, Mayor

By: _____
Mark Scoccolo, Manager
Mark.Scoccolo@scibuilds.com

ATTESTED:

By: _____
Sadie A. Schaneman, MMC
City Clerk

EXHIBIT "A" - Project Work

PROPOSAL

Contractor: SCI INFRASTRUCTURE, LLC

City: SEATTLE, State: WASHINGTON

Date: DECEMBER 4TH, in the year of 2025

The Honorable City Council
City of Bonney Lake
9002 Main St East
Bonney Lake WA 98391

Pursuant to and in compliance with your invitation for bids and all other documents relating thereto, the undersigned bidder, having familiarized himself with the terms of the contract, the local conditions affecting the performance of the contract, the cost of the work at the place where the work is to be done, proposes and agrees to perform, within the time stipulated, the contract, if this project is accepted, including all its component parts and everything required to be performed, and to provide and furnish any and all labor, materials, tools, expendable equipment, an all utility and transportation services necessary to perform the contract, complete, in a workmanlike manner, of all the work covered by the contract in connection with the City of Bonney Lake's project designated as *77th Street Court East and 205th Avenue Sewer Repairs* and as required by and in strict conformance with the specifications, contract plans and the standard plans for the following unit prices.

Note: Unit prices of all items; all extensions and total amount of bid must be shown. Show unit prices in both words and figures and, where conflict occurs, the written or typed words prevail.

SCHEDULE OF PRICES
77 Street Court East and 205th Avenue Sewer Repairs

Bid Item	Spec. Reference	Approx. Quantity	Description	Unit Price	Total Price
1.	1-04.4	1 FA	Minor Change Force Account \$ <u>Fifty thousand</u> (unit price in words)	\$ <u>50,000</u>	\$ <u>50,000</u>
2.	1-05.4	1 LS	Construction Surveying and Staking \$ <u>SEVEN thousand</u> (unit price in words)	\$ <u>7,000-</u>	\$ <u>7,000-</u>
3.	1-05.18	1 LS	Record Drawings \$ <u>two thousand Five Hundred.</u> (unit price in words)	\$ <u>2,500-</u>	\$ <u>2,500-</u>
4.	1-09.7	1 LS	Mobilization and Demobilization \$ <u>Fifty thousand</u> (unit price in words)	\$ <u>50,000-</u>	\$ <u>50,000-</u>
5.	1-10.4	1 LS	Project Temporary Traffic Control \$ <u>sixty-five thousand.</u> (unit price in words)	\$ <u>65,000-</u>	\$ <u>65,000-</u>
6.	2-02	1 LS	Removal of Structures and Obstructions \$ <u>thirty-one thousand.</u> (unit price in words)	\$ <u>31,000-</u>	\$ <u>31,000-</u>
7.	2-09	1 LS	Shoring or Extra Excavation Class B \$ <u>FIVE thousand.</u> (unit price in words)	\$ <u>5,000-</u>	\$ <u>5,000-</u>
8.	4-04	<u>1,890</u> <u>TON</u>	Crushed Surfacing Base Course \$ <u>Forty-six</u> (unit price in words)	\$ <u>46-</u>	\$ <u>86,940-</u>
9.	5-04	<u>310</u> <u>TON</u>	HMA Cl. 1/2" PG 64-22 \$ <u>one Hundred and sixty</u> (unit price in words)	\$ <u>160-</u>	\$ <u>49,600-</u>

SCHEDULE OF PRICES
77 Street Court East and 205th Avenue Sewer Repairs

Bid Item	Spec. Reference	Approx. Quantity	Description	Unit Price	Total Price
10.	7-05	<u>2 EA</u>	Manhole 48 In. Diam. Type 1 \$ <u>NINE thousand three hundred</u> (unit price in words)	\$ <u>9,300-</u>	\$ <u>18,600-</u>
11.	7-05	1 EA	Manhole 48 In. Diam. Type Saddle \$ <u>Eight thousand eight hundred</u> (unit price in words)	\$ <u>8,800-</u>	\$ <u>8,800-</u>
12.	<u>7-05</u>	<u>1 EA</u>	<u>Manhole 60 In. Diam. Type 1</u> \$ <u>ten thousand</u> (unit price in words)	\$ <u>10,000-</u>	\$ <u>10,000-</u>
13.	7-05	<u>4 EA</u>	Adjust Manhole \$ <u>one thousand</u> (unit price in words)	\$ <u>1,000-</u>	\$ <u>4,000-</u>
14.	7-05	<u>4 EA</u>	Adjust Catch Basin \$ <u>one thousand</u> (unit price in words)	\$ <u>1,000-</u>	\$ <u>4,000-</u>
15.	7-08	18 EA	Pothole Existing Utility \$ <u>SEVEN hundred</u> (unit price in words)	\$ <u>700-</u>	\$ <u>12,600-</u>
16.	7-15	150 LF	Service Line \$ <u>Sixty-three</u> (unit price in words)	\$ <u>63-</u>	\$ <u>9,450-</u>
17.	7-16	1 LS	Temporary Bypass Pumping \$ <u>sixteen thousand.</u> (unit price in words)	\$ <u>16,000-</u>	\$ <u>16,000-</u>
18.	7-17.5	1 LS	Abandon Existing Sewer \$ <u>Three thousand seven hundred.</u> (unit price in words)	\$ <u>3700-</u>	\$ <u>3700-</u>
19.	7-17.5	220 LF	PVC Sanitary Sewer Pipe 8 In. Diam. \$ <u>ONE HUNDRED SEVENTY-FIVE</u> (unit price in words)	\$ <u>175-</u>	\$ <u>38,500-</u>

SCHEDULE OF PRICES
77 Street Court East and 205th Avenue Sewer Repairs

Bid Item	Spec. Reference	Approx. Quantity	Description	Unit Price	Total Price
20.	7-17.5	16 LF	<u>CL. IV Reinf. Conc.</u> Sewer Pipe 30 In. Diam. \$ <u>512 Hundred</u> (unit price in words)	\$ <u>600-</u>	\$ <u>9,600-</u>
21.	7-17.5	3 EA	Connection To Existing Sewer \$ <u>THREE thousand Five Hundred</u> (unit price in words)	\$ <u>3,500-</u>	\$ <u>10,500-</u>
22.	7-18	7 EA	Reconnect Existing Gravity Sewer Side Service \$ <u>ONE thousand FIVE hundred</u> (unit price in words)	\$ <u>1,500-</u>	\$ <u>10,500-</u>
23.	8-01	1 LS	Erosion and Water Pollution Prevention \$ <u>FIVE thousand</u> (unit price in words)	\$ <u>5,000-</u>	\$ <u>5,000-</u>
24.	<u>8-02.5</u>	<u>380 SY</u>	<u>Roadside Restoration</u> \$ <u>twenty</u> (unit price in words)	\$ <u>20-</u>	\$ <u>7,600-</u>
25.	8-13	<u>4 EA</u>	Monument Case and Cover \$ <u>two thousand</u> (unit price in words)	\$ <u>2,000-</u>	\$ <u>8,000-</u>
26.	8-19	2 EA	Decommission Monitoring Well \$ <u>four thousand</u> (unit price in words)	\$ <u>4,000-</u>	\$ <u>8,000-</u>
27.	8-19	1 LS	Dewatering \$ <u>FIFTEEN thousand</u> (unit price in words)	\$ <u>15,000-</u>	\$ <u>15,000-</u>
Subtotal – Base Bid (Items 1 –27)				\$ <u>546,890-</u>	
Washington State Sales Tax (9.5%)				\$ <u>51,954.55</u>	

SCHEDULE OF PRICES
77 Street Court East and 205th Avenue Sewer Repairs

Bid Item	Spec. Reference	Approx. Quantity	Description	Unit Price	Total Price
Total Bid Construction Cost				\$	<u>598,844.55</u>

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING ROBERT'S RULES OF ORDER AS A BASIC GUIDE FOR FAIR AND ORDERLY PROCEDURE IN COUNCIL MEETINGS AND REPEALING RESOLUTION NO 810.

WHEREAS, the City Council previously adopted The Standard Code of Parliamentary Procedure 3rd Edition, by Alice Sturgis on May 25, 1999; and

WHEREAS, the City Council desires to update its procedural rules and provide uniform protocols to guide Council.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Robert's Rules of Order, is hereby adopted and approved as the basic guide for parliamentary procedure governing the conduct of City Council meetings, except where a different procedure is required by law or ordinance.

Section 2. Repealed. Resolution 810 is hereby repealed.

Section 3. Effective Date. This Resolution shall be effective upon its passage.

PASSED by the City Council this 13th day of January 2026.

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, MMC, City Clerk

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number:	AB26-7
Agenda Item Type:	Motion
Presenter:	Sadie Schaneman, City Clerk
City Strategic Goal Category:	None
Department/Division Submitting:	Admin
Impacted Departments That Received Notification:	

Agenda Subject: Updating Council Policies & Procedures

Full Title/Motion: ~~A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Amending The Council Policies And Procedures To Update The Parliamentary Procedure, Parliamentary, Council Committees Sections, Updating Meeting Sections, And Other Sections To Reflect New Procedures.~~ **(Moved to Full Council Issues Item D.)**

Short Background Summary:

At the Finance Committee meeting on 11/25/2025, the committee discussed and forwarded having the city clerk as acting parliamentarian during the council meeting to reduce contracted legal costs by limiting attorney’s time spent attending council meetings to a ‘as-needed’ basis. At the Council orientation on 12/16/2025, council requested to have updates to change from Sturgis to Robert's Rules of Order during council meetings, to add that council can have open discussion right after public commenting on just the comments, and to add language for the council's standing committees to better clarify the process.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
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Budget Explanation:

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: City Council

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop

Date of Council Meeting

Date of Council Public Hearing

1/6/2026

1/13/2026



COUNCIL POLICIES & PROCEDURES

Created by Ordinance No. 1707 - Adopted May 23, 2023
Last Modified by Motion No. M25-12– Approved March 11, 2025

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Article I. Authority

Authority of Council to determine rules.

The Bonney Lake City Council, in accordance with state statute [RCW 35A.12.120](#) shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order. The council hereby establishes the following rules and procedures. They shall be in effect upon adoption by the council and until such time as they are amended or new procedures adopted in the manner provided.

Procedural policies.

Action taken not in compliance with these rules, but which is otherwise lawful, shall not invalidate such action or be deemed a violation of law. These procedural policies are designed to assist the council and councilmembers in performing their duties and not to provide additional substantive rights or duties above and beyond that otherwise already established by state law. Failure of the council to follow any of these rules shall be deemed a ~~council~~**council's** decision to waive such rule, and no notice of such waiver need be provided prior to such waiver.

Article II. General Rules

Meetings to be public.

All official meetings of the council shall be open to the public with the exception of closed sessions (e.g., discussions regarding labor negotiations), and executive sessions for certain limited topics as defined in [Chapter 42.30.110 RCW](#). All minutes of meetings ~~and workshops~~ shall be available on the Washington State Digital Archives Website.

Voucher and payroll review – Time and place.

The finance ~~committee~~**committee's** voucher and payroll reviews shall be held as provided in Article XVII Council Committees.

Quorum.

A majority of the current councilmembers shall be in attendance to constitute a quorum for transaction of business. If a quorum is not present, those in attendance shall be named and shall adjourn to a later time, but no adjournment shall be for a longer period than until the next regularly scheduled meeting. When all councilmembers are absent from a regular ~~council~~**council** meeting, ~~workshop~~ or special meeting, the city clerk or designee may adjourn the meeting with notice. When adjourned to a later time, the city clerk or designee shall post a notice immediately on city's website and other processes as the city determines.

Meeting cancellation.

Individual council meetings ~~and workshops~~ may be canceled with the concurrence of the mayor and deputy mayor following the procedure of Article III Types of Council meetings providing for 24 hours' advance notice.

Right of floor.

Any councilmember desiring to speak shall be recognized by the chair and shall confine their remarks to the subject under consideration or to be considered. No member shall speak until so recognized. All councilmembers desiring to speak on a subject shall have the opportunity to do so before a councilmember may seek to speak again. At the discretion of the chair, councilmembers may be recognized to speak again should there be pertinent new information to provide on the subject. No member shall address the presiding officer or demand the floor while a vote is being taken.

Parliamentary procedure.

~~The Standard Code of Parliamentary Procedure, 4th Edition (by Alice Sturgis),~~ Robert's Rules of Order shall govern the proceedings of all regular council meetings, except where Robert's Rules of Order is in conflict with the Bonney Lake Municipal Code or other applicable law; however, any informal procedures or policies set by the council shall supersede that text. All councilmembers will familiarize themselves with the parliamentary rules ~~in the above edition~~ for efficiency of procedures at all council meetings.

Attendance of media at council meetings.

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

Public notice.

The city shall comply with the provisions of [RCW 35A.12.160](#). The city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meetings. Such procedure may include, without limitation publication of a notice in the official newspaper, posting of upcoming council meeting agendas on the city's social media sites, website, lobby, or such other processes as the city determines will satisfy the intent of this requirement and applicable legal notice requirements.

Article III. Types of Council Meetings

Regular council meetings.

The council shall meet on the ~~first~~, second and ~~fourth~~ third Tuesday of each month at 6:00 p.m. The meeting shall adjourn no later than 9:00 p.m. To continue past this time of adjournment, a council majority must concur. When a council meeting falls on a holiday, the council may determine an alternate day for the meeting or cancel the meeting. The council may reschedule regular meetings to a different date or time by motion. The location of the meetings shall be the council chambers at the Justice and Municipal Center and virtually by link provided on the city's website and noted on the agendas unless specified otherwise by a majority vote of the council. All regular and special meetings shall be public.

If possible, only one or two major topics (defined as issues of high interest, controversial or those which would take an extraordinary amount of city council meeting time) will be scheduled per meeting.

Special meetings.

The mayor or any three members of the council may call special meetings as stipulated in [RCW 35A.12.110](#). The city clerk or designee shall prepare a notice of the special meeting stating the time, place and business to be transacted. The city clerk shall attempt to notify each member of

the council and the mayor, either by telephone or otherwise, of the special meeting. The city clerk shall or designee shall provide notice of the special meeting at least 24 hours in advance by posting a written notice on the city website; social media sites, and displaying the notice at the agency's principal location (and the meeting site if the special meeting is not held at the agency's principal location); and delivering a notice to each local newspaper of general circulation and to each local radio and/or television station which has filed with the clerk a written request to be notified of special meetings. The council may amend the agenda for any special meeting. The council shall not make final disposition on any matter not mentioned in the notice.

The council may schedule special joint meetings with the councils of the county, other cities or with members of any of the boards, commissions or agencies.

Council meetings in the event of a disaster or emergency.

- A. Special emergency meetings may be called by the mayor or a majority of the council in less than 24 hours, and without the notice required in [RCW 42.30.070](#), 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 as provided in [RCW 42.30.080](#). In addition, in accordance with [RCW 42.30.070](#), in the case of an emergency, if expedited action is needed to meet the emergency, the mayor or designee may provide for a meeting site other than the regular meeting site, for a remote meeting without a physical location, or for a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency, and the notice requirements of [chapter 42.30.077 RCW](#) shall be suspended during such emergency.
- B. If local, state, or federal authorities proclaim a disaster or emergency, including but not limited to an epidemic or pandemic, that interferes with the safe and normal conduct of council meetings, the mayor or designee, in consultation with the deputy mayor, shall have the authority to take any or all of the following actions:
 1. Remove nonessential items from council agendas, or postpone such items for consideration at a later date.
 2. Place emergency items on the council agenda without providing the required or customary notice.
 3. Arrange the council chamber to allow for safe conduct of council meetings and change meeting locations to allow for same.
 4. Arrange for councilmembers to participate in meetings via telephone or web-based video conferencing, and for council meetings to be broadcast or live-streamed for simultaneous public viewing. If warranted by the disaster or emergency, any number of councilmembers may participate remotely, even when remote participation is not necessary to establish a quorum. If required by the Open Public Meetings Act, the mayor or designee shall establish a location on city property for the public and media to watch or listen live to remote council meetings.
 5. Provide a means for the public to submit comments at regular meetings, consistent with OPMA requirements.
 6. Cancel regular or special meetings on less than 24 hours' notice.
 7. Direct the city clerk to make agendas available to the public only online and not in paper copy.

C. Actions taken under subsection B of this section shall be deemed to automatically suspend and supersede any provisions of this chapter that are to the contrary.

Continued and adjourned sessions.

Any session of the council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting.

Council workshops.

The council shall ~~have workshops at the end of each council regular meeting meet on the first and third Tuesday of each month at 6:00 p.m.~~ to review forthcoming agenda issues, review reports on current programs or projects, receive other similar information from city department heads or conduct procedure workshops. Decisions/votes on the issues discussed at workshops will generally be scheduled for ~~a the next~~ regular or special council meeting, but the council may do anything at a Council workshop that they are legally permitted to do at a regular Council meeting, however, in general the Council will only take action at a workshop upon approval of a majority vote of the councilmembers present. If action is to be taken, public comments will be allowed for that item only prior to voting. Workshops shall have a council open discussion period ~~generally prior to at~~ the beginning of the ~~workshop and towards the end of the regular council meetings section~~ to discuss issues of concern unless waived by the council. Council workshops shall be open to the public and will be offered virtually also for those who cannot make the meeting in person.

Executive sessions.

Executive sessions may be held in accordance with the provisions of the Washington State Open Meetings Act ([RCW 42.30.110](#)). The only parties allowed to participate in a council executive session shall be the council, mayor, city attorney or deputy city attorney, authorized staff members and/or consultants authorized by the city council.

The council may hold an executive session during a regular, ~~workshop~~ council or special meeting. Before convening an executive session, the chair shall publicly announce the purpose for excluding the public from the meeting and shall state the time when the executive session will be concluded. The statutory reference(s) supporting the executive session shall be noted on the meeting agendas. If the council wishes to adjourn at the close of a meeting from executive session, that fact will be announced along with the estimated time for the executive session. Should the executive session require more time, the chair or person so designated by the chair, shall make a public announcement that the session is being extended, along with another estimated time for the executive session to conclude.

Councilmembers shall keep confidential all written materials and verbal information provided to them during executive sessions, to ensure that the city's position is not compromised. This duty also applies when attending an executive session ~~remotely, and~~ remotely and includes ensuring other individuals are not able to hear the executive session proceedings. Confidentiality also includes information provided to councilmembers outside of executive sessions when the information is marked confidential or is considered to be exempt from disclosure under the Public Disclosure Act, including all privileged communications with the city attorney's office, [Chapter 42.56 RCW](#); [RCW 5.60.060](#); [RCW 42.23.070\(4\)](#).

If the council, after executive session, has provided direction or consensus to city staff on proposed terms and conditions for any confidential or privileged issue, all contact with any other party shall be made by the designated city staff representative handling the issue. Prior to

discussing the information with anyone other than fellow councilmembers, city attorney, mayor, or city staff designated by the mayor, councilmembers should review such potential discussion with the city attorney. Any councilmember having any contact or discussion with any person other than those listed above on any such confidential or privileged issue shall make full disclosure to the mayor, council, and the city attorney or assistant city attorney in a timely manner.

Likewise, the provisions of the “Open Public Meetings Act” shall not be applicable to any conference, discussion or deliberation between the legislative body and its city attorney concerning settlements, avoidance of, or contemplated litigation, settlement offers and like matters, all of which shall be subject to the statutory and common law attorney-client privilege.

No final action shall be taken during any executive session, except as allowed by [RCW 42.30.110](#).

At the conclusion of the executive session, if appropriate, the public council meeting shall ~~reconvene~~**reconvene**, and the council may take final action or the minutes will reflect that no final action was taken.

Public hearings.

Public hearings shall be held on issues as defined in the Bonney Lake Municipal Code, as required by State law, and on any other issue the council may deem necessary for the public’s benefit. If there is more than one item scheduled for a public hearing, the chair shall hold separate public hearings on each issue by announcing and opening the public hearing, taking the public’s testimony and closing the hearing for each issue to eliminate any confusion by the council or the public. Procedure for public hearings will comply with the provisions contained in the Bonney Lake Municipal Code. (See Article XIII Public Comments and Article XXI, Council’s Advisory Boards, Agencies and Commissions.)

Quasi-judicial public hearings.

Quasi-judicial public hearings will comply with the procedures in the Bonney Lake Municipal Code, Article XIII Public Comments, for detailed information.

Closed record hearings.

The council may hold closed record hearings, when required to do so in compliance with the Bonney Lake Municipal Code, to ensure that the findings of the hearing examiner are supported by the facts on record and to ensure that proper application of ordinances was adhered to in accordance with the findings of the hearing examiner.

Article IV. Council Meeting Attendance

Councilmembers.

All councilmembers will attend all regular **council** meetings, ~~workshops~~, special and emergency meetings and assigned council committee meetings of the council.

[RCW 35A.12.060](#) provides that a councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the council without being excused by the council. Members of the council may be so excused by complying with this section. The member shall contact the mayor, deputy mayor or city clerk prior to the meeting and state the reasons for the councilmember’s inability to attend the meeting. If the notice is provided to the deputy mayor or

city clerk, they shall advise the chair of this information prior to the meeting. During the roll call portion of the council meeting, the chair shall inform the council of the member's absence and state the reason. The council, by motion, may excuse the absence and the clerk will make appropriate notation in the minutes. If a councilmember fails to contact any of the above to advise of their absence, excluding emergency situations, the council, by motion, may vote ~~to~~ not to approve the absence and the clerk will note the minutes accordingly.

City clerk or designee.

The city clerk or designee shall attend all regular council meetings, ~~workshops~~, special and emergency meetings of the council unless excused by the council or mayor. If the city clerk and the designee are absent from any council meeting, the chair or person so designated by the chair, shall appoint a clerk pro tempore for that meeting only.

Administration/department directors.

The chair shall assure that all regular council meetings, ~~workshops~~, special and emergency meetings of the council are appropriately staffed. While the authority for requiring department heads to attend council meetings rests with the mayor, the council is free to refuse to take action on particular agenda items where necessary department directors are not present.

City attorney.

The city attorney or designee shall attend all regular council meetings, ~~workshops~~, and special meetings ~~unless excused~~ when requested, in advance, by the deputy mayor or ~~person so designated by~~ the chair, ~~in advance~~, or by a council majority at a meeting. Such attendance may be virtual with advance notice to the clerk. Attendance is not required for joint meetings with other legislative bodies, or for budget meetings, unless attendance is specifically requested in advance by the deputy mayor or mayor. Any member of the council may, at any time, during a meeting of the council at which the city attorney is present, call upon the city attorney for an oral opinion and a majority of the council may request a written opinion to decide any questions of law and may call upon any other city official present for a report or recommendation as to any matter before the council.

Parliamentarian.

The city ~~attorney-clerk~~ or designee shall act as the council's parliamentarian and shall advise the chair as to correct rules of procedure or questions of specific rule application.

Sergeant at arms.

The chair shall assure that formal meetings of the council shall be staffed with the police chief or a police officer, when deemed necessary, who shall serve as the sergeant at arms to ensure order and peace of council meetings.

Article V. Chair and Duties

Chair.

The mayor, if present, shall preside as chair at all meetings of the council except for council committee meetings. In the absence of the mayor, the deputy mayor shall preside. In the absence of both the mayor and the deputy mayor, the city clerk or designee will call the meeting to order, note the absence of both mayor and deputy mayor and ask council to elect a chair. When the deputy mayor or a councilmember presides over a council meeting, it shall not abridge their right to vote upon all questions coming before the council.

Call to order.

The meetings of the council shall be called to order by the mayor, or in the absence of the mayor, by the deputy mayor. In the absence of both the mayor and the deputy mayor, the meeting shall be called to order by the city clerk or designee for the election of a temporary chair by the majority of the council.

Preservation of order.

The chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion.

Points of order.

The chair shall determine all points of order, subject to the right of any member to appeal to the council. If any appeal is taken, the question shall be, "Shall the decision of the chairman be sustained?" A point of order may be raised if the council rules of procedure appear to have been broken. This may interrupt a speaker if the breach of the rules warrants it. The point is resolved before business continues. This is not a motion but is instead a request to the chair for decision. Valid reasons for a point of order include, but are not limited to: the speaker has not been granted the floor; the mayor mistakenly skipped an item on the agenda; a motion or second has been made erroneously; a person has spoken longer than authorized; a speaker is using inappropriate language; a speaker is not speaking to the matter under consideration.

Questions to be stated.

The chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken if requested by a member of the council or the chair.

Official timekeeper.

The chair, or person so designated by the chair, shall be the official timekeeper at all regular and special council meetings.

Mayor – Powers.

The mayor may not make or second motions, but may participate in debate to the extent that such debate does not interfere with chairing the meeting. If the mayor wishes to participate vigorously in the debate of an issue, the mayor shall turn the chairing of that portion of the meeting to the deputy mayor, or to another councilmember if the deputy mayor is absent. The mayor's duties and powers are specified in [RCW 35A.12.100](#), Duties and Authority of the Mayor – Veto – Tie-breaking vote.

Article VI. Council Agenda

Submitting agenda issues.

The city council desires adequate time to review and research all issues coming before it for consideration and/or action. Therefore, all communications, ordinances, resolutions, contract documents or other matters for council consideration at the forthcoming council meeting ~~or workshop~~ shall be delivered to the city clerk or designee by 5~~10~~:00 p.m. on Wednesday prior to the Tuesday council ~~or workshop~~ meeting, and shall follow the agenda guidelines established by the city clerk. The timeline may be altered to accommodate holidays or other closures of city offices. Subject to the council's right to amend the agenda, no legislative item which is not on the council agenda and which has not been presented and approved as a forthcoming agenda item by a council committee or council workshop shall be voted upon, except in emergency situations

(defined as situations which would jeopardize the public's health, safety or welfare), or where otherwise deemed important by a majority of the council.

Agenda issues through council committee and/or workshop.

Issues coming before the city council shall first be placed on the agenda of the appropriate council committee or council workshop for discussion unless approved by motion by a majority of the council as an agenda amendment. An exception may be made when the mayor and deputy mayor jointly concur that an issue is of such a routine or administrative nature as to not require advance discussion by the council. (See Article XVII defining the role of council committees and issues approved for workshops.) The staff shall contact the chair of the appropriate council committee and request their issue be placed on the next committee agenda.

Directory statements.

Statements in these policies under Article VI Council Agenda, Article XIII Public Comments, Article XVII Council Committees, or any other section which require preliminary consideration of ordinances or other council agenda items by council committees, are directory statements only for the convenience of the council and not mandatory procedural or substantive requirements for lawful, final council action.

Setting council agendas.

The mayor, the deputy mayor, the city clerk or designee, and city administrator shall review all items/issues submitted by the deadline set by the council. Council sets its own agendas for all council meetings ~~and workshops~~.

Legally required and advertised public hearings shall have a higher priority over other scheduled agenda items that have been scheduled by convenience rather than for statutory or other legal reasons.

Setting council agendas for special joint meetings.

In consultation with the mayor, councilmembers, and the chair of the affected board or commission, the deputy mayor shall set the agenda for all special joint meetings. The city clerk or designee shall provide board or commission members with a final copy of the agenda at the same time it is provided to members of the city council.

Agenda documentation requirements.

Before the council takes final action, the council requires all backup documentation for the issues being considered. To that end, all additional information requested by committee members will be provided to the council by staff in their advance agenda packets.

An original ordinance or resolution must be provided when amending or repealing an ordinance or resolution. An original must also be provided when updating of all contracts or agreements.

If the council is asked to approve an issue with a monetary value, a copy of the section of the budget, including remaining balance of budget appropriations pertaining to the issue must also be provided.

On all issues presented to the council for review or action, if any of the documentation provided by the staff references any BLMC, RCWs, MRSC or AWC documents, the documents referenced shall also be provided to the council in their advance packets for committee or workshop.

Originals of all proposed ordinances, resolutions, contracts or agreements shall be required and turned in to the city clerk or designee by the established deadline prior to being scheduled for a council committee or council meeting agenda.

City clerk or designee duties.

The city clerk or designee shall strive to distribute copies of the proposed agenda, with all the required documentation to each member of the council, the mayor and the city attorney or deputy city attorney and other councils, boards or commissioners, when applicable, by noon on ~~Friday-~~ Thursday preceding the meeting. Agenda packets shall be distributed to the councilmember's city-mailboxesboard portal, except in the case of emergency meetings (see Article III Types of Council ~~Meetings~~, Meetings, Emergency council meetings).

The city clerk or designee shall normally include draft copies of the minutes from the previously held council meetings in the council workshop section of the agenda packets for review and any necessary corrections prior to adoption at the following council meeting.

The city clerk shall be responsible for providing each new councilmember with online references to the current copies of the Bonney Lake Municipal Code, council policies and procedures manual, city reference manual and city comprehensive plans and copies of Chapter 35A.12 RCW, Mayor-Council Form of Government, and Chapter 35A.33 RCW, Budgets in Code Cities, of the RCWs, or paper copies, if available, as requested by the councilmember.

Agenda modification.

Once council agendas is set and posted on the city's website, for any necessary agenda modifications, the city clerk or designee shall prepare a separate blue sheet listing only the proposed agenda modifications for consideration by the council. Just before the meeting, copies shall be provided to the mayor, council, city or deputy city attorney, staff present and a copy of all modifications and any related documentation placed on the table for members of the public attending the meeting. The necessity of the agenda modifications shall be explained to the council. If the requests receive a majority vote of the council, by motion, the agenda modification shall be approved.

Continued agenda items.

Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

Council agenda bills.

All issues coming before the council, except those purely for discussion for further development, shall require a completed council agenda bill ~~with ordinance and resolution numbers~~, the correct title of the ordinance or resolution, and a clear descriptive summary statement on each. The city clerk or designee shall be responsible for the format and numbering of the agenda bills. Those issues coming before the council solely for discussion and further development based on council input may be provided in such format as the mayor or his designee shall determine best presents the material for council consideration.

The city clerk or designee shall be responsible for completing the council agenda bills (CAB) on any issues requiring council action that are being submitted by a councilmember. These CABs do not require signatures of the mayor. As with council policy on all issues, it must be submitted to the appropriate council committee or workshop prior to scheduling for their review and signature approval on the required council committee form except issues as designated in these policies.

All council agenda bills, when applicable, shall include budget amounts, requested expenditure and impact along with statement of fiscal analysis and identification of fund source. Department directors shall be responsible for securing the appropriate approvals on all CABs and for submitting, by the council established deadline, all required documentation to the city clerk or designee for council agendas.

Mayor and councilmember comments.

The agenda shall provide a time (announcements/committee reports) for the mayor or any councilmember to bring before the council any business that he/she feels should be deliberated upon by the council. These matters need not be specifically listed on the agenda, but formal action on such matters may be deferred until a subsequent council meeting, except that immediate action may be taken upon a vote of a majority of all members of the council and after providing public comments on said action item(s).

Public's agenda packet.

Per [RCW 35A12.160](#), the city shall establish a procedure to notify the public of upcoming hearings and the preliminary agenda for forthcoming meetings. The city shall follow this procedure which shall include publication of a notice in the official newspaper, posting of upcoming council meeting agendas and public hearings on the city's social media sites, website, or such other processes as the city determines will satisfy legal requirements and provide notice to the public.

The city clerk or designee shall have a procedure available for the public to view the complete packet of proposed ordinances, resolutions and contracts being considered by the council available on a table within or outside of the council chambers prior to the start of the meeting. These are public documents and anyone requesting a copy of any item being considered on the council agenda shall be supplied with such upon their request to the city clerk or designee and payment of copies as established in the Bonney Lake Municipal Code and during normal business hours.

Meeting information – City website.

The city clerk or designee shall be responsible for updating the council agenda on the city's website, which normally will be updated by 2:00 p.m. ~~Friday-Thursday~~ preceding the council meetings ~~and workshops~~.

Agenda order of business.

The order of business for all regular meetings shall be transacted as follows unless the council, by a majority vote of the members present, suspends the rules and changes the order:

~~A.~~ I. Call to Order. The mayor or, if absent, the deputy mayor calls to order.

~~1.A.~~ Pledge Of Allegiance. The mayor or, if absent, the deputy mayor, and at times invited guests, will lead the pledge of allegiance.

~~2.B.~~ Roll Call. The city clerk or designee shall call the roll and the chair shall indicate those in attendance and state the reasons for absences. Council absences require a motion to be excused.

~~3.C.~~ Agenda modifications.

~~4.D.~~ Announcements, Appointments, and Presentations.

~~a. Announcements~~— By chair or councilmembers. Announcements are to be related to city business and limited to announcements of community or governmental actions, events, meetings or notices.

~~b. E.~~ Appointments – By chair or councilmembers.

~~c. F.~~ Presentations – By chair, councilmembers, staff or scheduled guests.

~~B. Public Comments, Public Hearings and Correspondence.~~

~~1. Public hearings.~~

~~2. Public comments (for the good of the order).~~

~~3. Correspondence. Any correspondence received by a city official that said official wants reported at the meeting that is pertinent to an item on the agenda shall be submitted to the city clerk or designee in advance of the meeting. The city clerk or designee will report that a correspondence has been received from (note the author), and state the subject matter of the correspondence. No action or discussion is to be taken during the correspondence segment of the council meeting. The chair may refer said correspondence to the appropriate council committee or administration for consideration.~~

~~C. II. Council Committee Reports.~~

~~1. Finance committee.~~

~~2. Community development committee.~~

~~3. Public safety committee.~~

~~4. Other committees or reports.~~ Councilmembers and the chair may give reports regarding board or committee meetings they have attended or to which they have been appointed. Special committees which have reports to make shall be scheduled under the presentations section of the agenda.

~~D. III.~~ Consent Agenda. The items listed on the consent agenda may be acted upon by a single motion and second of the city council. By simple request made prior to the vote on the consent agenda, the mayor or any councilmember may remove items from the consent agenda for separate consideration after the adoption of the remainder of the consent agenda items. The chair, with council consent, shall determine the point on the agenda at which items pulled from the consent agenda will be considered, normally during the related council committee issue section of the agenda.

~~1. A.~~ Minutes.

~~2. B. Accounts Payable and Utility Refund Checks/Vouchers Vouchers and Claims.~~

~~a. Check No. voided in check lineup.~~

~~b. Check Nos. in the total amount of \$_____.~~

~~C. Payroll.~~

~~3. D.~~ Ordinances to be adopted by consent.

4. E. Resolutions to be approved by consent.

5. F. Motions to be approved by consent.

IV. Full council issues.

V. Public Hearings.

VI. Correspondences. Any correspondence received by a city official that said official wants reported at the meeting that is pertinent to an item on the agenda shall be submitted to the city clerk or designee in advance of the meeting. The city clerk or designee will report that a correspondence has been received from (note the author), and state the subject matter of the correspondence. No action or discussion is to be taken during the correspondence segment of the council meeting. The chair may refer said correspondence to the appropriate council committee or administration for consideration.

VII. Audience Comments (for the good of the order).

VIII. Council Open Discussion. Council may discuss audience comments, other items that they want to have staff start researching or bringing forward for review by Council, and any information that they want to inform Council of.

IX. Workshop Discussion Items.

A. Review of Council Minutes.

~~E.~~ B. Other Discussion Items. The following issues or matters do not require review by council standing committees but may be scheduled directly for review by the council of the whole during the workshop discussion items section of the agenda; provided, that the requirements and necessary documents are provided by the agenda deadline as defined in these policies and procedures. Issues or presentations requested by the mayor for future council agendas (that are not requirements of the council to be scheduled for council committee review), budget review, city hall plans, planning commission recommendations, issues referred by the council to planning commission, property acquisitions, issues previously reviewed by the full council, budget amendments, setting public hearing dates, items tabled by the council, public hearing testimony deliberations, council retreats, litigation, council internal affairs, and review of all reserve funds.

~~F.~~ X. Executive/closed sessions.

~~G.~~ XI. Adjournment.

Workshop order of business.

~~The workshop meetings shall start with the pledge of allegiance and be transacted in order of priority of issue unless the council, by majority vote, amends the order of the agenda. All workshops shall include a period of open discussion by the council and priority will be given to all previously tabled issues and presentations.~~

~~The following issues or matters do not require review by council standing committees but may be scheduled directly for review by the council of the whole at a council workshop; provided, that the requirements and necessary documents are provided by the agenda deadline as defined in these policies and procedures. Issues or presentations requested by the mayor for future council~~

~~agendas (that are not requirements of the council to be scheduled for council committee review), budget review, city hall plans, planning commission recommendations, issues referred by the council to planning commission, property acquisitions, issues previously reviewed by the full council, budget amendments, setting public hearing dates, executive sessions, items tabled by the council, public hearing testimony deliberations, council retreats, council vacancies, appointments to regional or local organizations, committees or task forces, litigation, council internal affairs, and review of all reserve funds.~~

Article VII. Minutes of Council Meetings

Journal of proceedings.

A journal of all proceedings of the council shall be kept by the city clerk or designee and shall be uploaded and saved on the Washington State Digital Archives Website constituting the official record of the council (per [RCW 35A.39.010](#)).

Reading of minutes.

Unless a reading of the minutes is requested by a majority plus one of the council, such minutes may be approved without reading; provided, that the city clerk or designee has provided each member with a printed copy of the minutes as stipulated in these provisions, or made them available on the city's website for those members no longer requesting a printed agenda packet.

Detail of ~~regular council,~~ and ~~special meeting and workshop~~ minutes.

Official minutes shall contain the date, time, place and nature of the meeting, the names of the councilmembers present (excused and unexcused), mayor, city attorney or deputy city attorney and staff present; all motions, except those withdrawn, and the names of their maker and who made the second; an objective abstract of all business discussed, actions taken and the results or votes of such actions in the order of business established in these policies.

Ordinances, resolutions, contracts and agreements, budgets and budget amendments shall contain clear subject descriptions and shall state the total monetary amounts, when applicable, in the minutes for easier reference.

For efficient use of city resources, it is expected that there will not be verbatim accounts of council proceedings prepared in most situations but instead a summary will be prepared and an audio recording to the Washington State Digital Archives Website. However, if an issue is of such importance that a majority plus one of the council feel a verbatim account of a portion of the meeting and/or a particular councilmember's statements are appropriate, a verbatim account may be requested and prepared by the city clerk or designee.

Dissent.

Any member of the city council shall have the right to state the reasons for his/her dissent from, or protest against, any action of the council entered into the minutes.

Scheduling of minutes for adoption.

The city clerk or designee shall normally schedule the council meeting ~~and workshop~~ minutes for adoption by the council after review and approval of the draft minutes by the council at a previous ~~workshop~~ council meeting.

Recording of council meetings ~~and workshops~~.

All ~~regular, council and~~ special ~~and workshop~~ meetings, unless otherwise determined by the city council, shall be recorded electronically and official minutes prepared by the city clerk or designee. The audio recording shall be uploaded to the Washington State Digital Archives Website pursuant to applicable record retention and public disclosure laws and city ordinance. All meeting audio recordings are permanent by law.

The city clerk shall provide a suitable area for council or anyone requesting to review any recordings. There shall be no fee for only reviewing them.

Article VIII. Deputy Mayor

Appointment.

The selection of deputy mayor will be biennially, by majority vote of the council, to serve in the absence or temporary disability of the mayor.

The biennial election shall occur during the even years at the first meeting of the council in January. If there has been no change in council membership said election of the deputy mayor and subsequent committee assignments may be made at the last meeting of the year, provided the results of the municipal election have been certified by that date.

Councilmembers shall make nominations for the appointment of deputy mayor. The nominator is permitted to give reasons for supporting the nominee. Nominations do not require a second, but the person nominated should accept or decline the nomination prior to the vote. Councilmembers nominated for this appointment are not required to abstain from voting.

Duties of deputy mayor.

The deputy mayor presides at meetings of the council, administers oaths and signs instruments in the absence of the mayor. When the deputy mayor presides over a council meeting they shall retain their councilmanic vote.

In addition to serving in the absence of the mayor, the deputy mayor shall serve as finance committee chair for the term of office as established for the deputy mayor, shall serve as voucher review committee chair, shall be responsible for overseeing council agendas with the city clerk or designee and the city administrator and shall perform any other duties prescribed by the council.

Article IX. Forms of Address

Elected officials.

In all formal council meetings the mayor shall be addressed as “Mayor (surname),” or “Your Honor.” The deputy mayor shall be addressed as “Deputy Mayor (surname).” Members of the council shall be addressed as “Councilmember (surname).”

Directors and staff.

All directors shall be addressed as “Director (surname)”. All other staff shall be addressed as their full names.

Article X. Rules of Decorum

Councilmembers.

While the council is in session, all members must preserve order, decency and decorum at all times, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the council.

No member shall use impertinent, degrading, or slanderous language as to any other member of the council, the mayor, city staff, or member of the public while discussing or debating the business of the council. Debate must be fundamentally **impersonal**. All discussion is addressed to the presiding officer and must **never be** directed to any individual. Meetings must discuss **measures, not people**. A motion – its nature and consequences – may be attacked vigorously, but it is never permissible to attack the motives, character, or personality of the presiding officer or another councilmember either directly or by innuendo or by implication.

It is the duty of the presiding officer instantly to stop any member who engages in personal attacks or discusses the motives of the presiding officer or another councilmember or is discourteous in word or manner. If the presiding officer fails to interrupt, any member may make a point of order and call the attention of the presiding officer to the speaker's misconduct.

Arguments and opinions should be stated as concisely as possible. Discussions by members of the council shall relate to the subject matter at hand and shall be **relevant and pertinent** thereto so as to provide for the expeditious disposition and resolution of the business before the legislative body.

Anyone who uses improper language or acts in a disorderly manner should be called to order promptly by the presiding officer. When a point of order is raised concerning a speaker's conduct, the speaker must be silent until the point of order is decided by the presiding officer.

A member who fails or refuses to speak in an orderly and courteous manner may be denied the right to the floor and, if necessary, may be ejected from the meeting by order of the presiding officer or by a vote of the assembly.

Chair.

The chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion. The chair may discourage any city staff or members of the public addressing the council from making personal, impertinent or slanderous remarks or from becoming boisterous (talking in a voice or making noises which are louder than normal conversation or which disrupt the meeting) while addressing the council, or by conversation to delay, impede or interrupt the proceedings or the peace of the council, or disrupts any member while speaking, or refuse to obey the orders of the council or the chair. All remarks shall be addressed to the council as a whole and any person(s) violating these provisions or who become threatening or disruptive while addressing the council may be requested to leave the meeting by the chair. Any person in violation of these provisions and who refuses to comply with the lawful orders of the chair shall be guilty of disorderly conduct.

The chair shall preserve order at all times during council meetings. If required by the chair, the chief of police or a designated member of his/her department shall act as sergeant in arms of the city council and shall carry out all orders given by the chair for the purpose of maintaining order, peace and decorum at the council meeting. Any councilmember may move to require the chair to

enforce the rules and the affirmative vote of a majority of the council shall require the chair to do so.

City staff.

Members of the city staff shall observe the same rules of order and decorum that are applicable to members of the city council.

Article XI. Code of Conduct

Councilmembers.

In all dealings, councilmembers shall be governed, to the extent applicable, by [Chapter 42.20 RCW](#) relating to misconduct of public officers, by [Chapter 42.23 RCW](#) relating to the code of ethics for municipal officers, and by [Chapter 42.36 RCW](#) relating to the appearance of fairness doctrine, and by this document and all other statutes or ordinances governing the conduct of city officers.

Motions generally.

All ordinances, resolutions, and other agenda bills requiring council approval shall be in the form of an affirmative motion. All motions shall require a second in order to proceed to a vote. If no one seconds the motion, the motion dies.

Article XII. Voting

Requirements.

A councilmember must be present at a council meeting or virtually to vote on any issue, contract, ordinance or resolution or any other order of business of the council.. No member shall be allowed to vote by proxy.

Tie breaker.

The mayor may cast a vote in the case of a tie vote of the council in matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money per [RCW 35A.12.100](#).

Roll call voting.

The chair, any councilmember, or the city clerk or designee may request a verbal roll call vote.-

Votes on motions.

The council requires a majority vote of those councilmembers present and voting, for passage of any action issue; provided, that the passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council, as required by law. Each councilmember present may vote on all questions before the council, except on matters in which they have been disqualified or the councilmember has a legal conflict of interest or an appearance of fairness issue under Washington law. Such member shall disqualify him or herself prior to any discussion of the matter, shall temporarily leave the meeting until the agenda item is completed, and shall not attempt to influence the votes of the other councilmembers. When disqualification of a member or members results or would result in the inability of the council at a subsequent meeting to act on a matter which is required by law to take action, any member who was absent or who had been disqualified under the appearance of fairness doctrine may subsequently

participate provided such member shall first have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.

Failure to vote on a motion.

Any councilmember present who fails to state his or her vote without a valid disqualification shall be declared to have voted in the affirmative on the question, except that an abstaining councilmember still creates a quorum.

In situations where a councilmember may need to abstain from voting because of a possible violation of the appearance of fairness doctrine, [RCW 42.36.090](#) provides that the challenged councilmember can still participate in the event that abstention would cause a lack of a quorum or result in a failure to obtain a majority vote as required by law if they publicly disclose the basis for disqualification prior to rendering a decision.

Explanation of vote by councilmember.

Any member of the council desiring to explain his or her vote may do so by requesting the floor from the chair and shall be allowed the opportunity to do so for the public and the official record. The question shall not be called for by any councilmember until each councilmember has had an opportunity to address or state their concerns.

Voting delegates of the council.

When councilmembers register to attend an official conference requiring voting delegates, such as the annual National League of Cities, Puget Sound Regional Council Annual Membership Meeting, or Association of Washington Cities, the council shall designate the voting delegate(s) during a public meeting, by majority vote; when possible, said selection of voting delegates shall be done on a rotating basis for the purpose of allowing all councilmembers the opportunity to be an official voting delegate.

Consensus votes.

When a formal motion is not required on a council action or opinion, a consensus voice vote may be taken. The chair will state the action or opinion and each councilmember may vote by saying “aye” or “nay.”

Reconsideration.

Any action of the council shall be subject to a motion to reconsider, except any action previously reconsidered, motions to adjourn, motions to suspend the rules, an affirmative vote to lay on the table or to take from the table, or a vote electing to office one who is present and does not decline. A motion to reconsider may only be made by a member of the prevailing side on the original action. A motion to reconsider may be made at the same meeting the initial vote is taken, but no later than the next succeeding regular council meeting; provided, that a motion to reconsider approval of a contract may not be made at the next succeeding regular council meeting if the contract has already been signed and delivered to the other contracting party. Debate is limited to the reason for reconsidering the motion and should not be used to repeat discussion regarding the main motion.

Table motions.

If a councilmember wishes to make a motion to table an issue, they may state their intentions to do so and inquire whether any councilmembers wish to make statements or provide information prior to the motion being made and seconded.

Article XIII. ~~Public Audience~~ Comments

~~Citizen Audience~~ comments.

The public is encouraged to attend and participate at all council meetings. Any individuals who will have difficulty attending a meeting or who desire to comment virtually will be provided an opportunity to provide oral comment at the meeting remotely either by giving prior notice to the city clerk or designee before 5:00pm the night of the Council Meeting or during the ~~public audience~~ commenting section of the agenda. Under agenda item “~~public audience~~ comments,” members of the public may address the mayor and the council regarding any matter relating to city business or over which the city has authority, for up to five (5) minutes per speaker, unless granted further time by the chair or a majority of the councilmembers present. Groups recognized by the chair, or action of the city council, who have a designated speaker may have a total of ~~ten~~ (10) minutes to speak. Following such comments, if action is required or has been requested, the chair shall refer the matter to staff or the appropriate council committee for review or investigation and report at a future meeting. Sign-up is not required for this portion of the council meeting. Each member of the public will be allowed to speak only once during the public comment portion in each council meeting.

Conduct and decorum when addressing council.

Any person addressing the council shall comply with the following rules of conduct and decorum:

- A. When recognized by the chair, each in-person attendee addressing the council shall go to the podium and remote attendees when recognized shall give their name and as a courtesy, but not mandatory, their address in an audible tone of voice for the record, and shall limit their remarks to the time specified, unless granted further time by the chair or requested by a majority of the councilmembers present. All remarks shall be addressed to the council as a body and not to any member thereof. This time is set aside for public comments on city business and not to allow individual conversations between citizens and councilmembers/chairperson. No questions shall be asked of a councilmember, except through the chair.
- B. Out of respect for the efficient use of council meeting time, no councilperson or the chairperson shall respond to citizen comments unless the matter is city business and that person wants to respond during the council meeting rather than some other time. No councilperson nor the chair should respond at a meeting to individual or personal matters unless that councilmember ~~nor~~ the chair believes the matter is city business that should or may be addressed by the full council at a council meeting, and that councilmember ~~nor~~ the chair wants to make a response at a council meeting rather than some other time.
- C. No person, other than the chair, councilmembers, and the person having the floor, shall be permitted to enter into any discussions, either directly or through the members of the council, unless recognized by the chair.
- D. All speakers are expected to deliver their comments in a courteous and efficient manner. Any person who is unruly or disruptive while addressing the council may be requested to leave the meeting or may be barred from further audience before the council during that council meeting by the chair.

- E. Any speaker who fails to comply with these limits and rules for speaking at council meetings, or otherwise acts in an unruly or disruptive manner, may be subject to removal from the meeting.
- F. The chair shall direct which department will follow up on each comment, if needed, and that department head shall follow up with the commentor to get contact information prior to the adjournment of the meeting.
- G. When public complaints or suggestions are brought before a council meeting, other than for items already on an agenda, the chair shall first determine whether the issue is legislative or administrative in nature and then:
 - 1. If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the council finds such complaint suggests a change to an ordinance or resolution of the city, the council may refer the matter to a committee, administration or the council of the whole for study and recommendation.
 - 2. If administrative, and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the mayor, the mayor should then refer the complaint to the appropriate department head for his/her review if said complaint has not been so reviewed. The city council may direct that the mayor brief or report to the council when his/her response is made.

Written communication.

All material presented at council meetings, except confidential material not subject to disclosure under law, shall also be presented to the city clerk or designee. A copy of any written communications submitted to the council at council meetings under public comments or in reference to an agenda item shall also be provided to the city clerk or designee who shall note in the minutes that said communication was received and include the subject of the communication and the person or group submitting it.

Public hearing procedures.

- A. Speaker Sign-In. Up until five (5) minutes to the start of a public hearing, all persons wishing to be heard are requested but not required, to sign in using the public hearing testimony sign-up sheet located at the entrance of the meeting room or by emailing the city clerk at clerk@bonneylake.gov for those attending virtually, giving their name, as a courtesy, but not mandatory, their address, screen name (for those attending by video) or phone number (for those attending by audio only), and whether they wish to speak as a proponent, opponent or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. Each speaker shall be given five (5) minutes or when presenting the official position of any organization or group recognized by the chair or council action ~~ten~~ (10) minutes shall be allowed. As allowed by the chair or council action, anyone who has signed in to speak at a public hearing may relinquish his or her allotted time to any person who is also signed in to speak. If there are numerous items for public hearings on any council agenda, there will be a separate public hearing on each item. The chair may change the order of speakers so that testimony is heard in the most logical groupings..
- B. Conflict of Interest and Appearance of Fairness. Prior to the start of a public hearing any councilmember who has a conflict of interest or appearance of fairness doctrine concern, needs to step down and give the reason for recusing themselves from participation in the

public hearing process. Another councilmember may ask a councilmember to step down from the public hearing process if they believe there is a conflict of interest or appearance of fairness doctrine concern. A councilmember who refuses to step down after challenge, upon the advice of the city attorney and after a ruling by the majority of the remaining members of the council that the member in question should step down, is subject to censure. A councilmember who has stepped down shall not participate in the council decision nor vote on the matter. The councilmember shall leave the council chambers while the matter is under consideration.

Public hearing process.

The city clerk or designee, with the concurrence of the deputy mayor, shall set public hearing dates to receive public testimony on all issues required by law or as the council may direct.

Discussions by council of public testimony shall normally be scheduled during the workshop discussion items section of the agenda or for the next regularly scheduled workshopcouncil meeting. Final action by the council on all public hearings shall normally be scheduled for the next regularly scheduled council meeting; except where no public testimony was provided, the council may choose to take final action immediately following the public hearing.

On the day of the public hearing, the city clerk or designee will print a separate public hearing testimony sign-up sheet for each item on the public hearing agenda for the public to have during the public hearing, along with the following notice:

1. Any individuals making comments in person or virtually shall state their name and as a courtesy, but not mandatory, their address for the official record of the transcript of the public hearing.
2. All comments from members of the public who are physically present shall be made from the podium and no other location. Comments that are not on the public hearing topic are out of order. Anyone making "out-of-order" comments shall be subject to removal from the meeting. If you have any special needs or require accommodation, please advise the nearest staff member.
3. All comments by members of the public attending by virtual video shall be made by using the "raised hand" icon virtually and wait for your name to be called on.
4. All comments by members of the public attending by audio only shall be made by waiting for your name to be called on.
5. Those attending virtually by video or audio are asked to mute your microphones until your name is called to keep background noise down and to give everyone an opportunity to be heard.
6. These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his/her right of free speech.

The chair calls upon staff to present a brief staff report on the matter under consideration.

The chair calls upon proponents, opponents and all other individuals who have signed in or signed-up with the city clerk or designee, to speak regarding the matter under consideration. After everyone that has signed in to speak has had their opportunity to do so, the chair shall ask if there is anyone else wishing to speak on this matter, including people who may choose to participate remotely.

The chair inquires as to whether any councilmember has questions for the proponents, opponents, speakers or staff. If any councilmember has questions, the appropriate individual will be recalled to the podium (or otherwise addressed if participating remotely).

The chair continues the public hearing to a specific date and time, or closes the public hearing. The council may choose to keep the public record open to a date and time set by the council to receive written testimony if they so desire.

Quasi-judicial public hearings.

The appearance of fairness doctrine applies to quasi-judicial hearings, not to legislative hearings. Council's decision on a quasi-judicial matter must be based on and supported by the "record" in that matter. The "record" consists of all testimony or comment presented at the hearing and all documents or exhibits that have been submitted in connection with the matter being considered. All documents, including maps, drawings, and staff reports, should be admitted as numbered exhibits during the public hearing. All quasi-judicial hearings shall be recorded. Quasi-judicial hearings will be conducted in conformance to procedures outlined in other ordinances, such as the hearing examiner ordinance. Deliberations on a quasi-judicial matter can occur following the public hearing or at some other time. Deliberations and eventual decision shall fall within any applicable statutory timelines. Comments from the audience are not permitted during open meeting deliberations.

Comments in violation of the appearance of fairness doctrine.

The chair may rule out of order any comment made with respect to a quasi-judicial matter pending before the council or its boards or agency or commissions. Such comments should be made only at the hearing on a subject matter. If a hearing has been set, persons whose comments are ruled out of order will be notified of the time and place when they can appear at the public hearing on the matter and present their comments.

Article XIV. Ordinances~~and~~, Resolutions, And Motions

Defined.

A. Ordinances. Ordinances are legislative acts or local laws, prescribing general, uniform, and permanent rules of conduct, relating to the corporate affairs of the city. Ordinances are the most permanent and binding form of council action and may be amended or repealed only by adoption of a subsequent ordinance.

B. Resolutions. Resolutions adopt policies or direct action. Resolutions are not law, but they carry the weight of creating official policies or directing the actions. A resolution is an act of the council that is less solemn or formal than an ordinance, and in general is an expression of the opinion or mind of the council concerning some particular item of business or matter of administration coming within its official cognizance. Resolutions generally deal with matters of a special or temporary character. A resolution may be amended or repealed by adoption of a subsequent motion resolution or ordinance.

B.C. Motions. Motions are the form used for Council to take or direct action – whether it be passage of an ordinance or resolution or directing staff to do something. Motions that are not the passage of an ordinance or resolution can be modified by another (later) motion.

When required ordinances, resolutions and contract documents shall be reviewed by the city attorney or deputy city attorney and approved as to form and legality and shall bear his/her

certification on a council agenda bill, if required, or approval via e-mail or fax on the issue being reviewed, prior to submitting to the city clerk or designee for inclusion on a council agenda.

All contracts and agreements which are to be approved by the council shall be submitted to the council for consideration as an exhibit to a resolution or motion to ensure tracking ability. Contracts for any more long-term or meaningful contract, such as an interlocal agreement, solid waste hauling contract, etc. or any agreement where it is important to show that it was approved by the council would be done by resolution. Contracts that are short term would be done by motions.

All additional issues pertaining to the city's yearly budget shall be submitted as exhibits to the main budget ordinance (i.e., salary scale, etc.).

All ordinances and resolutions shall be submitted in the city clerk approved standard template format.

No ordinance or resolution shall contain more than one subject and shall be fully and clearly expressed in its title.

All ordinances and resolutions may be passed by the council by having only the title and summary statement read aloud by the city clerk or deputy city clerk or designee at a council meeting, if it is the second reading of the ordinance or resolution, without the full reading of the ordinance or resolution; however, a councilmember may request a full reading at which time the chair shall ask the city clerk or designee to read the ordinance or resolution.

Introduction of ordinances and resolutions at council meetings.

Ordinances, resolutions and other matters or subjects requiring action by the council must be introduced by a council agenda bill.

All ordinances and resolutions shall include a clear description of the subject matter in the titles shown on all agendas and minutes of the council.

Legal review.

All documents needing legal review by the city attorney or deputy city attorney must also be reviewed and approved by the mayor or city administrator prior to final submittal to the city clerk.

Action items.

All issues for a forthcoming council agenda shall be reviewed by the appropriate council committee or, on designated issues, through council workshop. Refer to council standing committee section, Article XVII, for clarification of processing issues.

Two readings required of ordinances.

Ordinances before the city council for consideration and passage shall be reviewed at two meetings of the council, inclusive of workshops or council committee meetings, prior to passage.

- A. Introduction and First Reading of Ordinance. Discussion and debate by the city council at a regular council meeting ~~or workshop~~ may be held at this time. Councilmembers shall decide whether to amend the ordinance, direct staff to further review the ordinance, forward the ordinance to an advisory board, council workshop for further discussion and study, or approve placing the ordinance on the agenda of the forthcoming regular council meeting for enactment as an enforceable city law.

Nothing contained in this policy shall prohibit the city council from enacting any ordinance, other than a franchise, after a single reading by majority vote.

- B. Action Items. The council may delay taking action on any issues if sufficient documentation and information has not been provided by the mayor and the staff in advance in council packets to allow the council due deliberation.

Numbering ordinances and resolutions.

~~Prior to submitting to council committee or workshop,~~After adoption a number shall be assigned to every ordinance or resolution by the city clerk or designee and a current numeric and alphabetical journal log of all ordinances and resolutions shall be kept by the city clerk for easy cross-reference. Copies of the journals shall be provided upon request to councilmembers.

Effective date of ordinances and resolutions.

A. Ordinances.

1. Ordinances Subject to Referendum. Pursuant to [BLMC 2.64.010](#), no ordinance subject to referendum shall take effect prior to 30 days after passage, subject to prior approval by the mayor and prior publication for five days as required by law, unless the council declares such ordinance to be necessary for immediate preservation of public peace, health, and safety or for the support of city government and its existing public institutions, includes a statement of urgency, and passes the ordinance by unanimous vote of the council.
2. Ordinances Not Subject to Referendum. Pursuant to [RCW 35A.12.130](#), no ordinance not subject to referendum shall take effect until five days after the date of its publication unless otherwise provided by statute or charter, except that an ordinance passed by a majority plus one of the whole membership of the council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property, public welfare, or public peace, may become effective upon adoption, but such ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

- B. Resolutions. A resolution may be put to its final passage on the same day it is introduced and may be effective the same day. The title of each resolution shall, in most cases, be read by the city clerk or designee prior to its passage; provided, should a councilmember request that the entire resolution or certain of its sections be read aloud, such requests shall be granted by the chair.

Publication of ordinances.

Ordinances and their summaries shall be published in the city's official newspaper as legal publication in the first possible publication following enactment. Ordinances will also be posted on the city website.

Ordinance vetoes by the mayor.

Per [RCW 35A.12.100](#), the mayor shall have the power to veto ordinances passed by the council as provided in [RCW 35A.12.130](#) but such veto may be overridden by the vote of the majority plus one of the whole membership.

To become valid, every ordinance adopted by the council must be presented to the mayor, or in the mayor's absence to the deputy mayor. If approved by the mayor, the mayor or deputy mayor

shall sign the ordinance. If not approved by the mayor or deputy mayor, the ordinance shall be returned to the council with the mayor's or deputy mayor's written objections. The council shall cause such objections to be entered at large upon the journal and proceed to a reconsideration thereof. If upon reconsideration a majority plus one of the whole membership, voting upon a call of ayes and nays, favor its passage, the ordinance shall become valid notwithstanding the mayoral veto. If the mayor fails for 10 days to either approve or veto an ordinance it shall become valid without approval. All ordinances shall be signed by the mayor, or in the absence of the mayor by the deputy mayor, approved as to form, when required, by the city attorney and attested to by the city clerk or designee.

Article XV. Contracts

General.

City Council approves many contracts for the City of Bonney Lake and some of the contracts long-duration terms. The City Council is cognizant of the need for flexibility in future dealings with contract partners and is hesitant to bind future city councils and deems it in the public interest to establish a policy regarding the creation of additional procedures for contracts with terms that are longer than five years.

Policy for contracts with terms in excess of five (5) years.

- A. Contracts subject to City Council approval should not have terms longer than five (5) years unless there is a strong policy or business rationale for a longer term.
- B. If the City is negotiating an agreement with a term that is proposed to exceed five (5) years, the City Administrator shall ensure that the City Council is provided with notice and information about the contract, including the rationale for a term that exceeds five (5) years. Such notice and opportunity for the City Council to object shall be provided prior to the completion of negotiations.
- C. When a contract with an initial, subsequent, renewal, or extension term exceeding five (5) years is placed onto a City Council or Council Committee Agenda for City Council or Committee approval, the contract duration shall be specifically called out in the Agenda materials, and the materials shall provide the policy or business rationale supporting the longer contract duration.

Article XVI. Council Representation/ Appointments to Regional or Local Organizations, Committees or Task Forces

Appointments of councilmembers to regional organizations.

Appointments to regional or local organizations, committees or task forces may be made in two ways: (A) the regional or local organization, committee or task force may request recommendation for ultimate council appointment; or (B) the mayor may make direct appointments to a regional or local organization, committee or task force when asked to do so by the council.

Any councilmember may express an interest in a particular subject and interest in serving on a particular body.

When any of the above request council membership recommendations where that particular body makes the final appointment, the mayor shall ask councilmembers to state their interest for appointment and the council shall determine who their representatives shall be.

When the mayor has the authority to make direct appointments to a regional committee, discussion shall take place with the full council to determine interest. The councilmember receiving a majority vote will represent the city. The mayor may also be chosen to represent the city on regional committees.

Changes in representation to regional or local organizations, committees or task forces where the council has the authority to make direct appointment shall also be determined through full council discussion and majority vote of the council.

Commenting while representing the council.

If a councilmember appears on behalf of the city before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the councilmember shall state the majority position of the council, if known, on such issue. Personal opinions and comments which differ from the council majority may be expressed if the councilmember clarifies that their statements represent their personal position and do not represent the council's position.

Councilmembers appointed by the council to represent the council's positions on an issue must first acquire concurrence from the council prior to presenting to the media, another governmental agency or community organization.

Council travel arrangements and conference registration.

The city clerk or designee shall be responsible for handling and coordinating all travel arrangements and conference registrations.

Article XVII. Council Committees

Definition and scope of council standing committees.

The standing committees of the council and the scope of their duties are described as follows. The council may amend these committees as they deem necessary. All issues for council meeting agendas shall be reviewed by the appropriate council committee, except those issues identified as approved for council workshops or as council may approve, prior to submitting to the city clerk or designee for scheduling.

- A. Finance Committee. The finance committee exists for the purpose of considering matters that fall under the executive, administrative services, and finance departments, including general administration, records management, human resources, information services, facilities, finance and accounting, parks planning, and city prosecution; provided, however, that all significant financial issues, including budget amendments, shall be considered at a council workshop rather than in the finance committee.
- B. Public Safety Committee (PSC). The public safety committee exists for the purpose of considering matters that fall under the police department or municipal court, as well as fire-related matters brought forward by East Pierce Fire and Rescue.

- C. Community Development Committee (CDC). The community development committee exists for the purpose of considering matters that fall under the public services department, including but not limited to streets, stormwater, water, sewer, parks maintenance, planning, zoning, building, annexation, and other development regulations.
- D. Voucher Review Committee. The purpose of the voucher review committee is to assist the auditing officer in assuring that claims against the city are just, due and unpaid, and that the goods and services have been received. The committee members may review all accounts payable and payroll and report to the city council as deemed appropriate. The committee need not meet as a body and may conduct individual claim review at a place and time appropriate for the committee member and the auditing officer.

Committee attendance.

Council committee members are to notify the committee chair of planned absences at least 24 hours in advance of the meeting and the chair of the committee may contact the deputy mayor or any other councilmember to serve in their absence.

Composition of the council committees.

Each council committee shall consist of three members appointed by the deputy mayor following consultation with, or caucus of, the councilmembers. The deputy mayor will strive to appoint councilmembers on committees that they have requested to be on. If there are more than three (3) wanting to be on the same committee and no agreed resolution can be made, the deputy mayor will have the final decision. If there has been a change in council membership, committee assignments shall be made by the deputy mayor at the first meeting of the new year after the deputy mayor has been elected. If there has been no change in council membership, said election of the deputy mayor and subsequent committee assignments may be made at the last meeting of the year, provided the results of the election have been certified by that date. ~~Each council committee shall select its own committee chair except that the chair of the finance committee and voucher review committee shall be the deputy mayor.~~

Chairs of committees.

Standing committee chairs should have one (1) years' experience as a councilmember to be eligible as chair. First year councilmembers are suggested to be members on the public safety committee due to the level of commitment.

The community development and public safety committee chairs shall be appointed by the council of the whole. The chair of the finance committee and voucher review committee will be the deputy mayor. The chairs from public safety and community development committees shall also be the remaining members on the finance committee, unless the chairs agree as a whole for another committee member to be the representative.

Duties of council committees.

Standing committees shall be concerned primarily with policy matters. They shall review such matters within their general areas of jurisdiction or as determined by council direction or committee consensus and shall formulate recommendations to the full council for action.

The chair of each standing council committee shall be responsible for setting the agendas for each committee meeting and providing minutes of the meetings to all councilmembers, mayor and appropriate staff.

Required documentation.

The committee chair may require that all issues, prior to scheduling for any council committee agenda, shall include a completed council agenda bill, with required approvals of the mayor and the city attorney when legal review is necessary and all necessary documentation on the issue being reviewed, including budget information if applicable. Whenever possible, any documents requiring legal review and evaluation (ordinances, resolutions, contracts, agreements, any amendments to same, etc.) shall be completed and the city attorney's response and recommendations shall be provided in the council committee or workshop packets prior to being scheduled on those agendas.

Council committee meeting schedules.

The days and times of all committees shall be fixed by resolution and may be amended as necessary by a majority vote of the council, or on a temporary basis by the committee chairperson. The schedule for committee meetings shall be posted on the city's website. All committee meetings are open to the public. Committee meeting cancellations shall be posted on the city website and at the location of the committee meeting.

Committee reports and agendas.

The chair of each council committee shall set committee agendas and provide committee agendas to the council, mayor, city clerk or designee.

The committee chair shall provide a verbal report of the committee meeting at the following regular council meeting if there are any reports to give.

The department directors shall be responsible for securing the required signatures of the appropriate council committee on the designated committee review form by the established deadline for submitting to the city clerk for inclusion on the forthcoming agenda.

Split decision by council committee.

If the decision of the committee is not unanimous, by those committee members present, on any issue presented to them for consideration, the chair of the committee shall request the issue be forwarded to the full council at the next scheduled workshop-council meeting for further discussions and deliberations by the council, or may direct the issue be scheduled for further committee discussions and deliberations.

Ad hoc council committees.

From time to time, the council may, at its discretion, by resolution or motion appoint special council or resident committees to accomplish specific tasks of limited duration. Committee members shall be appointed by the council.

Article XVIII. Public Concerns and Suggestions

Correspondence.

All correspondence received by the council shall be answered in a timely manner. All correspondence or phone calls from residents received by city staff regarding policy or legislative issues shall indicate the date received and which department they were referred to for follow up and response. Copies of the information shall be provided to all councilmembers.

The city clerk or designee is authorized to open and examine all mail or other written communications addressed to the city council. No mail shall be opened which is addressed to the personal attention of any one member of the council.

Requests from residents for council representative contact information.

The council expects the mayor to provide a system of information and responsibility for all requests to the city inquiring about a resident's council representatives.

Determining whether legislative or administrative.

When public concerns or suggestions are brought before the city council, other than for items already on the agenda, the mayor, along with the council, shall first determine whether the issue is legislative or administrative in nature.

If legislative, the council may refer the matter to the appropriate council committee, the administration or the council workshop discussion item section of the council agenda for discussion and recommendation and shall provide the citizen with an approximate response time.

When administrative complaints are made directly to individual councilmembers, the councilmember shall then refer the matter directly to the mayor for action.

The councilmember making the referral shall be informed, in a timely manner, by the mayor of the response and findings regarding the complaint.

Article XIX. Council Vacancies

Vacancy in council seat.

If a council vacancy occurs, the council will follow the procedures outlined in [RCW 35A.12.050](#) and [42.12.070](#). If the council fails to appoint a qualified person to fill a vacancy within 90 days of the occurrence of the vacancy, the authority of the governing body shall cease and the Pierce County council shall appoint a qualified person to fill the vacancy. In order to fill the vacancy with the most qualified person available until an election is held, the council will direct the city clerk to distribute and publish a notice of the vacancy and deadline for applying for the position.

Notice.

The notice of the vacancy shall be widely distributed and published in the city's official newspaper, the city newsletter when possible, on the city website, at the Justice and Municipal Center, and such other places or by such other means as to reasonably provide information to the public, including the procedure and deadline for applying for the position.

Application and interview procedure.

The council during a regular or special council meeting open to the public may interview all or some of the candidates who submit an application by the deadline for the advertised council vacancy. Council applicants will be asked to remain outside the council chambers while other applicants are being interviewed. Applicants will be asked to answer questions submitted to them in advance of the interview and questions posed by each councilmember during the interview process. The councilmembers will ask the same questions of each candidate. Each candidate will be allowed two minutes for closing comments.

Selection of new councilmember.

The council may recess into executive session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy shall be conducted during an open public meeting.

Article XX. Council's Request for Information from Staff

Defined.

The council shall make all requests for information to the city administrator or in the case of city legislative records to the city clerk or designee. Information shall be provided in a timely manner to enable councilmembers to perform their duties and responsibilities more effectively. If the information requested cannot be provided by the city administrator or staff in a timely manner, they shall be advised why and when to expect the requested information. Information of a general council nature will be dispersed to the full council.

Article XXI. Council's Advisory Boards, Agencies and Commissions

Value of service.

Bonney Lake's boards, agencies, commissions, committees and task forces provide an invaluable service to the city. Their advice on a wide variety of subjects aids the councilmembers in their decision making process. Effective public participation is an invaluable tool for local government.

Bonney Lake advisory bodies bring together resident viewpoints which might not otherwise be heard. Persons of wide-ranging interests who want to participate in public service but not compete for public office can be involved in governmental boards, agencies, commissions, committees and task forces. These bodies also serve as a training ground or stepping stone for qualified persons who are interested in seeking public office.

Board, agency, commission and committee minutes and recommendations.

- A. The mayor and staff shall ensure that the council is provided with, in a timely manner, copies of all agendas and minutes for all statutory boards, agencies and city advisory bodies. The mayor and staff shall ensure that copies of all council agendas and minutes shall be provided to each board, agency, and commission by the staff in a timely manner.

All recommendations and final reports to the council from all boards, agencies, commissions and city advisory committees shall be made in person at a regular council meeting by the chair or a duly designated representative of each board, commission or committee, which designee may include the appropriate department head or assigned staff liaison. A copy of the written report or recommendation shall be submitted to the city clerk or designee by the agenda cut-off time, prior to the scheduled meeting, as established in these policies, to allow the council sufficient time to review.

All tasks and issues assigned to each board, commission or city advisory committee by the city council shall be in writing and clearly outline the expectations of the council and approved by a vote of the majority of the council prior to its referral. The mayor shall designate the department tasked with bringing this outline document before the council.

All boards and commissions shall submit to the council an outline of the main scope of work or issues/projects that they will be working to accomplish and make recommendations to the council for the current year. This shall be submitted to the council annually by the board or commission no later than the end of February of each year.

- B. Planning Commission. The planning commission shall hold public hearings, according to the public hearing process as defined in the state statutes or by ordinance in the Bonney Lake Municipal Code and on any other issue deemed necessary for the public's benefit as designated by the city council or on additional issues as defined in the bylaws of the planning commissioners and shall provide the council with a copy of the minutes from the public hearings along with their recommendations as appropriate.

The planning commission shall formally adopt the same code of parliamentary procedures for their meetings as the council for consistency.

The planning commission shall be required to comply with Article XII of these policies pertaining to all votes on motions.

The planning commission shall provide the council with a copy of their required bylaws or policies and procedures and shall also be responsible for providing updated copies as amended.

The council shall hold at least one joint meeting with the planning commission annually, at such times and dates determined by the council in consultation with the commission.

Article XXII. Council Relations with City Staff

Policy guidelines.

There will be mutual respect from both city staff and councilmembers of their respective roles and responsibilities.

City staff shall acknowledge the council as policy makers and councilmembers shall acknowledge staff as administering the council's policies.

Article XXIII. Number of Councilmembers – Duties – Salary – Council Retreats

Number of councilmembers.

The city of Bonney Lake is a non-charter code city under the laws and statutes of the state of Washington and its city council shall consist of seven members, all of whom shall be elected at-large.

Duties.

The duties of councilmembers shall be those prescribed in [Chapters 35A.11](#) and [35A.12 RCW](#) and as otherwise provided by law.

Council retreats.

The council, by majority vote, shall decide each year during the budget process, if they are approving a council retreat for the forthcoming year and will budget accordingly. The council will set the time of year for the retreat, the agenda for what they want to address and accomplish

and will have final approval on the location of the retreat and if needed the selection of the company hired to facilitate the retreat.

Article XXIV. Suspension and Amendment of These Rules

Suspension of these rules.

Any provision of these rules not governed by state law or by the city code may be temporarily suspended by a vote of a majority of the council.

Amendment of council policies.

These rules and policies may be amended or new policies adopted by a majority vote of all members of the council. The council may review its policies and procedures yearly.

Severability.

If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter.

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number: AB26-10

Agenda Item Type: Motion

Presenter: Andrew Fonda, Assistant City Engineer

City Strategic Goal Category:

Department/Division Submitting: Public Services Staff

Impacted Departments That Received Notification:

Agenda Subject: Authorizing a Professional Services Agreement with Akana for Construction Management Services for the 77th St Ct and 205th Ave Sewer Repairs Project.

Full Title/Motion: A Motion of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement With Akana For Construction Management Services For The 77th St Ct and 205th Ave Sewer Repairs Project.

Short Background Summary:

City staff is requesting support from Akana to perform construction management services on the 77th St Ct and 205th Ave sewer repairs project to assist with daily inspection, documentation, and project close-out. Akana is a full-service construction management firm with extensive experience managing sanitary sewer improvement projects. The scope of work includes project management, field oversight, submittal and RFI management, and contract document organization for a total fee in the amount of \$69,560.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
\$4,000,000.00	\$3,145,887.00	\$69,560.00	\$3,076,327.00

Budget Explanation:

Bars # 402.925.035.594.35.63.05 I&I Reduction Program

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: Community Development Committee

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop

Date of Council Meeting

Date of Council Public Hearing

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF BONNEY LAKE AND AKANA**

THIS PROFESSIONAL SERVICES AGREEMENT is entered into by and between the City of Bonney Lake, Washington, a municipal corporation (“**City**”) and Akana, organized under the laws of the State of Washington, located and doing business at 50-116 Avenue Southeast, Bellevue, Washington 98004 (hereinafter the “**Consultant**”).

RECITALS:

WHEREAS, the City desires to have Construction Management Services performed; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions; and

WHEREAS, the City complied with the requirements for hiring Consultant contained in Chapter 39.80 RCW;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the Parties agree as follows:

AGREEMENT:

1. Scope of Services to be Performed by Consultant.

The Consultant shall perform those services described on Exhibit “A,” which is attached hereto and incorporated herein by this reference as if set forth in full. In performing such services, the Consultant shall at all times comply with all federal, state, and local statutes, rules and ordinances applicable to the performance of such services and the handling of any funds used in connection therewith. The Consultant shall perform the services diligently and completely and in accordance with professional standards of conduct and performance. The Consultant shall request and obtain prior written approval from the City if the scope or schedule is to be modified in any way.

2. Compensation and Method of Payment.

The City shall pay the Consultant for services rendered a sum not to exceed Sixty-Nine Thousand Five Hundred Sixty Dollars (\$69,560) for the work set forth in Exhibit “A”. The City shall pay the Consultant monthly for the hours performed completing the scope of work and with the rates listed in Exhibit B, provided that the Consultant is making steady progress on the work and meeting its deadlines. Such installments shall be paid for by the City’s check processing schedule with the final installment being paid after delivery of completed project. The City reserves the right to direct the Consultant’s compensated services before reaching the maximum amount.

3. Duration of Agreement. This Agreement shall be in full force and effect for a period commencing on the date the last Party executes this Agreement and ending December 31, 2026 unless sooner terminated under the provisions of this Agreement or extended by mutual agreement of the Parties. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. Ownership and Use of Documents.

A. *Ownership.* Any records, files, documents, drawings, specifications, data, or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not. Reuse of materials produced by the Consultant other than as contemplated by this Agreement shall be without liability to the Consultant.

B. *Records preservation.* Consultant understands that this Agreement is with a government agency and thus all records created or used in the course of Consultant's work for the City are considered "public records" and may be subject to disclosure by the City under the Public Records Act, Chapter 42.56 RCW ("the Act"). Consultant agrees to safeguard and preserve records in accordance with the Act. The City may be required, upon request, to disclose the Agreement, and the documents and records submitted to the City by Consultant, unless an exemption under the Public Records Act applies. If the City receives a public records request and asks Consultant to search its files for responsive records, Consultant agrees to make a prompt and thorough search through its files for responsive records and to promptly turn over any responsive records to the City's public records officer at no cost to the City.

5. Independent Consultant. The Parties intend that an independent contractor-client relationship will be created by this Agreement. As the Consultant is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-consultant of the Consultant shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the City. In the performance of the work, the Consultant is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees, including, but not limited to, compensation, insurance, and unemployment insurance are available from the City to the employees, agents, representatives, or sub-consultants of the Consultant. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to the Consultant, or any employee of the Consultant. The Consultant will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives, and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

6. Indemnification. Consultant shall defend, indemnify, and hold the City, its officers, officials, employees, agents, and volunteers harmless from any and all claims, injuries, damages, losses or suits including reasonable attorneys' fees, to the extent arising out of or resulting from the negligent acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence.

It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties.

The provisions of this section shall survive the expiration or termination of this Agreement.

7. Insurance. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

A. *Minimum Scope of Insurance.* Consultant shall obtain insurance of the types described below:

- i. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
- ii. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent Consultants and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.
- iii. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
- iv. Professional Liability insurance appropriate to the Consultant's profession.

B. *Minimum Amounts of Insurance.* Consultant shall maintain the following insurance limits:

- i. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

- ii. Commercial General Liability insurance shall be written with limits no less than \$2,000,000 each occurrence, \$2,000,000 general aggregate.
- iii. Professional Liability insurance shall be written with limits no less than \$2,000,000 per claim and \$2,000,000 policy aggregate limit.

C. *Other Insurance Provision.* The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

D. *Acceptability of Insurers.* Insurance is to be placed with insurers with a current A.M. Best rating of not less than A-VII.

E. *Verification of Coverage.* The Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

F. *Notice of Cancellation.* The Consultant shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.

G. *Failure to Maintain Insurance.* Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

H. *No Limitation.* Consultant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

8. Record Keeping and Reporting.

A. The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

B. The foregoing records shall be maintained for a period of seven (7) years after termination of this Agreement unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by the City.

9. City's Right of Inspection and Audit.

A. Even though the Consultant is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or become applicable within the terms of this Agreement to the Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

B. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review or audit by the City during the performance of this Agreement. All work products, data, studies, worksheets, models, reports, and other materials in support of the performance of the service, work products, or outcomes fulfilling the contractual obligations are the products of the City.

10. Consultant to Maintain Records to Support Independent Contractor Status. On the effective date of this Agreement (or shortly thereafter), the Consultant shall comply with all federal and state laws applicable to independent contractors including, but not limited to the maintenance of a separate set of books and records that reflect all items of income and expenses of the Consultant's business, pursuant to the Revised Code of Washington (RCW) Section 51.08.195, as required to show that the services performed by the Consultant under this Agreement shall not give rise to an employer-employee relationship between the Parties which is subject to RCW Title 51, Industrial Insurance.

11. Work Performed at the Consultant's Risk. The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and sub-consultants in the performance of the work hereunder and shall utilize all protection reasonably necessary for that purpose. All work shall be done at the Consultant's own risk, and the Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

12. Termination.

A. The City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven (7) days' prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports, or other materials prepared by the Consultant pursuant to this Agreement

shall promptly be submitted to the City.

B. In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

C. This Agreement may be canceled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

D. The Consultant reserves the right to terminate this Agreement with not less than fourteen (14) days written notice, or in the event that outstanding invoices are not paid within sixty (60) days.

E. This provision shall not prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

13. Force Majeure. Notwithstanding anything to the contrary in this Agreement, any prevention, delay or stoppage due to strikes, lockouts, labor disputes, acts of God, acts of war, terrorist acts, inability to obtain services, labor, or materials or reasonable substitutes therefor, governmental actions, governmental laws, regulations or restrictions, civil commotions, Casualty, actual or threatened public health emergency (including, without limitation, epidemic, pandemic, famine, disease, plague, quarantine, and other significant public health risk), governmental edicts, actions, declarations or quarantines by a governmental entity or health organization, breaches in cybersecurity, and other causes beyond the reasonable control of the Party obligated to perform, regardless of whether such other causes are (i) foreseeable or unforeseeable or (ii) related to the specifically enumerated events in this paragraph (collectively, a "**Force Majeure**"), shall excuse the performance of such Party for a period equal to any such prevention, delay or stoppage. To the extent this Agreement specifies a time period for performance of an obligation of either Party, that time period shall be extended by the period of any delay in such Party's performance caused by a Force Majeure. Provided however, that the current COVID-19 pandemic shall not be considered a Force Majeure unless constraints on a Party's performance that result from the pandemic become substantially more onerous after the effective date of this Agreement. In order to claim Force Majeure, the Party claiming must provide notice to the other Party within fourteen (14) days of the event which constitutes Force Majeure or such claim shall be waived for any period in which notice was due.

14. Discrimination Prohibited. The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, sexual orientation, age, national origin, marital status, presence of any sensory, mental or physical disability, or other circumstance prohibited by federal, State or local law or ordinance, except for a bona fide occupational qualification.

15. Assignment and Subcontract. The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

Any assignment made without the prior approval of the City is void.

16. Conflict of Interest. The Consultant represents to the City that it has no conflict of interest in performing any of the services set forth in Exhibit “A.” In the event that the Consultant is asked to perform services for a project with which it may have a conflict, Consultant will immediately disclose such conflict to the City.

17. Confidentiality. All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Consultant shall not disclose any such information to any third parties without (1) the prior written consent of the City or (2) legal process requiring disclosure, provided advance notice is provided to the City. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

18. Non-Appropriation of Funds. If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

19. Employment of State Retirees. The City is a “DRS-covered employer” which is an organization that employs one or more members of any retirement system administered by the Washington State Department of Retirement Systems (DRS). Pursuant to RCW 41.50.139(1) and WAC 415-02-325(1), the City is required to elicit on a written form if any of the Consultant’s employees providing services to the City retired using the 2008 Early Retirement Factors (ERFs), or if the Consultant is owned by an individual who retired using the 2008 ERFs, and whether the nature of the service and compensation would result in a retirement benefit being suspended. Failure to make this determination exposes the City to significant liability for pension overpayments. As a result, before commencing work under this Agreement, Consultant shall determine whether any of its employees providing services to the City or any of the Consultant’s owners retired using the 2008 ERFs, and shall immediately notify the City and shall promptly complete the form provided by the City after this notification is made. This notification to DRS could impact the payment of retirement benefits to employees and owners of Consultant. Consultant shall indemnify, defend, and hold harmless the City from any and all claims, damages, or other liability, including attorneys’ fees and costs, relating to a claim by DRS of a pension overpayment caused by or resulting from Consultant’s failure to comply with the terms of this provision. This provision shall survive termination of this Agreement.

20. Entire Agreement. This Agreement contains the entire agreement between the Parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the Parties. If there is a conflict between the terms and conditions of this Agreement and the attached exhibit, then the terms and conditions of this Agreement shall prevail over the exhibit. Either Party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

21. Notices. All notices or other communications required or permitted under this Agreement shall be in writing and shall be (a) personally delivered, in which case the notice or communication shall be deemed given on the date of receipt at the office of the addressee; (b) sent by registered or certified mail, postage prepaid, return receipt requested, in which case the notice or communication shall be deemed given three (3) business days after the date of deposit in the United States mail; or (c) sent by overnight delivery using a nationally recognized overnight courier service, in which case the notice or communication shall be deemed given one business day after the date of deposit with such courier. In addition, all notices shall also be emailed, however, email does not substitute for an official notice. Notices shall be sent to the following addresses:

Notices to the City of Bonney Lake shall be sent to the following address:

City Clerk
City of Bonney Lake
9002 Main Street E.
Bonney Lake WA 98391

Notices to the Consultant shall be sent to the following address:

Jeff Faunce
50-116 Ave SE, Suite 211
Bellevue WA 98004
Jeff.Faunce@akana.us

22. Applicable Law; Venue; Attorneys' Fees. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration or other proceeding is instituted to enforce any term of this Agreement, the Parties specifically understand and agree that venue shall be exclusively in Pierce County, Washington. The prevailing party in any such action shall be entitled to its reasonable attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee shall be included in the judgment.

23. Compliance with Laws. The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or in the future become applicable to Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of those operations.

24. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall constitute an original, and all of which will together constitute this one Agreement.

25. Severability. Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

IN WITNESS WHEREOF, the City and the Consultant have executed this Agreement as of the dates listed below.

CITY OF BONNEY LAKE

CONSULTANT

Name: Terry Carter

Title: Mayor

Date: _____

Name: Jeff Faunce

Title: Construction Managment Practice Leader/VP

Date: _____

ATTEST

By: _____
Sadie A. Schaneman, MMC
City Clerk

APPROVED AS TO FORM

Jennifer S. Robertson, City Attorney

EXHIBIT A

Scope of Services to be Provided by Consultant. The Scope of Services is described in the attached Proposal dated September 2, 2025, which is attached hereto and incorporated herein.

EXHIBIT B

Rates of Services to be Provided by Consultant. The Rates of Services is described in the attached Proposal dated September 2, 2025, which is attached hereto and incorporated herein.

EXHIBIT A

Construction Management Services

Scope of Work

September 2, 2025

City of Bonney Lake

77TH STREET AND 205TH AVE SEWER REPAIR

This scope of work outlines the construction management services to be provided for the completion of the 77th Street and 205th Ave Sewer Repair Project which includes replacement of approximately 203 linear feet of 8" PVC sewer main on 77th Street Court East, reconnecting of side sewers, water service replacement and surface restoration; as well as repairs of a damaged 8" PVC sewer main on 205th Avenue by replacing approximately 14 linear feet of the sewer main and reconnecting a 6" sewer side service. The Consultant will deliver services to support the City through construction, documentation, and close-out, in accordance with the Contract Documents and applicable local, state, and federal standards.

I. INTRODUCTION

This scope and the associated fee estimate are based on the following assumptions:

General Assumptions:

- Services are based on a construction duration of 54 working days, (2 - 16-hour days for 12 weeks with an additional 16 hours for startup and 16 hours for closeout).
- The Consultant team includes a part-time Project Manager/Resident Engineer, and part-time Documentation Specialist. Subconsultants will be engaged for material testing services as needed.
 - City shall provide one qualified inspector for onsite monitoring and documentation of daily construction activities. City inspector shall provide all required documentation to Consultant staff as required by project specifications.
- The Consultant will utilize and manage the Record of Materials (ROM) and will coordinate all associated material testing per contract requirements.
- The Consultant will coordinate with the City of Bonney Lake as needed, including during audits and for traffic control review related to project impacts.
- The Consultant will support community outreach by coordinating with the Contractor on phasing and public impacts. The Contractor is responsible for direct communications regarding schedule and construction activities.
- City-designated engineers will remain available during construction for technical support, including RAM, shop drawing, and RFI review.

EXHIBIT A

- All work will be performed in compliance with the approved Plans, Specifications, and the City's engineering standards.
-

II. SCOPE OF WORK

The purpose of this Agreement is to ensure the successful construction and documentation of the Project in accordance with the Plans and Specifications, with the goal of receiving final approval by the City of Bonney Lake upon project completion.

TASK 1 – MANAGEMENT / COORDINATION / ADMINISTRATION

- Provide overall project management and coordination.
- Submit monthly progress reports and invoices.
- Monitor scope, budget, and schedule performance.

Deliverables:

- Monthly invoices and progress reports.
-

TASK 2 – PRECONSTRUCTION SERVICES

- 2.1 Preconstruction Conference. The Consultant shall prepare an agenda, distribute notices of the conference, and will conduct a preconstruction conference in the Owner's offices. The Consultant's project manager/resident engineer, principal for QA/QC procedures, and documentation specialist will attend the preconstruction conference. The documentation specialist will prepare a written record of the meeting. The consultant shall also distribute copies of the minutes to all attendees, affected agencies and others as appropriate.
- 2.2 Provide Record of Materials, ROM, development if necessary

Deliverables:

- Meeting agenda and minutes.
 - Record of Materials
-

TASK 3 – FIELD CONSTRUCTION SERVICES – Provided by the Owner

- 3.1 The Owner will provide the services of a full-time inspector for pipe, roadway, and other items, as needed, on the project site who will observe the technical conduct of the construction, including providing day-to-day contact with the Contractor and the City. By providing such

EXHIBIT A

assistance, the Consultant shall assume no responsibility for proper construction techniques and job site safety. The presence of the Consultant's personnel at the construction site is for the purpose of providing to the City a greater degree of confidence that the completed work will conform generally to the Contract Documents and that the integrity of the design concept as reflected in the Contract Documents has been implemented and preserved by the construction contractor(s). The Consultant's personnel shall act in accordance with Section 1-05.1 and 1-05.2 of the current WSDOT Standard Specifications. The Consultant will endeavor to protect all parties against defects and deficiencies in the work of the Contractor(s) but cannot guarantee the Contractors' performance and shall not be responsible for construction means, methods, techniques, sequences of procedures, or for safety precautions and programs in connection with the work performed by the construction contractor(s) and any subcontractors.

- 3.2 The Owner will Prepare daily construction reports, utilizing report forms approved by the City, detailing the contractors operations performed for each day the Contractor is on site; measure the quantities of materials installed, log equipment used, workers on site and other items.
- 3.3 Decide questions which may arise as to the quality and acceptability of material furnished, work performed, and rate of progress of work performed by the Contractor, including response to related questions from adjacent property owners and the general public.
- 3.4 Prepare field records and documents to help ensure the project is administered in accordance with funding requirements.
- 3.5 The city will provide periodic photographs during the course of construction. Photographs to be attached to daily reports date taken and subject matter.
- 3.6 Coordinate with the contractor provided surveying.
- 3.7 Coordinate with subconsultant(s) to conduct materials tests/laboratory tests.
- 3.8 Punchlist. Upon substantial completion of work, coordinate with the City and other affected agencies, to perform a project inspection and develop a comprehensive list of deficiencies or 'punch list' of items to be completed. This will be issued with the Certificate of Substantial Completion, which will be issued by the Consultant.

Assumptions:

- Contractor will work a standard 40-hour schedule (which may be night shifts).
- One shift per calendar day is assumed unless Contractor performs both day and night shifts.
- Owner provided inspector will report directly to the Consultant on a daily basis for all project documentation required from the field.

TASK 4 – OFFICE CONSTRUCTION SERVICES

- Maintain official contract documentation per City standards.

EXHIBIT A

- Coordinate with the City and Contractor on schedule reviews, RFIs, certified payroll, working day statements, and pay estimates.

Subtasks Include:

- **Document Control:** Maintain original records, project correspondence, ROM, final materials certification, wage compliance, and subcontractor documentation.
- **Schedule and Payment Oversight:** Review and evaluate Contractor's CPM schedules, pay applications, lump sum breakdowns, and provide monthly schedule analysis.
- **Compliance and Audit Support:** Ensure certified payroll, UDBE/EEO tracking, and other WSDOT/FHWA reporting. Participate in audits and conduct a QA/QC document review.
- **Project Closeout:** Prepare physical completion letter, assist with final record drawings, and transfer documents to City.

Deliverables:

- Meeting agendas and minutes.
- Final pay estimates.
- Certified payroll logs.
- Record drawings.
- Project closeout documents.

Assumptions:

- City inspector will provide all field documents relating to processing project documentation. Also provide preconstruction Photos.

TASK 5 – SUBMITTAL & RFI MANAGEMENT

- Coordinate review process for shop drawings, samples, traffic control plans, test reports, and other data submitted by the Contractor for compliance with the information required by the contract documents. Log, route, and track submittals and RFIs.
- Coordinate review with City-designated personnel.
- Maintain and update the ROM based on Special Provisions and field activities.

Deliverables:

- Submittal log.
- RFI log.

EXHIBIT A

- Final Record of Materials.

Assumptions:

- No off-site fabrication inspections will be performed unless requested, through separate City agreement.
-

TASK 6 – CHANGE MANAGEMENT

- Track and manage changes via a case log including RFPs, Field Work Directives, and executed Change Orders.
- Provide independent cost estimates and time impact analysis as needed.
- Monitor force account work and maintain documentation.

Deliverables:

- Case management log.
 - Change Orders and backup.
 - Minor Change Orders.
-

TASK 7 – SUBSTANTIAL COMPLETION

7.1 Substantial Completion Coordination

- Coordinate punchlist inspections and generate Certificate of Substantial Completion.

Deliverables:

- Punch list and Certificate of Substantial Completion.
-

TASK 8 – ADDITIONAL SERVICES

Additional services may be provided upon written authorization by the City. These services may include public meetings, outreach events, claims review, survey support, extended inspection due to Contractor-caused delays, or project shutdowns. This scope of work does not account for contractor non-working or suspension days.

9/2/2025

Exhibit B
77th Street and 205th Ave Sewer
Repair Project
Cost Computation
Akana



This cost computation is based 54 working days, 2 - 16 hour days for 12 weeks for construction with an additional 16-hours for startup and 16 hours for closeout totaling the 54 days.

Akana Staff Category	Hours	Rate	Cost
Senior Construction Manager	2	\$ 125.00	\$ 250.00
Sr. Project Manager / Resident Engineer	192	\$ 89.25	\$ 17,136.00
Sr. Construction Inspector- city supplied	0	\$ 67.28	\$ -
Documentation Specialist	192	\$ 41.61	\$ 7,989.00
Akana Accounting/PC Coordinator	4	\$ 41.61	\$ 166.00
Total Hours	390		\$ 25,541.00

Direct Labor Cost		\$ 25,541.00
Overhead Rate @ 136.12% of Direct Labor		\$ 34,766.41
Fee @ 30% *(Direct Labor)		\$ 7,662.30
	Total	\$ 67,969.71
Direct Salary Cost		\$ 67,970.00

Direct Expenses	Unit	Cost	Total
Vehicle	1	750	750
Mileage	1200	0.7	840

Sub-Total Direct Expenses **\$ -**

Subconsultants

Material Testing	\$ -
Total	\$ -

Sub-Total Subconsultants **\$ -**

Sub-Total Project Cost Computation **\$ 69,560.00**

Management Reserve () **0**

Total Fee **\$ 69,560.00**

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number:	AB26-6
Agenda Item Type:	Motion
Presenter:	John Vodopich, City Administrator
City Strategic Goal Category:	None
Department/Division Submitting:	Admin
Impacted Departments That Received Notification:	Court

Agenda Subject: Interlocal Agreement With The Town Of South Prairie For Municipal Court Services

Full Title/Motion: A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Interlocal Agreement With The Town Of South Prairie For Municipal Court Services.

Short Background Summary:

Bonney Lake has between providing the Town of South Prairie municipal court services since September 2006 (Resolution 1616). This updated agreement provides that South Prairie pays a filing fee of \$75.00 (increase from \$70.00) for criminal citations and \$35.00 (increase from \$30.00) for each traffic, parking, or non-traffic infraction. These fees shall be paid regardless of whether the cases are later dismissed without a full adjudication. In addition, the Town of South Prairie shall pay the City of Bonney Lake \$225.00 per month as additional compensation to the City for the Judge's increased workload caused by the Agreement for South Prairie cases assigned to Active Probation (Court Support Services), South Prairie shall pay a flat fee of \$600.00 per case, invoiced quarterly. Annually the parties agree to meet on or before September 30th to review the costs of the services provided by Bonney Lake. The interlocal agreement is for an initial five (5) year term with one automatic two (2) year extension. Either party can terminate the agreement with 90-day written notice. The South Prairie caseload is minimal, in 2025 there were a total of nine (9) cases.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
\$0.00	\$0.00	\$0.00	\$0.00

Budget Explanation:

Budget Explanation: Provision of municipal court services for the Town of South is included in the 2025/26 Biennial Budget.

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: City Council

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop

Date of Council Meeting

Date of Council Public Hearing

1/13/2026

**INTERLOCAL AGREEMENT BY AND BETWEEN
TOWN OF SOUTH PRAIRIE AND THE CITY OF BONNEY LAKE FOR
THE PROVISION OF MUNICIPAL COURT SERVICES AND
FACILITIES**

THIS AGREEMENT is entered into by and between the City of Bonney Lake (“**Bonney Lake**”) and the Town of South Prairie (“**South Prairie**”), and they are the Washington State Municipal Corporations (individually a “**Party**” and collectively the “**Parties**”), and is deemed executed as of the date of the last signature below and shall be effective for all purposes as of February 1, 2026 (the “Effective Date”).

RECITALS

WHEREAS, the City of Bonney Lake operates a municipal court pursuant to the Revised Code of Washington (RCW) Chapter 3.50 and provides judicial services for violations of city ordinances, infractions, criminal misdemeanors, and gross misdemeanors; and

WHEREAS, the Town of South Prairie has a need for municipal court services, including prosecutorial and public defense services, to process violations of its municipal code, including infractions and criminal matters arising within the jurisdiction of South Prairie; and

WHEREAS, South Prairie does not operate its own municipal court and desires to contract with Bonney Lake for the continued provision of judicial services for South Prairie cases; and

WHEREAS, Bonney Lake has the capability and resources to provide such services through the Bonney Lake Municipal Court, and is willing to continue to provide such services in accordance with the terms set forth herein; and

WHEREAS, this Agreement is entered into pursuant to RCW Chapter 39.34 (Interlocal Cooperation Act), which authorizes public agencies to enter into cooperative agreements for the provision of services;

WHEREAS, Bonney Lake and South Prairie previously entered into an interlocal agreement for municipal court services that will terminate effective January 31, 2025, and the Parties desire that this Agreement be effective February 1, 2026, so that municipal court services for South Prairie continue without interruption from that date, regardless of the date on which this Agreement is executed; and

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and promises set forth herein, the Parties agree as follows:

AGREEMENT:

1. **Purpose.** The purpose of this Agreement is to formalize the relationship between Bonney Lake and South Prairie for the continued provision of municipal court services by the Bonney Lake Municipal Court for South Prairie cases.

2. **Administration.** The Bonney Lake Judicial Branch Administrator shall be responsible for the administration of this Agreement and the supervision of all court staff. No joint acquisition, holding or disposal of real or personal property is contemplated hereunder.
3. **Term and Termination.** This Agreement shall remain in full force and effect unless and until terminated by either Party by giving not less than 90 days written notice to the other Party. If terminated, the Parties agree to work cooperatively to ensure an orderly transition of all pending South Prairie matters and in compliance with procedures set for by the Administrative Office of the Courts AOC.
4. **Jurisdiction over South Prairie Cases.** Bonney Lake shall appoint the Bonney Lake Municipal Court Judge and any pro-tem judges pursuant to RCW 3.50.040. The appointed judge(s) shall have jurisdiction over South Prairie matters filed in Bonney Lake Municipal Court.
5. **Filing and Assumption of South Prairie Municipal Court Cases.**
 - 5.1. **Filing.** Bonney Lake shall accept for filing all citations, complaints, and infractions that are issued under the ordinances of South Prairie or applicable RCWs or WACs and submitted by South Prairie law enforcement or other authorized personnel.
 - 5.2. **Archived Cases.** South Prairie shall continue to be responsible for the storage and retention of all archived court cases prior to the transfer date and will be required to provide storage and retention of all archived court cases that were originally filed in Bonney Lake Municipal Court following termination of this Agreement under Section 13.
6. **Municipal Court Services Performed by Bonney Lake.** As set forth in this Agreement, Bonney Lake shall provide municipal court facilities and services for the processing of South Prairie cases in the same manner and at the same level as Bonney Lake provides for the same type of cases originating in Bonney Lake.
 - 6.1. **Court Staff and Employment.** Bonney Lake Municipal Court, including the Judge, shall be employees of Bonney Lake, which shall be responsible for all compensation, benefits, and taxes of any nature related to their employment.
 - 6.2. **Case Processing and Operational Support.** Bonney Lake shall provide courtroom space, staffing, equipment, and supplies to ensure all South Prairie cases are administered in a timely and professional manner consistent with Bonney Lake's own cases. Processing shall include, but not be limited to, the filing, adjudication, and penalty enforcement of South Prairie cases, issuance of arrest warrants, setting motions and evidentiary hearings, discovery matters, bench and jury trials, sentencing, post-trial motions, and the duties of courts of limited jurisdiction regarding appeals. Bonney Lake shall also provide operational support, including access to necessary equipment such as copiers, computers, software, printers, and

reliable internet, to facilitate these services.

- 6.3. **Court Mandated Payments and Reporting.** Bonney Lake shall accept, track, and process court-mandated payments for South Prairie criminal and infraction cases, as well as bail or other forfeitures. Bonney Lake shall remit these funds to South Prairie monthly, accompanied by a caseload and revenue report detailing filings by case type, hearing dispositions, and total revenue received. The use of a collection agency by Bonney Lake to collect court-mandated payments is expressly permitted.
- 6.4. **Recordkeeping.** Bonney Lake shall handle and retain all court records related to South Prairie cases in accordance with the applicable retention schedules and rules issued by the Washington Secretary of State and State Archives.
- 6.5. **Probation (Court Support Services).** Bonney Lake shall provide court support services for South Prairie cases, including a reasonably proportionate share of community service work to be performed in South Prairie in coordination with the Town of South Prairie. South Prairie will provide contact information to Court Support Services for the agency responsible for providing community service opportunities
- 6.6. **Equipment and Facilities.** Bonney Lake shall provide all necessary equipment, including copiers, computers, software, printers, dependable wi-fi access, and other equipment necessary to perform the foregoing described municipal court services in a timely manner as required by laws and court rule. Bonney Lake shall provide the use of the Bonney Lake courtroom and all office space necessary for the processing of municipal cases.
- 6.7. **Court Security.** Bonney Lake shall provide all necessary security for the courtroom, including an armed bailiff with the ability and commission authority to take out-of-custody defendants into custody when ordered by the court. This shall not, however, include security or supervision specifically for defendants that are present in the courtroom and are in the otherwise active custody of any law enforcement agency, prison, or jail in which case South Prairie is required to provide transportation, security and supervision for its in-custody docket defendants while in court.
- 6.8. **Supplies and Forms.** Bonney Lake shall provide for all forms and paperwork necessary for processing South Prairie Court cases. By way of illustration and not limitation, these include case setting forms, infraction hearing forms, criminal hearing forms, warrants, and general office supplies.
- 6.9. **Monthly Performance and Remittance Reports.** Bonney Lake shall provide to South Prairie a monthly caseload and remittance report. The caseload report shall include the following information: filings by case type; dismissals; number and type of hearings; trial settings and type of trial set; number of cases (by broad case type) disposed during reporting period; number of deferred prosecutions/diversions; appeals to superior court; and total revenue. The remittance report shall include a

breakdown by case categories of revenue received.

- 6.10. **Judge and Judge Pro Tempore.** Pursuant to RCW 3.50.090, the Mayor of South Prairie shall confirm the appointment or reappointment of the sitting Bonney Lake Municipal Court Judge for purposes of adjudicating South Prairie cases. South Prairie is not appointing a separate judge; rather, the judge of the Bonney Lake Municipal Court shall serve as the judge for South Prairie Municipal Court matters heard in Bonney Lake Municipal Court. All duly appointed judges pro tempore of the Bonney Lake Municipal Court shall, by virtue of such appointment, be deemed judges pro tempore for South Prairie matters and are authorized to hear and adjudicate South Prairie cases as needed.
- 6.11. **Prosecutor Services.** Bonney Lake shall provide prosecutorial services for both criminal and civil citations filed in Bonney Lake Municipal Court on behalf of South Prairie. The Bonney Lake prosecutor shall have all of the powers necessary under the South Prairie Municipal Code. The Parties acknowledge that Bonney Lake separately contracts for its prosecutorial services and agree that, during the term of this Agreement, whoever is deemed the Bonney Lake Prosecutor shall have all of the authority to bring a case on behalf of South Prairie pursuant to the South Prairie Municipal Code. The Parties acknowledge that all costs to provide prosecutorial services are assumed within the compensation set forth in Section 8 of this Agreement.
- 6.12. **Public Defense Services.** Bonney Lake shall provide public defense services for eligible South Prairie defendants appearing before the Bonney Lake Municipal Court. These services shall be administered and coordinated by Bonney Lake in accordance with constitutional, statutory, and court rule requirements. The cost of public defense is included in the per-case fees paid by South Prairie pursuant to Section 8 of this Agreement, and South Prairie shall not be separately invoiced for public defense expenses except for extraordinary costs that are addressed separately in Section 7.12.
7. **South Prairie Duties and Costs.** The following municipal court duties and costs shall be the responsibility of the City of South Prairie:
 - 7.1. **Enforcement and Filing of Citations.** South Prairie shall be responsible for the enforcement of its municipal ordinances and for the issuance of citations, infractions, and criminal cases arising within its jurisdiction. Although Bonney Lake shall provide prosecutorial and public defense services as outlined in this Agreement, South Prairie shall ensure that its law enforcement officers and other personnel comply with Bonney Lake Municipal Court rules and procedures for initiating cases. Criminal citations and infractions shall be delivered to the Bonney Lake Court Clerk for filing within five (5) business days after issuance. Citations for in-custody defendants shall be filed no later than 10:00 a.m. on the court day following the arrest.
 - 7.2. **Warrants.** Whenever South Prairie executes a warrant issued by the Bonney Lake Municipal Court, South Prairie shall notify the Bonney Lake Court Clerk and ensure

that a return of service is filed with the Court as soon as practicable after execution.

- 7.3. **Law Enforcement Services.** South Prairie shall provide law enforcement services within its jurisdiction, including but not limited to the apprehension of suspects, issuance of citations, and delivery of case documentation to the Bonney Lake Prosecutor's Office and/or the Bonney Lake Municipal Court in accordance with court rules.
- 7.4. **In-Custody Transport and Supervision.** South Prairie shall be responsible for transporting South Prairie defendants back and forth between jail and Bonney Lake Municipal Court. South Prairie shall be solely responsible for arranging the transportation, supervision, and security of in-custody defendants who must appear in the Bonney Lake Municipal Court. Bonney Lake shall not provide courtroom security for in-custody defendants transported by another agency or detention facility.
- 7.5. **Payment of State and County Fees.** South Prairie shall be responsible for making all required payments and assessments to the State Treasurer, AOC, Pierce County, and any other applicable state or county agency or entity as required by law for South Prairie cases filed in the Bonney Lake Municipal Court. Bonney Lake shall transfer to South Prairie the appropriate gross revenue amounts attributable to South Prairie cases, and South Prairie shall remit all amounts due and owed to the State of Washington, AOC, Pierce County, and any other required recipients out of such gross revenues, as required by law. Bonney Lake shall have no responsibility for any required remittances associated with South Prairie cases.
- 7.6. **Jail Costs.** South Prairie shall be responsible for incarceration arrangements for its defendants and costs for such incarceration, including reimbursement of medical providers as required by RCW 70.48.130 for all South Prairie defendants.
- 7.7. **Appeals.**
 - A. **South Prairie-Initiated Appeals.** In the event that South Prairie determines to appeal a case on behalf of the Town of South Prairie, South Prairie shall be responsible for the entire appeal process, including the fee to file a notice of appeal and the costs for preparing and/or copying any court recordings, and for the Bonney Lake Prosecutor to handle the case. South Prairie shall be responsible for Public Defender costs on RALJ Appeals and the costs for transcribing the recordings of the hearings.
 - B. **Defendant-Initiated Appeals.** If a defendant files an appeal on a South Prairie case, Bonney Lake will prepare the case for the appeal and the Bonney Lake Prosecutor will be the Attorney of Record on the Appeal. Bonney Lake shall notify the superior court that an appeal has been filed and prepare the case record. South Prairie will be charged the fee to file a notice of appeal and the cost for preparing and/or copying any court recordings. South Prairie shall be responsible for hourly Public Defender and Prosecutor costs on a RALJ Appeal and shall be responsible for the costs for transcribing the recordings of the hearings.

- 7.8. **Witness Fees.** South Prairie shall pay all fees for witnesses requested by the prosecutor or public defender in South Prairie Court cases.
- 7.9. **Jury Fees.** South Prairie shall be responsible for paying all jury fees for South Prairie Court cases. Upon completion of a jury trial, Bonney Lake shall forward all relevant juror information to South Prairie to pay the jurors. Jurors shall be paid the current established rate (presently \$10 per day plus round-trip mileage paid at the state per diem). For South Prairie jury trials, Bonney Lake will request a random list of jurors from Pierce County Superior Court. There is currently no charge to receive this list; however, should a charge be implemented, South Prairie shall cover the charge.
- 7.10. **Interpreter Services.** Interpreter service costs shall be invoiced by Bonney Lake to South Prairie. These fees shall be billed to South Prairie by Bonney Lake quarterly.
- 7.11. **Video hearings.** Bonney Lake shall facilitate video hearings for South Prairie cases as necessary, provided that video hearing capability is available
- 7.12. **Public Defender Services.** Bonney Lake shall provide public defenders and conflict public defender services to South Prairie defendants. These services are included in the per-case fee paid by South Prairie pursuant to Section 8 of this Agreement. Bonney Lake shall administer and coordinate public defense services in accordance with constitutional, statutory, and court rule requirements. South Prairie shall remain responsible for extraordinary public defense expenses (e.g., expert witnesses, transcripts, special records, or other non-routine costs) when reasonably incurred and approved by the Bonney Lake Municipal Court.
- A. Services shall include all those outlined in the Bonney Lake Public Defender services contract, including any and all additional public defense services provided to Bonney Lake defendants.
- B. In addition to the per case fee, South Prairie shall pay for the following public defender case expenses when reasonably incurred and approved by the Municipal Court from funds available for that purpose:
1. **Discovery.** Discovery shall be provided by the City Prosecutor in accordance with applicable law and court rules. In cases involving post-conviction relief, discovery may include the reasonable costs associated with obtaining copies of defense materials, prosecuting attorney files, or court records related to the underlying cases.
 2. **Non-Routine Expenses.** Non-routine expenses requested by the Public Defender and preauthorized by order of the Bonney Lake Municipal Court. Unless the services are performed by the Public Defender's staff or subcontractors, non-routine expenses include, but are not limited to: medical and psychiatric evaluations; expert witness fees and expenses; interpreters for individuals with limited English proficiency or interpreters for services other

than attorney/client communication; polygraph, forensic and other scientific tests; computerized legal research; investigation expenses; and any other non-routine expenses the Bonney Lake Municipal Court finds necessary and proper for the investigation, preparation, and presentation of a case.

3. **Lay Witness Fees.** Lay witness fees and mileage incurred in bringing defense witnesses to court, but not including salary or expenses of law enforcement officers required to accompany incarcerated witnesses.
4. **Copying Clients' Files.** The cost, if it exceeds \$25, of providing one copy of a client's or former client's case file upon client's or client's appellate, post-conviction relief or habeas corpus public defender's request, or at the request of counsel appointed to represent the client when the client has been granted a new trial.
5. **Additional Copying.** Copying Direct Appeal Transcripts for RALJ Appeals. The cost, if it exceeds \$25, of making copies of direct appeal transcripts for representation in post-conviction relief cases. Public defender is limited to no more than two copies.
6. **Records.** Medical, school, birth, DOL, and other similar records, and 911 and emergency communication recordings and logs, when the cost of an individual item does not exceed \$75;
7. **Process Service.** The cost for the service of a subpoena as long as the rate per location is reasonable and customary.
8. **Miscellaneous.** Any necessary costs that South Prairie shall pay as ordered by the appeals court.
8. **Compensation and Other Costs.** South Prairie shall compensate Bonney Lake for providing all municipal court services as specified in this Agreement by payment of a filing fee on a per-case basis. For each criminal citation, South Prairie shall pay Bonney Lake a filing fee of \$75.00. For each traffic, parking, or non-traffic infraction, South Prairie shall pay Bonney Lake a filing fee of \$35.00. These fees shall be paid regardless of whether the cases are later dismissed without a full adjudication. In addition to all other compensation provided for by the Agreement, the Town of South Prairie shall pay the City of Bonney Lake \$225.00 per month as additional compensation to the City for the Judge's increased workload caused by the Agreement For South Prairie cases assigned to Active Probation (Court Support Services), South Prairie shall pay a flat fee of \$600 per case, invoiced quarterly.
9. **Billing and Payment.** On a monthly basis, Bonney Lake shall bill South Prairie for amounts due under this Agreement. South Prairie shall pay the amount due within 45 days of receipt. However, if South Prairie has a good faith dispute with the amount of the invoice, South Prairie shall pay the non-disputed amount within the time frame set forth in this Section.
10. **Fee Adjustments.**

- 10.1. **Increases for Additional Duties.** In the event that Bonney Lake's duties under this Agreement are enlarged or increased due to local, state, or federal mandates, or due to new requirements from South Prairie, Bonney Lake may increase the filing fees or add a supplemental monthly fee to cover the costs for the change. Bonney Lake shall notify South Prairie of the effective date of the fee changes, which may be immediate.
- 10.2. **Annual Review of Filing Fees.** Commencing in 2026 and annually thereafter during the term of this Agreement and any extensions thereof, the parties shall meet on or before September 30th to review the costs of the services provided by Bonney Lake and the filing fees to be paid by South Prairie to fairly compensate Bonney Lake for such services. The parties shall use best efforts to determine whether an adjustment of filing fees is warranted, and if so, the amount thereof. Filing fee adjustments agreed to pursuant to this process shall not require an amendment of this Agreement but shall be confirmed in writing. If Bonney Lake does not propose a filing fee adjustment prior to September 30th, no increase for the next year shall be permitted. If Bonney Lake does propose a filing fee adjustment, South Prairie may request formal negotiations by notifying Bonney Lake within 15 days after receipt of the proposed filing fee adjustment. If negotiation does not resolve the issue by November 15th, the issue shall be subject to the dispute resolution process outlined in Section 17 of this Agreement. The existing filing fees shall remain in effect until the parties reach an agreement as to the amount of filing fees or until the dispute resolution process is concluded.
11. **Pass-Through Adjustments for Prosecution and Public Defense Costs.** In the event that Bonney Lake's costs for providing prosecutorial or public defense services increase due to amendments to Bonney Lake's contracts for such services, South Prairie's per-case fees under Section 8 shall automatically increase to reflect the proportional share of such increased costs attributable to South Prairie cases. Bonney Lake shall provide South Prairie with written notice of any such contract amendments and the corresponding fee adjustment, together with supporting documentation. The adjustment shall take effect on the effective date of the underlying Bonney Lake contract amendment, and South Prairie agrees to pay the adjusted per-case fees as invoiced. Such adjustments shall be deemed ministerial and shall not require a formal amendment of this Agreement.
12. **Disbursal of Local Court Revenues to South Prairie.** Pursuant to RCW 3.62.070 and RCW 39.34.180, South Prairie shall receive one hundred percent (100%) of Local Court Revenues from South Prairie cases, excluding restitution or reimbursement to South Prairie or a crime victim, or other restitution as may be awarded by a judge. For purposes of this section, Local Court Revenues include all fines, forfeited bail, penalties, court costs, recoupment, and parking ticket payments derived from South Prairie cases after payment of any and all assessments required by state law thereon.
13. **Duration and Termination.** The initial term of this Agreement shall commence on the Effective Date of February 1, 2026, notwithstanding the date on which this Agreement is executed, and shall continue for a period of five years, through January 31, 2030, unless terminated earlier pursuant to this Section.

This Agreement may be renewed for one additional two year term, from February 1, 2031

through January 31, 2032, upon mutual written agreement of the Parties. The decision to approve such renewal on behalf of the City of Bonney Lake may be made administratively by the City Administrator and Town Mayor and shall not require further City Council approval, provided that sufficient funds are appropriated in the applicable budget.

The Parties expressly intend that this Agreement shall be effective retroactive to February 1, 2026, in the event that City Council meeting(s) for approval are not scheduled till after February 1, 2026 and hereby ratify and confirm any municipal court services provided by Bonney Lake for South Prairie matters on or after that date but before full execution of this Agreement, which services shall be deemed to have been provided under and subject to this Agreement.

This Agreement shall automatically terminate at the end of the initial term or any renewal term unless renewed as provided above. Either Party may terminate this Agreement for cause based on a material breach by the other Party, provided the Agreement shall remain in effect during any dispute resolution process commenced under Section 17. Either Party may also terminate this Agreement without cause by providing not less than ninety days written notice to the other Party prior to the expiration of the current term or renewal.

In the event of termination or expiration of this Agreement, the Parties shall cooperate in good faith to ensure an orderly transition of any active South Prairie cases from the Bonney Lake Municipal Court docket to a successor court venue. The Parties intend that upon termination no cases nor court records will remain at the Bonney Lake Municipal Court. If South Prairie leaves cases behind, either active cases, cases with a warrant, closed cases that are able to be reopened, or cases in collection following termination, South Prairie agrees to continue payment of the Flat Rate and other fees in accordance with this Agreement based on the cases left at Bonney Lake Municipal Court. Such agreement may not be terminated until there are no cases or records at Bonney Lake Municipal Court.

14. **Recording.** Consistent with RCW 39.34.040, this Agreement shall be filed for recording with the Pierce County Department of Records upon full execution, or, in lieu of recording, published electronically on the website of both Parties.
15. **Indemnity.** Each Party shall defend, indemnify, and hold the other Party, its officials, officers, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits, including attorneys' and expert witness fees, arising out of or in connection with the performance of this Agreement, to the extent of each Party's own negligence. This indemnification shall also apply to intentional acts or omissions of each Party's officers, officials, employees, or volunteers. The Parties agree that their obligations under this paragraph extend to claims made against one Party by the other Party's own employees or agents. Each Party shall further defend, indemnify, and hold the other Party, its officials, officers, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits, including attorneys' and expert witness fees, arising out of the existence or effect of the ordinances, rules, regulations, policies, or procedures of each respective Party. If any cause, claim, suit, action, or administrative proceeding is commenced challenging the enforceability or validity of such ordinance, rule, regulation, policy, or procedure of a Party hereto, that Party alone shall defend the same at its sole expense and shall satisfy any judgment entered on the same, including all chargeable costs and attorneys' fees. For the purpose of this indemnification only, the Parties, by mutual negotiation, hereby waive, as respects the other Party only, any immunity that would otherwise be available against such claims under the industrial insurance provisions of Title 51 RCW. This section shall survive the expiration or termination of this Agreement. No obligation shall exist to indemnify for injuries caused by or resulting from events occurring after the last day of court services under this Agreement.
16. **Claims Arising from Change in Judicial Services.** The Town of South Prairie shall defend, indemnify, and hold the City of Bonney Lake, its officials, officers, employees, contractors, and volunteers harmless from any and all claims, damages, losses, or suits, including attorneys' fees and expert witness fees, arising out of South Prairie's decision to cease using the services of its prior municipal court judge in favor of the judicial services provided pursuant to this Agreement. This includes, without limitation, claims for breach of contract, wrongful termination, or tortious interference with contractual relationships or business expectancy.
17. **Dispute Resolution.** It is the Parties' intent to resolve any disputes relating to the interpretation or application of this Agreement informally through discussions at the staff level. In the event disputes cannot be resolved informally at the staff level, resolution shall be sought by the designated representatives of each city and if unsuccessful, then the Parties agree to submit the dispute to non-binding mediation/dispute resolution. All fees and expenses for mediation shall be borne by the Parties equally. However, each Party shall bear the expense of its own counsel, experts, witnesses, and preparation and presentation of evidence, including appeal fees and costs.

then either Party may request binding arbitration in accordance with RCW Chapter 3.50 and RCW Chapter 7.04A. Each Party shall bear its own expenses but shall pay one-half of the arbitration fees. The Parties agree to cooperate in selecting an arbitrator by exchanging lists or proposed arbitrators and working towards a joint selection. If the Parties cannot agree on a single arbitrator, then arbitration shall be by panel with each Party appointing an arbitrator and the two arbitrators selecting the third arbitrator. Such appointments shall be consistent with RCW 7.04A.110.

18. **Bonney Lake Employees.** No employee, agent, or contractor of Bonney Lake shall be deemed to be an employee, agent, or contractor of South Prairie as a result of this Agreement. None of the benefits provided by South Prairie to its employees, including but not limited to compensation, insurance, or unemployment insurance, shall be available to employees, agents, or contractors of Bonney Lake. Similarly, no employee, agent, or contractor of South Prairie shall be deemed to be an employee, agent, or contractor of Bonney Lake, and none of the benefits provided by Bonney Lake to its employees shall be available to employees, agents, or contractors of South Prairie.
19. **Notice.** Any notices required to be given under the Agreement shall be deemed sufficient if in writing and delivered personally or sent via certified mail to the following Parties at the following addresses:
- | | |
|------------------------|--------------------------|
| To Bonney Lake: | To South Prairie: |
| City of Bonney Lake | Town of South Prairie |
| Terry Carter, Mayor | Carolyn Norris, Mayor |
| 9002 Main St. E. | P.O. Box F |
| Bonney Lake, WA 98391 | South Prairie, WA 98385 |
20. **Governing Law and Attorneys' Fees.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any legal action is brought to enforce the terms of this Agreement or resolve any dispute arising from it, the non-prevailing party shall pay the prevailing party's reasonable attorneys' fees, expert witness fees, and other costs and expenses incurred in connection with such action.
21. **Insurance.** Each Party to this Agreement shall maintain insurance coverage at least equivalent to the minimum coverage provided through the Washington Cities Insurance Authority (WCIA), Association of Washington Cities Risk Management Service Agency (AWC RMSA), or a comparable insurance provider. Such insurance shall include, but not be limited to, comprehensive general liability, automobile liability, professional liability, and workers' compensation coverage. Insurance shall be maintained throughout the entire term of this Agreement and any extensions thereto.
22. **Assignment.** The rights, duties, and obligations of either Party under this Agreement shall not be assignable, in whole or in part, without the prior written consent of the other Party. This provision shall not apply to collection services provided by third parties under contract with Bonney Lake, provided Bonney Lake remains responsible for the performance of such

services in accordance with this Agreement.

23. **Severability.** Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law. Any provision of this Agreement which shall prove to be invalid, void or illegal shall in no way affect, impair, or invalidate any other provision hereof, and such other provisions shall remain in full force and effect.
24. **Entire Agreement.** The entire agreement between the Parties with respect to the subject matter hereunder is contained in this Agreement. Amendments may be made at any time during the Term of this Agreement, but no amendments to this Agreement shall be binding upon the Parties unless such amendment is in writing and executed by the duly authorized representatives of all the Parties, provided that if the Parties agree a modification is minor and does not substantively alter the Agreement to a significant degree, each Party's City Administrator or Mayor may approve the change. The written provisions and terms of this Agreement shall supersede all prior statements of any officer or other representative of the Parties, and such prior statements shall not alter this Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Agreement on the date and year set forth below.

Dated this ____ day of _____, 2026.

CITY OF BONNEY LAKE

TOWN OF SOUTH PRAIRIE

Terry Carter, Mayor

Carolyn Norris, Mayor

Date:_____

Date:_____

ATTEST

ATTEST

Sadie A. Schaneman, CMC
City Clerk

Terri Berry
Town Clerk

APPROVED AS TO FORM

Jennifer Robertson, City Attorney

APPROVED AS TO FORM

Drew Pollom, Town Attorney

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number:	AB26-5
Agenda Item Type:	Ordinance
Presenter:	Jason Sullivan, Public Services Director
City Strategic Goal Category:	Parks Rec & Green Space Vision
Department/Division Submitting:	Public Services Director
Impacted Departments That Received Notification:	Executive Administrative Services Finance

Agenda Subject: Relocation of the Recreation Division to the Public Services Department

Full Title/Motion: (Moved from Consent Agenda Item D.) An Ordinance of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Regarding The Office Of Recreation; Amending Section 2.08.030.F BLMC And 2.08.050 BLMC For The Purpose Of Relocating Recreation To The Department Of Public Services; Providing For Severability And Corrections; And Establishing An Effective Date.

Short Background Summary:

The proposed ordinance will move the recreation division from the Executive Department to the Public Services Department. The proposed move is to improve operational efficiency and coordination of the City's park and recreation services. Recreation programs rely on well-maintained facilities, and parks benefit from active use through programs. Having them in one department aligns their goals. Additionally, residents see parks and recreation as one singular service. Combining the functions into one department ensures a more consistent experience and makes it easier for the public to know where to go for help or information. Finally, long-term planning for parks and recreation is more effective when maintenance and programming are integrated.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
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Budget Explanation:

This reorganization will not have a budgetary impact. Council adopted budget amendment noted the change in the FTE chart.

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: City Council

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop

Date of Council Meeting

Date of Council Public Hearing

1/13/2026

ORDINANCE NO. D26-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, REGARDING THE OFFICE OF RECREATION; AMENDING SECTION 2.08.030.F BLMC AND 2.08.050 BLMC FOR THE PURPOSE OF RELOCATING RECREATION TO THE DEPARTMENT OF PUBLIC SERVICES; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Mayor has proposed to modify the organizational structure of the City to improve the operation of, coordination with, and support for the Office of Recreation; and

WHEREAS, the Council agrees to authorize the Mayor to make the adjustments to the City's general organizational structure outlined below;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **Amendment.** Subsection 2.08.030.F of the Bonney Lake Municipal Code is hereby amended to read as follows:

2.08.030 Executive department.

... F. Office of ~~Recreation and~~ Special Events. The office of ~~recreation and~~ special events shall be under the general supervision of the city administrator. Said office may be organized into distinct sections including but not necessarily limited to ~~recreation and~~ special events. The general functions of the office are ~~to coordinate and/or sponsor recreation programs and~~ to plan and coordinate community events and festivals.

Section 2. **Amendment.** A new subsection 2.08.050 of the Bonney Lake Municipal Code is hereby amended to read as follows:

2.08.050 Department of public services.

A. The department of public services shall be under the general supervision of a public services director. The public services director may serve as the supervisor of one or more divisions or offices of the department as needed or assigned. The mayor may organize said department into different divisions or sections including but not necessarily limited to the following: an engineering and infrastructure ~~development~~ division headed by the city engineer, a public works division headed by a superintendent of public works, ~~a permitting division~~, an administration support division, ~~and a planning and building~~

development services division, and a recreation division. Wherever the Bonney Lake Municipal Code refers to the position of public works director, director of public works, or planning and community development director, it shall mean public services director until amended hereafter.

- B. The duties and responsibilities of the department of public services shall include, but are not necessarily limited to:
1. Transportation. The construction, operation and maintenance of all public streets, sidewalks, alleys, bridges, viaducts, street lights, signals, signs, highways and rights-of-way under jurisdiction of the city.
 2. Fleet. The acquisition, maintenance, and disposition of the city's equipment fleet as established in the equipment rental and replacement fund.
 3. Parks Maintenance. To operate and maintain the city's parks, trails, and open spaces; and to administer and maintain the community forestry program of the city.
 4. Water Supply and Distribution. The construction, operation and maintenance of the city's water supply, storage and distribution facilities, including water mains, pumping stations, reservoirs, springs, and wells.
 5. Sewer Collection. The construction, operation and maintenance of all sanitary sewers, sewer facilities and appurtenances, including sanitary sewers and pumping stations.
 6. Stormwater. The construction and maintenance of all city stormwater facilities and appurtenances, including storm sewers, drains, ditches, ponds, culverts and streams and watercourses under jurisdiction of the city.
 7. Planning and Building. To generally plan the physical development of the city; prepare the comprehensive and coordinated plans therefor; plan municipal parks, trails, open spaces; investigate code violations; inspect projects; administer, inspect, and enforce SEPA and all platting, zoning, building, environmental, and land use ordinances and regulations.
 8. Engineering. To ensure compliance with adopted public works standards and codes, and to undertake, administer and/or monitor the engineering and construction of public and private infrastructure and development within the city, including the city's capital improvement programs and other public works related engineering projects.

9. Permitting. To assist potential applicants in obtaining the appropriate permits as set forth in this code, in order to complete both private and commercial development projects within the city, and ensure businesses obtain a city-issued business license.

10. Recreation. To coordinate and/or sponsor recreation programs.

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto. Provided, however, that nothing in this section allows the city attorney, the city clerk, and/or the code publisher to change the intent of this Ordinance.

Section 6. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Bonney Lake and attested by the City Clerk in authentication of such passage on this ___ day of _____, 20__.

APPROVED by the Mayor this ___ day of _____, 20__.

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, MMC, City Clerk

AB ____
Passed:
Valid:
Published:
Effective Date:
This Ordinance totals ____ page(s)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING ROBERT'S RULES OF ORDER AS A BASIC GUIDE FOR FAIR AND ORDERLY PROCEDURE IN COUNCIL MEETINGS AND REPEALING RESOLUTION NO 810.

WHEREAS, the City Council previously adopted The Standard Code of Parliamentary Procedure 3rd Edition, by Alice Sturgis on May 25, 1999; and

WHEREAS, the City Council desires to update its procedural rules and provide uniform protocols to guide Council.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Robert's Rules of Order, is hereby adopted and approved as the basic guide for parliamentary procedure governing the conduct of City Council meetings, except where a different procedure is required by law or ordinance.

Section 2. Repealed. Resolution 810 is hereby repealed.

Section 3. Effective Date. This Resolution shall be effective upon its passage.

PASSED by the City Council this 13th day of January 2026.

Terry Carter, Mayor

AUTHENTICATED:

Sadie A. Schaneman, MMC, City Clerk

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Bill Number & Ordinance/Resolution/Motion Number:	AB26-7
Agenda Item Type:	Motion
Presenter:	Sadie Schaneman, City Clerk
City Strategic Goal Category:	None
Department/Division Submitting:	Admin
Impacted Departments That Received Notification:	

Agenda Subject: Updating Council Policies & Procedures

Full Title/Motion: (Moved from Consent Agenda Item J.) A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Amending The Council Policies And Procedures To Update The Parliamentary Procedure, Parliamentarian, Council Committees Sections, Updating Meeting Sections, And Other Sections To Reflect New Procedures.

Short Background Summary:

At the Finance Committee meeting on 11/25/2025, the committee discussed and forwarded having the city clerk as acting parliamentarian during the council meeting to reduce contracted legal costs by limiting attorney’s time spent attending council meetings to a ‘as-needed’ basis. At the Council orientation on 12/16/2025, council requested to have updates to change from Sturgis to Robert's Rules of Order during council meetings, to add that council can have open discussion right after public commenting on just the comments, and to add language for the council's standing committees to better clarify the process.

Budget

Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
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Budget Explanation:

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: City Council

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop

Date of Council Meeting

Date of Council Public Hearing

1/6/2026

1/13/2026



COUNCIL POLICIES & PROCEDURES

Created by Ordinance No. 1707 - Adopted May 23, 2023
Last Modified by Motion No. M25-12– Approved March 11, 2025

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Article I. Authority

Authority of Council to determine rules.

The Bonney Lake City Council, in accordance with state statute [RCW 35A.12.120](#) shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order. The council hereby establishes the following rules and procedures. They shall be in effect upon adoption by the council and until such time as they are amended or new procedures adopted in the manner provided.

Procedural policies.

Action taken not in compliance with these rules, but which is otherwise lawful, shall not invalidate such action or be deemed a violation of law. These procedural policies are designed to assist the council and councilmembers in performing their duties and not to provide additional substantive rights or duties above and beyond that otherwise already established by state law. Failure of the council to follow any of these rules shall be deemed a ~~council~~**council's** decision to waive such rule, and no notice of such waiver need be provided prior to such waiver.

Article II. General Rules

Meetings to be public.

All official meetings of the council shall be open to the public with the exception of closed sessions (e.g., discussions regarding labor negotiations), and executive sessions for certain limited topics as defined in [Chapter 42.30.110 RCW](#). All minutes of meetings ~~and workshops~~ shall be available on the Washington State Digital Archives Website.

Voucher and payroll review – Time and place.

The finance ~~committee~~**committee's** voucher and payroll reviews shall be held as provided in Article XVII Council Committees.

Quorum.

A majority of the current councilmembers shall be in attendance to constitute a quorum for transaction of business. If a quorum is not present, those in attendance shall be named and shall adjourn to a later time, but no adjournment shall be for a longer period than until the next regularly scheduled meeting. When all councilmembers are absent from a regular ~~council~~**council** meeting, ~~workshop~~ or special meeting, the city clerk or designee may adjourn the meeting with notice. When adjourned to a later time, the city clerk or designee shall post a notice immediately on city's website and other processes as the city determines.

Meeting cancellation.

Individual council meetings ~~and workshops~~ may be canceled with the concurrence of the mayor and deputy mayor following the procedure of Article III Types of Council meetings providing for 24 hours' advance notice.

Right of floor.

Any councilmember desiring to speak shall be recognized by the chair and shall confine their remarks to the subject under consideration or to be considered. No member shall speak until so recognized. All councilmembers desiring to speak on a subject shall have the opportunity to do so before a councilmember may seek to speak again. At the discretion of the chair, councilmembers may be recognized to speak again should there be pertinent new information to provide on the subject. No member shall address the presiding officer or demand the floor while a vote is being taken.

Parliamentary procedure.

~~The Standard Code of Parliamentary Procedure, 4th Edition (by Alice Sturgis),~~ Robert's Rules of Order shall govern the proceedings of all regular council meetings, except where Robert's Rules of Order is in conflict with the Bonney Lake Municipal Code or other applicable law; however, any informal procedures or policies set by the council shall supersede that text. All councilmembers will familiarize themselves with the parliamentary rules ~~in the above edition~~ for efficiency of procedures at all council meetings.

Attendance of media at council meetings.

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

Public notice.

The city shall comply with the provisions of [RCW 35A.12.160](#). The city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meetings. Such procedure may include, without limitation publication of a notice in the official newspaper, posting of upcoming council meeting agendas on the city's social media sites, website, lobby, or such other processes as the city determines will satisfy the intent of this requirement and applicable legal notice requirements.

Article III. Types of Council Meetings

Regular council meetings.

The council shall meet on the ~~first~~, second and ~~fourth~~ third Tuesday of each month at 6:00 p.m. The meeting shall adjourn no later than 9:00 p.m. To continue past this time of adjournment, a council majority must concur. When a council meeting falls on a holiday, the council may determine an alternate day for the meeting or cancel the meeting. The council may reschedule regular meetings to a different date or time by motion. The location of the meetings shall be the council chambers at the Justice and Municipal Center and virtually by link provided on the city's website and noted on the agendas unless specified otherwise by a majority vote of the council. All regular and special meetings shall be public.

If possible, only one or two major topics (defined as issues of high interest, controversial or those which would take an extraordinary amount of city council meeting time) will be scheduled per meeting.

Special meetings.

The mayor or any three members of the council may call special meetings as stipulated in [RCW 35A.12.110](#). The city clerk or designee shall prepare a notice of the special meeting stating the time, place and business to be transacted. The city clerk shall attempt to notify each member of

the council and the mayor, either by telephone or otherwise, of the special meeting. The city clerk shall or designee shall provide notice of the special meeting at least 24 hours in advance by posting a written notice on the city website; social media sites, and displaying the notice at the agency's principal location (and the meeting site if the special meeting is not held at the agency's principal location); and delivering a notice to each local newspaper of general circulation and to each local radio and/or television station which has filed with the clerk a written request to be notified of special meetings. The council may amend the agenda for any special meeting. The council shall not make final disposition on any matter not mentioned in the notice.

The council may schedule special joint meetings with the councils of the county, other cities or with members of any of the boards, commissions or agencies.

Council meetings in the event of a disaster or emergency.

- A. Special emergency meetings may be called by the mayor or a majority of the council in less than 24 hours, and without the notice required in [RCW 42.30.070](#), 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 as provided in [RCW 42.30.080](#). In addition, in accordance with [RCW 42.30.070](#), in the case of an emergency, if expedited action is needed to meet the emergency, the mayor or designee may provide for a meeting site other than the regular meeting site, for a remote meeting without a physical location, or for a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency, and the notice requirements of [chapter 42.30.077 RCW](#) shall be suspended during such emergency.
- B. If local, state, or federal authorities proclaim a disaster or emergency, including but not limited to an epidemic or pandemic, that interferes with the safe and normal conduct of council meetings, the mayor or designee, in consultation with the deputy mayor, shall have the authority to take any or all of the following actions:
 1. Remove nonessential items from council agendas, or postpone such items for consideration at a later date.
 2. Place emergency items on the council agenda without providing the required or customary notice.
 3. Arrange the council chamber to allow for safe conduct of council meetings and change meeting locations to allow for same.
 4. Arrange for councilmembers to participate in meetings via telephone or web-based video conferencing, and for council meetings to be broadcast or live-streamed for simultaneous public viewing. If warranted by the disaster or emergency, any number of councilmembers may participate remotely, even when remote participation is not necessary to establish a quorum. If required by the Open Public Meetings Act, the mayor or designee shall establish a location on city property for the public and media to watch or listen live to remote council meetings.
 5. Provide a means for the public to submit comments at regular meetings, consistent with OPMA requirements.
 6. Cancel regular or special meetings on less than 24 hours' notice.
 7. Direct the city clerk to make agendas available to the public only online and not in paper copy.

C. Actions taken under subsection B of this section shall be deemed to automatically suspend and supersede any provisions of this chapter that are to the contrary.

Continued and adjourned sessions.

Any session of the council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting.

Council workshops.

The council shall ~~have workshops at the end of each council regular meeting meet on the first and third Tuesday of each month at 6:00 p.m.~~ to review forthcoming agenda issues, review reports on current programs or projects, receive other similar information from city department heads or conduct procedure workshops. Decisions/votes on the issues discussed at workshops will generally be scheduled for ~~a the next~~ regular or special council meeting, but the council may do anything at a Council workshop that they are legally permitted to do at a regular Council meeting, however, in general the Council will only take action at a workshop upon approval of a majority vote of the councilmembers present. If action is to be taken, public comments will be allowed for that item only prior to voting. Workshops shall have a council open discussion period ~~generally prior to at~~ the beginning of the ~~workshop and towards the end of the regular council meetings section~~ to discuss issues of concern unless waived by the council. Council workshops shall be open to the public and will be offered virtually also for those who cannot make the meeting in person.

Executive sessions.

Executive sessions may be held in accordance with the provisions of the Washington State Open Meetings Act ([RCW 42.30.110](#)). The only parties allowed to participate in a council executive session shall be the council, mayor, city attorney or deputy city attorney, authorized staff members and/or consultants authorized by the city council.

The council may hold an executive session during a regular, ~~workshop~~ council or special meeting. Before convening an executive session, the chair shall publicly announce the purpose for excluding the public from the meeting and shall state the time when the executive session will be concluded. The statutory reference(s) supporting the executive session shall be noted on the meeting agendas. If the council wishes to adjourn at the close of a meeting from executive session, that fact will be announced along with the estimated time for the executive session. Should the executive session require more time, the chair or person so designated by the chair, shall make a public announcement that the session is being extended, along with another estimated time for the executive session to conclude.

Councilmembers shall keep confidential all written materials and verbal information provided to them during executive sessions, to ensure that the city's position is not compromised. This duty also applies when attending an executive session ~~remotely, and~~ remotely and includes ensuring other individuals are not able to hear the executive session proceedings. Confidentiality also includes information provided to councilmembers outside of executive sessions when the information is marked confidential or is considered to be exempt from disclosure under the Public Disclosure Act, including all privileged communications with the city attorney's office, [Chapter 42.56 RCW](#); [RCW 5.60.060](#); [RCW 42.23.070\(4\)](#).

If the council, after executive session, has provided direction or consensus to city staff on proposed terms and conditions for any confidential or privileged issue, all contact with any other party shall be made by the designated city staff representative handling the issue. Prior to

discussing the information with anyone other than fellow councilmembers, city attorney, mayor, or city staff designated by the mayor, councilmembers should review such potential discussion with the city attorney. Any councilmember having any contact or discussion with any person other than those listed above on any such confidential or privileged issue shall make full disclosure to the mayor, council, and the city attorney or assistant city attorney in a timely manner.

Likewise, the provisions of the “Open Public Meetings Act” shall not be applicable to any conference, discussion or deliberation between the legislative body and its city attorney concerning settlements, avoidance of, or contemplated litigation, settlement offers and like matters, all of which shall be subject to the statutory and common law attorney-client privilege.

No final action shall be taken during any executive session, except as allowed by [RCW 42.30.110](#).

At the conclusion of the executive session, if appropriate, the public council meeting shall ~~reconvene~~**reconvene**, and the council may take final action or the minutes will reflect that no final action was taken.

Public hearings.

Public hearings shall be held on issues as defined in the Bonney Lake Municipal Code, as required by State law, and on any other issue the council may deem necessary for the public’s benefit. If there is more than one item scheduled for a public hearing, the chair shall hold separate public hearings on each issue by announcing and opening the public hearing, taking the public’s testimony and closing the hearing for each issue to eliminate any confusion by the council or the public. Procedure for public hearings will comply with the provisions contained in the Bonney Lake Municipal Code. (See Article XIII Public Comments and Article XXI, Council’s Advisory Boards, Agencies and Commissions.)

Quasi-judicial public hearings.

Quasi-judicial public hearings will comply with the procedures in the Bonney Lake Municipal Code, Article XIII Public Comments, for detailed information.

Closed record hearings.

The council may hold closed record hearings, when required to do so in compliance with the Bonney Lake Municipal Code, to ensure that the findings of the hearing examiner are supported by the facts on record and to ensure that proper application of ordinances was adhered to in accordance with the findings of the hearing examiner.

Article IV. Council Meeting Attendance

Councilmembers.

All councilmembers will attend all regular [council](#) meetings, ~~workshops~~, special and emergency meetings and assigned council committee meetings of the council.

[RCW 35A.12.060](#) provides that a councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the council without being excused by the council. Members of the council may be so excused by complying with this section. The member shall contact the mayor, deputy mayor or city clerk prior to the meeting and state the reasons for the councilmember’s inability to attend the meeting. If the notice is provided to the deputy mayor or

city clerk, they shall advise the chair of this information prior to the meeting. During the roll call portion of the council meeting, the chair shall inform the council of the member's absence and state the reason. The council, by motion, may excuse the absence and the clerk will make appropriate notation in the minutes. If a councilmember fails to contact any of the above to advise of their absence, excluding emergency situations, the council, by motion, may vote ~~to~~ not to approve the absence and the clerk will note the minutes accordingly.

City clerk or designee.

The city clerk or designee shall attend all regular council meetings, ~~workshops~~, special and emergency meetings of the council unless excused by the council or mayor. If the city clerk and the designee are absent from any council meeting, the chair or person so designated by the chair, shall appoint a clerk pro tempore for that meeting only.

Administration/department directors.

The chair shall assure that all regular council meetings, ~~workshops~~, special and emergency meetings of the council are appropriately staffed. While the authority for requiring department heads to attend council meetings rests with the mayor, the council is free to refuse to take action on particular agenda items where necessary department directors are not present.

City attorney.

The city attorney or designee shall attend all regular council meetings, ~~workshops~~, and special meetings ~~unless excused~~ when requested, in advance, by the deputy mayor or ~~person so designated by~~ the chair, ~~in advance~~, or by a council majority at a meeting. Such attendance may be virtual with advance notice to the clerk. Attendance is not required for joint meetings with other legislative bodies, or for budget meetings, unless attendance is specifically requested in advance by the deputy mayor or mayor. Any member of the council may, at any time, during a meeting of the council at which the city attorney is present, call upon the city attorney for an oral opinion and a majority of the council may request a written opinion to decide any questions of law and may call upon any other city official present for a report or recommendation as to any matter before the council.

Parliamentarian.

The city ~~attorney~~ clerk or designee shall act as the council's parliamentarian and shall advise the chair as to correct rules of procedure or questions of specific rule application.

Sergeant at arms.

The chair shall assure that formal meetings of the council shall be staffed with the police chief or a police officer, when deemed necessary, who shall serve as the sergeant at arms to ensure order and peace of council meetings.

Article V. Chair and Duties

Chair.

The mayor, if present, shall preside as chair at all meetings of the council except for council committee meetings. In the absence of the mayor, the deputy mayor shall preside. In the absence of both the mayor and the deputy mayor, the city clerk or designee will call the meeting to order, note the absence of both mayor and deputy mayor and ask council to elect a chair. When the deputy mayor or a councilmember presides over a council meeting, it shall not abridge their right to vote upon all questions coming before the council.

Call to order.

The meetings of the council shall be called to order by the mayor, or in the absence of the mayor, by the deputy mayor. In the absence of both the mayor and the deputy mayor, the meeting shall be called to order by the city clerk or designee for the election of a temporary chair by the majority of the council.

Preservation of order.

The chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion.

Points of order.

The chair shall determine all points of order, subject to the right of any member to appeal to the council. If any appeal is taken, the question shall be, "Shall the decision of the chairman be sustained?" A point of order may be raised if the council rules of procedure appear to have been broken. This may interrupt a speaker if the breach of the rules warrants it. The point is resolved before business continues. This is not a motion but is instead a request to the chair for decision. Valid reasons for a point of order include, but are not limited to: the speaker has not been granted the floor; the mayor mistakenly skipped an item on the agenda; a motion or second has been made erroneously; a person has spoken longer than authorized; a speaker is using inappropriate language; a speaker is not speaking to the matter under consideration.

Questions to be stated.

The chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken if requested by a member of the council or the chair.

Official timekeeper.

The chair, or person so designated by the chair, shall be the official timekeeper at all regular and special council meetings.

Mayor – Powers.

The mayor may not make or second motions, but may participate in debate to the extent that such debate does not interfere with chairing the meeting. If the mayor wishes to participate vigorously in the debate of an issue, the mayor shall turn the chairing of that portion of the meeting to the deputy mayor, or to another councilmember if the deputy mayor is absent. The mayor's duties and powers are specified in [RCW 35A.12.100](#), Duties and Authority of the Mayor – Veto – Tie-breaking vote.

Article VI. Council Agenda

Submitting agenda issues.

The city council desires adequate time to review and research all issues coming before it for consideration and/or action. Therefore, all communications, ordinances, resolutions, contract documents or other matters for council consideration at the forthcoming council meeting ~~or workshop~~ shall be delivered to the city clerk or designee by 5:10:00 p.m. on Wednesday prior to the Tuesday council ~~or workshop~~ meeting, and shall follow the agenda guidelines established by the city clerk. The timeline may be altered to accommodate holidays or other closures of city offices. Subject to the council's right to amend the agenda, no legislative item which is not on the council agenda and which has not been presented and approved as a forthcoming agenda item by a council committee or council workshop shall be voted upon, except in emergency situations

(defined as situations which would jeopardize the public's health, safety or welfare), or where otherwise deemed important by a majority of the council.

Agenda issues through council committee and/or workshop.

Issues coming before the city council shall first be placed on the agenda of the appropriate council committee or council workshop for discussion unless approved by motion by a majority of the council as an agenda amendment. An exception may be made when the mayor and deputy mayor jointly concur that an issue is of such a routine or administrative nature as to not require advance discussion by the council. (See Article XVII defining the role of council committees and issues approved for workshops.) The staff shall contact the chair of the appropriate council committee and request their issue be placed on the next committee agenda.

Directory statements.

Statements in these policies under Article VI Council Agenda, Article XIII Public Comments, Article XVII Council Committees, or any other section which require preliminary consideration of ordinances or other council agenda items by council committees, are directory statements only for the convenience of the council and not mandatory procedural or substantive requirements for lawful, final council action.

Setting council agendas.

The mayor, the deputy mayor, the city clerk or designee, and city administrator shall review all items/issues submitted by the deadline set by the council. Council sets its own agendas for all council meetings ~~and workshops~~.

Legally required and advertised public hearings shall have a higher priority over other scheduled agenda items that have been scheduled by convenience rather than for statutory or other legal reasons.

Setting council agendas for special joint meetings.

In consultation with the mayor, councilmembers, and the chair of the affected board or commission, the deputy mayor shall set the agenda for all special joint meetings. The city clerk or designee shall provide board or commission members with a final copy of the agenda at the same time it is provided to members of the city council.

Agenda documentation requirements.

Before the council takes final action, the council requires all backup documentation for the issues being considered. To that end, all additional information requested by committee members will be provided to the council by staff in their advance agenda packets.

An original ordinance or resolution must be provided when amending or repealing an ordinance or resolution. An original must also be provided when updating of all contracts or agreements.

If the council is asked to approve an issue with a monetary value, a copy of the section of the budget, including remaining balance of budget appropriations pertaining to the issue must also be provided.

On all issues presented to the council for review or action, if any of the documentation provided by the staff references any BLMC, RCWs, MRSC or AWC documents, the documents referenced shall also be provided to the council in their advance packets for committee or workshop.

Originals of all proposed ordinances, resolutions, contracts or agreements shall be required and turned in to the city clerk or designee by the established deadline prior to being scheduled for a council committee or council meeting agenda.

City clerk or designee duties.

The city clerk or designee shall strive to distribute copies of the proposed agenda, with all the required documentation to each member of the council, the mayor and the city attorney or deputy city attorney and other councils, boards or commissioners, when applicable, by noon on ~~Friday-~~ Thursday preceding the meeting. Agenda packets shall be distributed to the councilmember's city-mailboxesboard portal, except in the case of emergency meetings (see Article III Types of Council ~~Meetings~~, Meetings, Emergency council meetings).

The city clerk or designee shall normally include draft copies of the minutes from the previously held council meetings in the council workshop section of the agenda packets for review and any necessary corrections prior to adoption at the following council meeting.

The city clerk shall be responsible for providing each new councilmember with online references to the current copies of the Bonney Lake Municipal Code, council policies and procedures manual, city reference manual and city comprehensive plans and copies of Chapter 35A.12 RCW, Mayor-Council Form of Government, and Chapter 35A.33 RCW, Budgets in Code Cities, of the RCWs, or paper copies, if available, as requested by the councilmember.

Agenda modification.

Once council agendas is set and posted on the city's website, for any necessary agenda modifications, the city clerk or designee shall prepare a separate blue sheet listing only the proposed agenda modifications for consideration by the council. Just before the meeting, copies shall be provided to the mayor, council, city or deputy city attorney, staff present and a copy of all modifications and any related documentation placed on the table for members of the public attending the meeting. The necessity of the agenda modifications shall be explained to the council. If the requests receive a majority vote of the council, by motion, the agenda modification shall be approved.

Continued agenda items.

Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

Council agenda bills.

All issues coming before the council, except those purely for discussion for further development, shall require a completed council agenda bill ~~with ordinance and resolution numbers~~, the correct title of the ordinance or resolution, and a clear descriptive summary statement on each. The city clerk or designee shall be responsible for the format and numbering of the agenda bills. Those issues coming before the council solely for discussion and further development based on council input may be provided in such format as the mayor or his designee shall determine best presents the material for council consideration.

The city clerk or designee shall be responsible for completing the council agenda bills (CAB) on any issues requiring council action that are being submitted by a councilmember. These CABs do not require signatures of the mayor. As with council policy on all issues, it must be submitted to the appropriate council committee or workshop prior to scheduling for their review and signature approval on the required council committee form except issues as designated in these policies.

All council agenda bills, when applicable, shall include budget amounts, requested expenditure and impact along with statement of fiscal analysis and identification of fund source. Department directors shall be responsible for securing the appropriate approvals on all CABs and for submitting, by the council established deadline, all required documentation to the city clerk or designee for council agendas.

Mayor and councilmember comments.

The agenda shall provide a time (announcements/committee reports) for the mayor or any councilmember to bring before the council any business that he/she feels should be deliberated upon by the council. These matters need not be specifically listed on the agenda, but formal action on such matters may be deferred until a subsequent council meeting, except that immediate action may be taken upon a vote of a majority of all members of the council and after providing public comments on said action item(s).

Public's agenda packet.

Per [RCW 35A12.160](#), the city shall establish a procedure to notify the public of upcoming hearings and the preliminary agenda for forthcoming meetings. The city shall follow this procedure which shall include publication of a notice in the official newspaper, posting of upcoming council meeting agendas and public hearings on the city's social media sites, website, or such other processes as the city determines will satisfy legal requirements and provide notice to the public.

The city clerk or designee shall have a procedure available for the public to view the complete packet of proposed ordinances, resolutions and contracts being considered by the council available on a table within or outside of the council chambers prior to the start of the meeting. These are public documents and anyone requesting a copy of any item being considered on the council agenda shall be supplied with such upon their request to the city clerk or designee and payment of copies as established in the Bonney Lake Municipal Code and during normal business hours.

Meeting information – City website.

The city clerk or designee shall be responsible for updating the council agenda on the city's website, which normally will be updated by 2:00 p.m. ~~Friday-Thursday~~ preceding the council meetings ~~and workshops~~.

Agenda order of business.

The order of business for all regular meetings shall be transacted as follows unless the council, by a majority vote of the members present, suspends the rules and changes the order:

~~A.~~ I. Call to Order. The mayor or, if absent, the deputy mayor calls to order.

~~1.A.~~ Pledge Of Allegiance. The mayor or, if absent, the deputy mayor, and at times invited guests, will lead the pledge of allegiance.

~~2.B.~~ Roll Call. The city clerk or designee shall call the roll and the chair shall indicate those in attendance and state the reasons for absences. Council absences require a motion to be excusedd.

~~3.C.~~ Agenda modifications.

~~4.D.~~ Announcements, Appointments, and Presentations.

~~a. Announcements~~— By chair or councilmembers. Announcements are to be related to city business and limited to announcements of community or governmental actions, events, meetings or notices.

~~b.E.~~ Appointments – By chair or councilmembers.

~~c.F.~~ Presentations – By chair, councilmembers, staff or scheduled guests.

~~B. Public Comments, Public Hearings and Correspondence.~~

~~1. Public hearings.~~

~~2. Public comments (for the good of the order).~~

~~3. Correspondence. Any correspondence received by a city official that said official wants reported at the meeting that is pertinent to an item on the agenda shall be submitted to the city clerk or designee in advance of the meeting. The city clerk or designee will report that a correspondence has been received from (note the author), and state the subject matter of the correspondence. No action or discussion is to be taken during the correspondence segment of the council meeting. The chair may refer said correspondence to the appropriate council committee or administration for consideration.~~

~~C. II. Council Committee Reports.~~

~~1. Finance committee.~~

~~2. Community development committee.~~

~~3. Public safety committee.~~

~~4. Other committees or reports.~~ Councilmembers and the chair may give reports regarding board or committee meetings they have attended or to which they have been appointed. Special committees which have reports to make shall be scheduled under the presentations section of the agenda.

~~D. III.~~ Consent Agenda. The items listed on the consent agenda may be acted upon by a single motion and second of the city council. By simple request made prior to the vote on the consent agenda, the mayor or any councilmember may remove items from the consent agenda for separate consideration after the adoption of the remainder of the consent agenda items. The chair, with council consent, shall determine the point on the agenda at which items pulled from the consent agenda will be considered, normally during the related council committee issue section of the agenda.

~~1. A.~~ Minutes.

~~2. B. Accounts Payable and Utility Refund Checks/Vouchers Vouchers and Claims.~~

~~a. Check No. voided in check lineup.~~

~~b. Check Nos. in the total amount of \$_____.~~

~~C. Payroll.~~

~~3. D.~~ Ordinances to be adopted by consent.

4. E. Resolutions to be approved by consent.

5. F. Motions to be approved by consent.

IV. Full council issues.

V. Public Hearings.

VI. Correspondences. Any correspondence received by a city official that said official wants reported at the meeting that is pertinent to an item on the agenda shall be submitted to the city clerk or designee in advance of the meeting. The city clerk or designee will report that a correspondence has been received from (note the author), and state the subject matter of the correspondence. No action or discussion is to be taken during the correspondence segment of the council meeting. The chair may refer said correspondence to the appropriate council committee or administration for consideration.

VII. Audience Comments (for the good of the order).

VIII. Council Open Discussion. Council may discuss audience comments, other items that they want to have staff start researching or bringing forward for review by Council, and any information that they want to inform Council of.

IX. Workshop Discussion Items.

A. Review of Council Minutes.

~~E.~~ B. Other Discussion Items. The following issues or matters do not require review by council standing committees but may be scheduled directly for review by the council of the whole during the workshop discussion items section of the agenda; provided, that the requirements and necessary documents are provided by the agenda deadline as defined in these policies and procedures. Issues or presentations requested by the mayor for future council agendas (that are not requirements of the council to be scheduled for council committee review), budget review, city hall plans, planning commission recommendations, issues referred by the council to planning commission, property acquisitions, issues previously reviewed by the full council, budget amendments, setting public hearing dates, items tabled by the council, public hearing testimony deliberations, council retreats, litigation, council internal affairs, and review of all reserve funds.

~~F.~~ X. Executive/closed sessions.

~~G.~~ XI. Adjournment.

Workshop order of business.

~~The workshop meetings shall start with the pledge of allegiance and be transacted in order of priority of issue unless the council, by majority vote, amends the order of the agenda. All workshops shall include a period of open discussion by the council and priority will be given to all previously tabled issues and presentations.~~

~~The following issues or matters do not require review by council standing committees but may be scheduled directly for review by the council of the whole at a council workshop; provided, that the requirements and necessary documents are provided by the agenda deadline as defined in these policies and procedures. Issues or presentations requested by the mayor for future council~~

~~agendas (that are not requirements of the council to be scheduled for council committee review), budget review, city hall plans, planning commission recommendations, issues referred by the council to planning commission, property acquisitions, issues previously reviewed by the full council, budget amendments, setting public hearing dates, executive sessions, items tabled by the council, public hearing testimony deliberations, council retreats, council vacancies, appointments to regional or local organizations, committees or task forces, litigation, council internal affairs, and review of all reserve funds.~~

Article VII. Minutes of Council Meetings

Journal of proceedings.

A journal of all proceedings of the council shall be kept by the city clerk or designee and shall be uploaded and saved on the Washington State Digital Archives Website constituting the official record of the council (per [RCW 35A.39.010](#)).

Reading of minutes.

Unless a reading of the minutes is requested by a majority plus one of the council, such minutes may be approved without reading; provided, that the city clerk or designee has provided each member with a printed copy of the minutes as stipulated in these provisions, or made them available on the city's website for those members no longer requesting a printed agenda packet.

Detail of ~~regular council,~~ and ~~special meeting and workshop~~ minutes.

Official minutes shall contain the date, time, place and nature of the meeting, the names of the councilmembers present (excused and unexcused), mayor, city attorney or deputy city attorney and staff present; all motions, except those withdrawn, and the names of their maker and who made the second; an objective abstract of all business discussed, actions taken and the results or votes of such actions in the order of business established in these policies.

Ordinances, resolutions, contracts and agreements, budgets and budget amendments shall contain clear subject descriptions and shall state the total monetary amounts, when applicable, in the minutes for easier reference.

For efficient use of city resources, it is expected that there will not be verbatim accounts of council proceedings prepared in most situations but instead a summary will be prepared and an audio recording to the Washington State Digital Archives Website. However, if an issue is of such importance that a majority plus one of the council feel a verbatim account of a portion of the meeting and/or a particular councilmember's statements are appropriate, a verbatim account may be requested and prepared by the city clerk or designee.

Dissent.

Any member of the city council shall have the right to state the reasons for his/her dissent from, or protest against, any action of the council entered into the minutes.

Scheduling of minutes for adoption.

The city clerk or designee shall normally schedule the council meeting ~~and workshop~~ minutes for adoption by the council after review and approval of the draft minutes by the council at a previous ~~workshop~~ council meeting.

Recording of council meetings ~~and workshops~~.

All ~~regular, council and~~ special ~~and workshop~~ meetings, unless otherwise determined by the city council, shall be recorded electronically and official minutes prepared by the city clerk or designee. The audio recording shall be uploaded to the Washington State Digital Archives Website pursuant to applicable record retention and public disclosure laws and city ordinance. All meeting audio recordings are permanent by law.

The city clerk shall provide a suitable area for council or anyone requesting to review any recordings. There shall be no fee for only reviewing them.

Article VIII. Deputy Mayor

Appointment.

The selection of deputy mayor will be biennially, by majority vote of the council, to serve in the absence or temporary disability of the mayor.

The biennial election shall occur during the even years at the first meeting of the council in January. If there has been no change in council membership said election of the deputy mayor and subsequent committee assignments may be made at the last meeting of the year, provided the results of the municipal election have been certified by that date.

Councilmembers shall make nominations for the appointment of deputy mayor. The nominator is permitted to give reasons for supporting the nominee. Nominations do not require a second, but the person nominated should accept or decline the nomination prior to the vote. Councilmembers nominated for this appointment are not required to abstain from voting.

Duties of deputy mayor.

The deputy mayor presides at meetings of the council, administers oaths and signs instruments in the absence of the mayor. When the deputy mayor presides over a council meeting they shall retain their councilmanic vote.

In addition to serving in the absence of the mayor, the deputy mayor shall serve as finance committee chair for the term of office as established for the deputy mayor, shall serve as voucher review committee chair, shall be responsible for overseeing council agendas with the city clerk or designee and the city administrator and shall perform any other duties prescribed by the council.

Article IX. Forms of Address

Elected officials.

In all formal council meetings the mayor shall be addressed as “Mayor (surname),” or “Your Honor.” The deputy mayor shall be addressed as “Deputy Mayor (surname).” Members of the council shall be addressed as “Councilmember (surname).”

Directors and staff.

All directors shall be addressed as “Director (surname)”. All other staff shall be addressed as their full names.

Article X. Rules of Decorum

Councilmembers.

While the council is in session, all members must preserve order, decency and decorum at all times, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the council.

No member shall use impertinent, degrading, or slanderous language as to any other member of the council, the mayor, city staff, or member of the public while discussing or debating the business of the council. Debate must be fundamentally **impersonal**. All discussion is addressed to the presiding officer and must **never be** directed to any individual. Meetings must discuss **measures, not people**. A motion – its nature and consequences – may be attacked vigorously, but it is never permissible to attack the motives, character, or personality of the presiding officer or another councilmember either directly or by innuendo or by implication.

It is the duty of the presiding officer instantly to stop any member who engages in personal attacks or discusses the motives of the presiding officer or another councilmember or is discourteous in word or manner. If the presiding officer fails to interrupt, any member may make a point of order and call the attention of the presiding officer to the speaker's misconduct.

Arguments and opinions should be stated as concisely as possible. Discussions by members of the council shall relate to the subject matter at hand and shall be **relevant and pertinent** thereto so as to provide for the expeditious disposition and resolution of the business before the legislative body.

Anyone who uses improper language or acts in a disorderly manner should be called to order promptly by the presiding officer. When a point of order is raised concerning a speaker's conduct, the speaker must be silent until the point of order is decided by the presiding officer.

A member who fails or refuses to speak in an orderly and courteous manner may be denied the right to the floor and, if necessary, may be ejected from the meeting by order of the presiding officer or by a vote of the assembly.

Chair.

The chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion. The chair may discourage any city staff or members of the public addressing the council from making personal, impertinent or slanderous remarks or from becoming boisterous (talking in a voice or making noises which are louder than normal conversation or which disrupt the meeting) while addressing the council, or by conversation to delay, impede or interrupt the proceedings or the peace of the council, or disrupts any member while speaking, or refuse to obey the orders of the council or the chair. All remarks shall be addressed to the council as a whole and any person(s) violating these provisions or who become threatening or disruptive while addressing the council may be requested to leave the meeting by the chair. Any person in violation of these provisions and who refuses to comply with the lawful orders of the chair shall be guilty of disorderly conduct.

The chair shall preserve order at all times during council meetings. If required by the chair, the chief of police or a designated member of his/her department shall act as sergeant in arms of the city council and shall carry out all orders given by the chair for the purpose of maintaining order, peace and decorum at the council meeting. Any councilmember may move to require the chair to

enforce the rules and the affirmative vote of a majority of the council shall require the chair to do so.

City staff.

Members of the city staff shall observe the same rules of order and decorum that are applicable to members of the city council.

Article XI. Code of Conduct

Councilmembers.

In all dealings, councilmembers shall be governed, to the extent applicable, by [Chapter 42.20 RCW](#) relating to misconduct of public officers, by [Chapter 42.23 RCW](#) relating to the code of ethics for municipal officers, and by [Chapter 42.36 RCW](#) relating to the appearance of fairness doctrine, and by this document and all other statutes or ordinances governing the conduct of city officers.

Motions generally.

All ordinances, resolutions, and other agenda bills requiring council approval shall be in the form of an affirmative motion. All motions shall require a second in order to proceed to a vote. If no one seconds the motion, the motion dies.

Article XII. Voting

Requirements.

A councilmember must be present at a council meeting or virtually to vote on any issue, contract, ordinance or resolution or any other order of business of the council.. No member shall be allowed to vote by proxy.

Tie breaker.

The mayor may cast a vote in the case of a tie vote of the council in matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money per [RCW 35A.12.100](#).

Roll call voting.

The chair, any councilmember, or the city clerk or designee may request a verbal roll call vote.-

Votes on motions.

The council requires a majority vote of those councilmembers present and voting, for passage of any action issue; provided, that the passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council, as required by law. Each councilmember present may vote on all questions before the council, except on matters in which they have been disqualified or the councilmember has a legal conflict of interest or an appearance of fairness issue under Washington law. Such member shall disqualify him or herself prior to any discussion of the matter, shall temporarily leave the meeting until the agenda item is completed, and shall not attempt to influence the votes of the other councilmembers. When disqualification of a member or members results or would result in the inability of the council at a subsequent meeting to act on a matter which is required by law to take action, any member who was absent or who had been disqualified under the appearance of fairness doctrine may subsequently

participate provided such member shall first have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.

Failure to vote on a motion.

Any councilmember present who fails to state his or her vote without a valid disqualification shall be declared to have voted in the affirmative on the question, except that an abstaining councilmember still creates a quorum.

In situations where a councilmember may need to abstain from voting because of a possible violation of the appearance of fairness doctrine, [RCW 42.36.090](#) provides that the challenged councilmember can still participate in the event that abstention would cause a lack of a quorum or result in a failure to obtain a majority vote as required by law if they publicly disclose the basis for disqualification prior to rendering a decision.

Explanation of vote by councilmember.

Any member of the council desiring to explain his or her vote may do so by requesting the floor from the chair and shall be allowed the opportunity to do so for the public and the official record. The question shall not be called for by any councilmember until each councilmember has had an opportunity to address or state their concerns.

Voting delegates of the council.

When councilmembers register to attend an official conference requiring voting delegates, such as the annual National League of Cities, Puget Sound Regional Council Annual Membership Meeting, or Association of Washington Cities, the council shall designate the voting delegate(s) during a public meeting, by majority vote; when possible, said selection of voting delegates shall be done on a rotating basis for the purpose of allowing all councilmembers the opportunity to be an official voting delegate.

Consensus votes.

When a formal motion is not required on a council action or opinion, a consensus voice vote may be taken. The chair will state the action or opinion and each councilmember may vote by saying “aye” or “nay.”

Reconsideration.

Any action of the council shall be subject to a motion to reconsider, except any action previously reconsidered, motions to adjourn, motions to suspend the rules, an affirmative vote to lay on the table or to take from the table, or a vote electing to office one who is present and does not decline. A motion to reconsider may only be made by a member of the prevailing side on the original action. A motion to reconsider may be made at the same meeting the initial vote is taken, but no later than the next succeeding regular council meeting; provided, that a motion to reconsider approval of a contract may not be made at the next succeeding regular council meeting if the contract has already been signed and delivered to the other contracting party. Debate is limited to the reason for reconsidering the motion and should not be used to repeat discussion regarding the main motion.

Table motions.

If a councilmember wishes to make a motion to table an issue, they may state their intentions to do so and inquire whether any councilmembers wish to make statements or provide information prior to the motion being made and seconded.

Article XIII. ~~Public~~-Audience Comments

~~Citizen~~-Audience comments.

The public is encouraged to attend and participate at all council meetings. Any individuals who will have difficulty attending a meeting or who desire to comment virtually will be provided an opportunity to provide oral comment at the meeting remotely either by giving prior notice to the city clerk or designee before 5:00pm the night of the Council Meeting or during the ~~public~~-audience commenting section of the agenda. Under agenda item “~~public~~-audience comments,” members of the public may address the mayor and the council regarding any matter relating to city business or over which the city has authority, for up to five (5) minutes per speaker, unless granted further time by the chair or a majority of the councilmembers present. Groups recognized by the chair, or action of the city council, who have a designated speaker may have a total of ten (10) minutes to speak. Following such comments, if action is required or has been requested, the chair shall refer the matter to staff or the appropriate council committee for review or investigation and report at a future meeting. Sign-up is not required for this portion of the council meeting. Each member of the public will be allowed to speak only once during the public comment portion in each council meeting.

Conduct and decorum when addressing council.

Any person addressing the council shall comply with the following rules of conduct and decorum:

- A. When recognized by the chair, each in-person attendee addressing the council shall go to the podium and remote attendees when recognized shall give their name and as a courtesy, but not mandatory, their address in an audible tone of voice for the record, and shall limit their remarks to the time specified, unless granted further time by the chair or requested by a majority of the councilmembers present. All remarks shall be addressed to the council as a body and not to any member thereof. This time is set aside for public comments on city business and not to allow individual conversations between citizens and councilmembers/chairperson. No questions shall be asked of a councilmember, except through the chair.
- B. Out of respect for the efficient use of council meeting time, no councilperson or the chairperson shall respond to citizen comments unless the matter is city business and that person wants to respond during the council meeting rather than some other time. No councilperson nor the chair should respond at a meeting to individual or personal matters unless that councilmember ~~nor~~ the chair believes the matter is city business that should or may be addressed by the full council at a council meeting, and that councilmember ~~nor~~ the chair wants to make a response at a council meeting rather than some other time.
- C. No person, other than the chair, councilmembers, and the person having the floor, shall be permitted to enter into any discussions, either directly or through the members of the council, unless recognized by the chair.
- D. All speakers are expected to deliver their comments in a courteous and efficient manner. Any person who is unruly or disruptive while addressing the council may be requested to leave the meeting or may be barred from further audience before the council during that council meeting by the chair.

- E. Any speaker who fails to comply with these limits and rules for speaking at council meetings, or otherwise acts in an unruly or disruptive manner, may be subject to removal from the meeting.
- F. The chair shall direct which department will follow up on each comment, if needed, and that department head shall follow up with the commentor to get contact information prior to the adjournment of the meeting.
- G. When public complaints or suggestions are brought before a council meeting, other than for items already on an agenda, the chair shall first determine whether the issue is legislative or administrative in nature and then:
 - 1. If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the council finds such complaint suggests a change to an ordinance or resolution of the city, the council may refer the matter to a committee, administration or the council of the whole for study and recommendation.
 - 2. If administrative, and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the mayor, the mayor should then refer the complaint to the appropriate department head for his/her review if said complaint has not been so reviewed. The city council may direct that the mayor brief or report to the council when his/her response is made.

Written communication.

All material presented at council meetings, except confidential material not subject to disclosure under law, shall also be presented to the city clerk or designee. A copy of any written communications submitted to the council at council meetings under public comments or in reference to an agenda item shall also be provided to the city clerk or designee who shall note in the minutes that said communication was received and include the subject of the communication and the person or group submitting it.

Public hearing procedures.

- A. Speaker Sign-In. Up until five (5) minutes to the start of a public hearing, all persons wishing to be heard are requested but not required, to sign in using the public hearing testimony sign-up sheet located at the entrance of the meeting room or by emailing the city clerk at clerk@bonneylake.gov for those attending virtually, giving their name, as a courtesy, but not mandatory, their address, screen name (for those attending by video) or phone number (for those attending by audio only), and whether they wish to speak as a proponent, opponent or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. Each speaker shall be given five (5) minutes or when presenting the official position of any organization or group recognized by the chair or council action ~~ten~~ (10) minutes shall be allowed. As allowed by the chair or council action, anyone who has signed in to speak at a public hearing may relinquish his or her allotted time to any person who is also signed in to speak. If there are numerous items for public hearings on any council agenda, there will be a separate public hearing on each item. The chair may change the order of speakers so that testimony is heard in the most logical groupings..
- B. Conflict of Interest and Appearance of Fairness. Prior to the start of a public hearing any councilmember who has a conflict of interest or appearance of fairness doctrine concern, needs to step down and give the reason for recusing themselves from participation in the

public hearing process. Another councilmember may ask a councilmember to step down from the public hearing process if they believe there is a conflict of interest or appearance of fairness doctrine concern. A councilmember who refuses to step down after challenge, upon the advice of the city attorney and after a ruling by the majority of the remaining members of the council that the member in question should step down, is subject to censure. A councilmember who has stepped down shall not participate in the council decision nor vote on the matter. The councilmember shall leave the council chambers while the matter is under consideration.

Public hearing process.

The city clerk or designee, with the concurrence of the deputy mayor, shall set public hearing dates to receive public testimony on all issues required by law or as the council may direct.

Discussions by council of public testimony shall normally be scheduled during the workshop discussion items section of the agenda or for the next regularly scheduled workshopcouncil meeting. Final action by the council on all public hearings shall normally be scheduled for the next regularly scheduled council meeting; except where no public testimony was provided, the council may choose to take final action immediately following the public hearing.

On the day of the public hearing, the city clerk or designee will print a separate public hearing testimony sign-up sheet for each item on the public hearing agenda for the public to have during the public hearing, along with the following notice:

1. Any individuals making comments in person or virtually shall state their name and as a courtesy, but not mandatory, their address for the official record of the transcript of the public hearing.
2. All comments from members of the public who are physically present shall be made from the podium and no other location. Comments that are not on the public hearing topic are out of order. Anyone making "out-of-order" comments shall be subject to removal from the meeting. If you have any special needs or require accommodation, please advise the nearest staff member.
3. All comments by members of the public attending by virtual video shall be made by using the "raised hand" icon virtually and wait for your name to be called on.
4. All comments by members of the public attending by audio only shall be made by waiting for your name to be called on.
5. Those attending virtually by video or audio are asked to mute your microphones until your name is called to keep background noise down and to give everyone an opportunity to be heard.
6. These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his/her right of free speech.

The chair calls upon staff to present a brief staff report on the matter under consideration.

The chair calls upon proponents, opponents and all other individuals who have signed in or signed-up with the city clerk or designee, to speak regarding the matter under consideration. After everyone that has signed in to speak has had their opportunity to do so, the chair shall ask if there is anyone else wishing to speak on this matter, including people who may choose to participate remotely.

The chair inquires as to whether any councilmember has questions for the proponents, opponents, speakers or staff. If any councilmember has questions, the appropriate individual will be recalled to the podium (or otherwise addressed if participating remotely).

The chair continues the public hearing to a specific date and time, or closes the public hearing. The council may choose to keep the public record open to a date and time set by the council to receive written testimony if they so desire.

Quasi-judicial public hearings.

The appearance of fairness doctrine applies to quasi-judicial hearings, not to legislative hearings. Council's decision on a quasi-judicial matter must be based on and supported by the "record" in that matter. The "record" consists of all testimony or comment presented at the hearing and all documents or exhibits that have been submitted in connection with the matter being considered. All documents, including maps, drawings, and staff reports, should be admitted as numbered exhibits during the public hearing. All quasi-judicial hearings shall be recorded. Quasi-judicial hearings will be conducted in conformance to procedures outlined in other ordinances, such as the hearing examiner ordinance. Deliberations on a quasi-judicial matter can occur following the public hearing or at some other time. Deliberations and eventual decision shall fall within any applicable statutory timelines. Comments from the audience are not permitted during open meeting deliberations.

Comments in violation of the appearance of fairness doctrine.

The chair may rule out of order any comment made with respect to a quasi-judicial matter pending before the council or its boards or agency or commissions. Such comments should be made only at the hearing on a subject matter. If a hearing has been set, persons whose comments are ruled out of order will be notified of the time and place when they can appear at the public hearing on the matter and present their comments.

Article XIV. Ordinances~~and~~, Resolutions, And Motions

Defined.

A. Ordinances. Ordinances are legislative acts or local laws, prescribing general, uniform, and permanent rules of conduct, relating to the corporate affairs of the city. Ordinances are the most permanent and binding form of council action and may be amended or repealed only by adoption of a subsequent ordinance.

B. Resolutions. Resolutions adopt policies or direct action. Resolutions are not law, but they carry the weight of creating official policies or directing the actions. A resolution is an act of the council that is less solemn or formal than an ordinance, and in general is an expression of the opinion or mind of the council concerning some particular item of business or matter of administration coming within its official cognizance. Resolutions generally deal with matters of a special or temporary character. A resolution may be amended or repealed by adoption of a subsequent motion resolution or ordinance.

B.C. Motions. Motions are the form used for Council to take or direct action – whether it be passage of an ordinance or resolution or directing staff to do something. Motions that are not the passage of an ordinance or resolution can be modified by another (later) motion.

When required ordinances, resolutions and contract documents shall be reviewed by the city attorney or deputy city attorney and approved as to form and legality and shall bear his/her

certification on a council agenda bill, if required, or approval via e-mail or fax on the issue being reviewed, prior to submitting to the city clerk or designee for inclusion on a council agenda.

All contracts and agreements which are to be approved by the council shall be submitted to the council for consideration as an exhibit to a resolution or motion to ensure tracking ability. Contracts for any more long-term or meaningful contract, such as an interlocal agreement, solid waste hauling contract, etc. or any agreement where it is important to show that it was approved by the council would be done by resolution. Contracts that are short term would be done by motions.

All additional issues pertaining to the city's yearly budget shall be submitted as exhibits to the main budget ordinance (i.e., salary scale, etc.).

All ordinances and resolutions shall be submitted in the city clerk approved standard template format.

No ordinance or resolution shall contain more than one subject and shall be fully and clearly expressed in its title.

All ordinances and resolutions may be passed by the council by having only the title and summary statement read aloud by the city clerk or deputy city clerk or designee at a council meeting, if it is the second reading of the ordinance or resolution, without the full reading of the ordinance or resolution; however, a councilmember may request a full reading at which time the chair shall ask the city clerk or designee to read the ordinance or resolution.

Introduction of ordinances and resolutions at council meetings.

Ordinances, resolutions and other matters or subjects requiring action by the council must be introduced by a council agenda bill.

All ordinances and resolutions shall include a clear description of the subject matter in the titles shown on all agendas and minutes of the council.

Legal review.

All documents needing legal review by the city attorney or deputy city attorney must also be reviewed and approved by the mayor or city administrator prior to final submittal to the city clerk.

Action items.

All issues for a forthcoming council agenda shall be reviewed by the appropriate council committee or, on designated issues, through council workshop. Refer to council standing committee section, Article XVII, for clarification of processing issues.

Two readings required of ordinances.

Ordinances before the city council for consideration and passage shall be reviewed at two meetings of the council, inclusive of workshops or council committee meetings, prior to passage.

- A. Introduction and First Reading of Ordinance. Discussion and debate by the city council at a regular council meeting ~~or workshop~~ may be held at this time. Councilmembers shall decide whether to amend the ordinance, direct staff to further review the ordinance, forward the ordinance to an advisory board, council workshop for further discussion and study, or approve placing the ordinance on the agenda of the forthcoming regular council meeting for enactment as an enforceable city law.

Nothing contained in this policy shall prohibit the city council from enacting any ordinance, other than a franchise, after a single reading by majority vote.

- B. Action Items. The council may delay taking action on any issues if sufficient documentation and information has not been provided by the mayor and the staff in advance in council packets to allow the council due deliberation.

Numbering ordinances and resolutions.

~~Prior to submitting to council committee or workshop,~~After adoption a number shall be assigned to every ordinance or resolution by the city clerk or designee and a current numeric and alphabetical journal log of all ordinances and resolutions shall be kept by the city clerk for easy cross-reference. Copies of the journals shall be provided upon request to councilmembers.

Effective date of ordinances and resolutions.

A. Ordinances.

1. Ordinances Subject to Referendum. Pursuant to [BLMC 2.64.010](#), no ordinance subject to referendum shall take effect prior to 30 days after passage, subject to prior approval by the mayor and prior publication for five days as required by law, unless the council declares such ordinance to be necessary for immediate preservation of public peace, health, and safety or for the support of city government and its existing public institutions, includes a statement of urgency, and passes the ordinance by unanimous vote of the council.
2. Ordinances Not Subject to Referendum. Pursuant to [RCW 35A.12.130](#), no ordinance not subject to referendum shall take effect until five days after the date of its publication unless otherwise provided by statute or charter, except that an ordinance passed by a majority plus one of the whole membership of the council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property, public welfare, or public peace, may become effective upon adoption, but such ordinance may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

- B. Resolutions. A resolution may be put to its final passage on the same day it is introduced and may be effective the same day. The title of each resolution shall, in most cases, be read by the city clerk or designee prior to its passage; provided, should a councilmember request that the entire resolution or certain of its sections be read aloud, such requests shall be granted by the chair.

Publication of ordinances.

Ordinances and their summaries shall be published in the city's official newspaper as legal publication in the first possible publication following enactment. Ordinances will also be posted on the city website.

Ordinance vetoes by the mayor.

Per [RCW 35A.12.100](#), the mayor shall have the power to veto ordinances passed by the council as provided in [RCW 35A.12.130](#) but such veto may be overridden by the vote of the majority plus one of the whole membership.

To become valid, every ordinance adopted by the council must be presented to the mayor, or in the mayor's absence to the deputy mayor. If approved by the mayor, the mayor or deputy mayor

shall sign the ordinance. If not approved by the mayor or deputy mayor, the ordinance shall be returned to the council with the mayor's or deputy mayor's written objections. The council shall cause such objections to be entered at large upon the journal and proceed to a reconsideration thereof. If upon reconsideration a majority plus one of the whole membership, voting upon a call of ayes and nays, favor its passage, the ordinance shall become valid notwithstanding the mayoral veto. If the mayor fails for 10 days to either approve or veto an ordinance it shall become valid without approval. All ordinances shall be signed by the mayor, or in the absence of the mayor by the deputy mayor, approved as to form, when required, by the city attorney and attested to by the city clerk or designee.

Article XV. Contracts

General.

City Council approves many contracts for the City of Bonney Lake and some of the contracts long-duration terms. The City Council is cognizant of the need for flexibility in future dealings with contract partners and is hesitant to bind future city councils and deems it in the public interest to establish a policy regarding the creation of additional procedures for contracts with terms that are longer than five years.

Policy for contracts with terms in excess of five (5) years.

- A. Contracts subject to City Council approval should not have terms longer than five (5) years unless there is a strong policy or business rationale for a longer term.
- B. If the City is negotiating an agreement with a term that is proposed to exceed five (5) years, the City Administrator shall ensure that the City Council is provided with notice and information about the contract, including the rationale for a term that exceeds five (5) years. Such notice and opportunity for the City Council to object shall be provided prior to the completion of negotiations.
- C. When a contract with an initial, subsequent, renewal, or extension term exceeding five (5) years is placed onto a City Council or Council Committee Agenda for City Council or Committee approval, the contract duration shall be specifically called out in the Agenda materials, and the materials shall provide the policy or business rationale supporting the longer contract duration.

Article XVI. Council Representation/ Appointments to Regional or Local Organizations, Committees or Task Forces

Appointments of councilmembers to regional organizations.

Appointments to regional or local organizations, committees or task forces may be made in two ways: (A) the regional or local organization, committee or task force may request recommendation for ultimate council appointment; or (B) the mayor may make direct appointments to a regional or local organization, committee or task force when asked to do so by the council.

Any councilmember may express an interest in a particular subject and interest in serving on a particular body.

When any of the above request council membership recommendations where that particular body makes the final appointment, the mayor shall ask councilmembers to state their interest for appointment and the council shall determine who their representatives shall be.

When the mayor has the authority to make direct appointments to a regional committee, discussion shall take place with the full council to determine interest. The councilmember receiving a majority vote will represent the city. The mayor may also be chosen to represent the city on regional committees.

Changes in representation to regional or local organizations, committees or task forces where the council has the authority to make direct appointment shall also be determined through full council discussion and majority vote of the council.

Commenting while representing the council.

If a councilmember appears on behalf of the city before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the councilmember shall state the majority position of the council, if known, on such issue. Personal opinions and comments which differ from the council majority may be expressed if the councilmember clarifies that their statements represent their personal position and do not represent the council's position.

Councilmembers appointed by the council to represent the council's positions on an issue must first acquire concurrence from the council prior to presenting to the media, another governmental agency or community organization.

Council travel arrangements and conference registration.

The city clerk or designee shall be responsible for handling and coordinating all travel arrangements and conference registrations.

Article XVII. Council Committees

Definition and scope of council standing committees.

The standing committees of the council and the scope of their duties are described as follows. The council may amend these committees as they deem necessary. All issues for council meeting agendas shall be reviewed by the appropriate council committee, except those issues identified as approved for council workshops or as council may approve, prior to submitting to the city clerk or designee for scheduling.

- A. Finance Committee. The finance committee exists for the purpose of considering matters that fall under the executive, administrative services, and finance departments, including general administration, records management, human resources, information services, facilities, finance and accounting, parks planning, and city prosecution; provided, however, that all significant financial issues, including budget amendments, shall be considered at a council workshop rather than in the finance committee.
- B. Public Safety Committee (PSC). The public safety committee exists for the purpose of considering matters that fall under the police department or municipal court, as well as fire-related matters brought forward by East Pierce Fire and Rescue.

- C. Community Development Committee (CDC). The community development committee exists for the purpose of considering matters that fall under the public services department, including but not limited to streets, stormwater, water, sewer, parks maintenance, planning, zoning, building, annexation, and other development regulations.
- D. Voucher Review Committee. The purpose of the voucher review committee is to assist the auditing officer in assuring that claims against the city are just, due and unpaid, and that the goods and services have been received. The committee members may review all accounts payable and payroll and report to the city council as deemed appropriate. The committee need not meet as a body and may conduct individual claim review at a place and time appropriate for the committee member and the auditing officer.

Committee attendance.

Council committee members are to notify the committee chair of planned absences at least 24 hours in advance of the meeting and the chair of the committee may contact the deputy mayor or any other councilmember to serve in their absence.

Composition of the council committees.

Each council committee shall consist of three members appointed by the deputy mayor following consultation with, or caucus of, the councilmembers. The deputy mayor will strive to appoint councilmembers on committees that they have requested to be on. If there are more than three (3) wanting to be on the same committee and no agreed resolution can be made, the deputy mayor will have the final decision. If there has been a change in council membership, committee assignments shall be made by the deputy mayor at the first meeting of the new year after the deputy mayor has been elected. If there has been no change in council membership, said election of the deputy mayor and subsequent committee assignments may be made at the last meeting of the year, provided the results of the election have been certified by that date. ~~Each council committee shall select its own committee chair except that the chair of the finance committee and voucher review committee shall be the deputy mayor.~~

Chairs of committees.

Standing committee chairs should have one (1) years' experience as a councilmember to be eligible as chair. First year councilmembers are suggested to be members on the public safety committee due to the level of commitment.

The community development and public safety committee chairs shall be appointed by the council of the whole. The chair of the finance committee and voucher review committee will be the deputy mayor. The chairs from public safety and community development committees shall also be the remaining members on the finance committee, unless the chairs agree as a whole for another committee member to be the representative.

Duties of council committees.

Standing committees shall be concerned primarily with policy matters. They shall review such matters within their general areas of jurisdiction or as determined by council direction or committee consensus and shall formulate recommendations to the full council for action.

The chair of each standing council committee shall be responsible for setting the agendas for each committee meeting and providing minutes of the meetings to all councilmembers, mayor and appropriate staff.

Required documentation.

The committee chair may require that all issues, prior to scheduling for any council committee agenda, shall include a completed council agenda bill, with required approvals of the mayor and the city attorney when legal review is necessary and all necessary documentation on the issue being reviewed, including budget information if applicable. Whenever possible, any documents requiring legal review and evaluation (ordinances, resolutions, contracts, agreements, any amendments to same, etc.) shall be completed and the city attorney's response and recommendations shall be provided in the council committee or workshop packets prior to being scheduled on those agendas.

Council committee meeting schedules.

The days and times of all committees shall be fixed by resolution and may be amended as necessary by a majority vote of the council, or on a temporary basis by the committee chairperson. The schedule for committee meetings shall be posted on the city's website. All committee meetings are open to the public. Committee meeting cancellations shall be posted on the city website and at the location of the committee meeting.

Committee reports and agendas.

The chair of each council committee shall set committee agendas and provide committee agendas to the council, mayor, city clerk or designee.

The committee chair shall provide a verbal report of the committee meeting at the following regular council meeting if there are any reports to give.

The department directors shall be responsible for securing the required signatures of the appropriate council committee on the designated committee review form by the established deadline for submitting to the city clerk for inclusion on the forthcoming agenda.

Split decision by council committee.

If the decision of the committee is not unanimous, by those committee members present, on any issue presented to them for consideration, the chair of the committee shall request the issue be forwarded to the full council at the next scheduled workshop-council meeting for further discussions and deliberations by the council, or may direct the issue be scheduled for further committee discussions and deliberations.

Ad hoc council committees.

From time to time, the council may, at its discretion, by resolution or motion appoint special council or resident committees to accomplish specific tasks of limited duration. Committee members shall be appointed by the council.

Article XVIII. Public Concerns and Suggestions

Correspondence.

All correspondence received by the council shall be answered in a timely manner. All correspondence or phone calls from residents received by city staff regarding policy or legislative issues shall indicate the date received and which department they were referred to for follow up and response. Copies of the information shall be provided to all councilmembers.

The city clerk or designee is authorized to open and examine all mail or other written communications addressed to the city council. No mail shall be opened which is addressed to the personal attention of any one member of the council.

Requests from residents for council representative contact information.

The council expects the mayor to provide a system of information and responsibility for all requests to the city inquiring about a resident's council representatives.

Determining whether legislative or administrative.

When public concerns or suggestions are brought before the city council, other than for items already on the agenda, the mayor, along with the council, shall first determine whether the issue is legislative or administrative in nature.

If legislative, the council may refer the matter to the appropriate council committee, the administration or the council workshop discussion item section of the council agenda for discussion and recommendation and shall provide the citizen with an approximate response time.

When administrative complaints are made directly to individual councilmembers, the councilmember shall then refer the matter directly to the mayor for action.

The councilmember making the referral shall be informed, in a timely manner, by the mayor of the response and findings regarding the complaint.

Article XIX. Council Vacancies

Vacancy in council seat.

If a council vacancy occurs, the council will follow the procedures outlined in [RCW 35A.12.050](#) and [42.12.070](#). If the council fails to appoint a qualified person to fill a vacancy within 90 days of the occurrence of the vacancy, the authority of the governing body shall cease and the Pierce County council shall appoint a qualified person to fill the vacancy. In order to fill the vacancy with the most qualified person available until an election is held, the council will direct the city clerk to distribute and publish a notice of the vacancy and deadline for applying for the position.

Notice.

The notice of the vacancy shall be widely distributed and published in the city's official newspaper, the city newsletter when possible, on the city website, at the Justice and Municipal Center, and such other places or by such other means as to reasonably provide information to the public, including the procedure and deadline for applying for the position.

Application and interview procedure.

The council during a regular or special council meeting open to the public may interview all or some of the candidates who submit an application by the deadline for the advertised council vacancy. Council applicants will be asked to remain outside the council chambers while other applicants are being interviewed. Applicants will be asked to answer questions submitted to them in advance of the interview and questions posed by each councilmember during the interview process. The councilmembers will ask the same questions of each candidate. Each candidate will be allowed two minutes for closing comments.

Selection of new councilmember.

The council may recess into executive session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy shall be conducted during an open public meeting.

Article XX. Council's Request for Information from Staff

Defined.

The council shall make all requests for information to the city administrator or in the case of city legislative records to the city clerk or designee. Information shall be provided in a timely manner to enable councilmembers to perform their duties and responsibilities more effectively. If the information requested cannot be provided by the city administrator or staff in a timely manner, they shall be advised why and when to expect the requested information. Information of a general council nature will be dispersed to the full council.

Article XXI. Council's Advisory Boards, Agencies and Commissions

Value of service.

Bonney Lake's boards, agencies, commissions, committees and task forces provide an invaluable service to the city. Their advice on a wide variety of subjects aids the councilmembers in their decision making process. Effective public participation is an invaluable tool for local government.

Bonney Lake advisory bodies bring together resident viewpoints which might not otherwise be heard. Persons of wide-ranging interests who want to participate in public service but not compete for public office can be involved in governmental boards, agencies, commissions, committees and task forces. These bodies also serve as a training ground or stepping stone for qualified persons who are interested in seeking public office.

Board, agency, commission and committee minutes and recommendations.

- A. The mayor and staff shall ensure that the council is provided with, in a timely manner, copies of all agendas and minutes for all statutory boards, agencies and city advisory bodies. The mayor and staff shall ensure that copies of all council agendas and minutes shall be provided to each board, agency, and commission by the staff in a timely manner.

All recommendations and final reports to the council from all boards, agencies, commissions and city advisory committees shall be made in person at a regular council meeting by the chair or a duly designated representative of each board, commission or committee, which designee may include the appropriate department head or assigned staff liaison. A copy of the written report or recommendation shall be submitted to the city clerk or designee by the agenda cut-off time, prior to the scheduled meeting, as established in these policies, to allow the council sufficient time to review.

All tasks and issues assigned to each board, commission or city advisory committee by the city council shall be in writing and clearly outline the expectations of the council and approved by a vote of the majority of the council prior to its referral. The mayor shall designate the department tasked with bringing this outline document before the council.

All boards and commissions shall submit to the council an outline of the main scope of work or issues/projects that they will be working to accomplish and make recommendations to the council for the current year. This shall be submitted to the council annually by the board or commission no later than the end of February of each year.

- B. Planning Commission. The planning commission shall hold public hearings, according to the public hearing process as defined in the state statutes or by ordinance in the Bonney Lake Municipal Code and on any other issue deemed necessary for the public's benefit as designated by the city council or on additional issues as defined in the bylaws of the planning commissioners and shall provide the council with a copy of the minutes from the public hearings along with their recommendations as appropriate.

The planning commission shall formally adopt the same code of parliamentary procedures for their meetings as the council for consistency.

The planning commission shall be required to comply with Article XII of these policies pertaining to all votes on motions.

The planning commission shall provide the council with a copy of their required bylaws or policies and procedures and shall also be responsible for providing updated copies as amended.

The council shall hold at least one joint meeting with the planning commission annually, at such times and dates determined by the council in consultation with the commission.

Article XXII. Council Relations with City Staff

Policy guidelines.

There will be mutual respect from both city staff and councilmembers of their respective roles and responsibilities.

City staff shall acknowledge the council as policy makers and councilmembers shall acknowledge staff as administering the council's policies.

Article XXIII. Number of Councilmembers – Duties – Salary – Council Retreats

Number of councilmembers.

The city of Bonney Lake is a non-charter code city under the laws and statutes of the state of Washington and its city council shall consist of seven members, all of whom shall be elected at-large.

Duties.

The duties of councilmembers shall be those prescribed in [Chapters 35A.11](#) and [35A.12 RCW](#) and as otherwise provided by law.

Council retreats.

The council, by majority vote, shall decide each year during the budget process, if they are approving a council retreat for the forthcoming year and will budget accordingly. The council will set the time of year for the retreat, the agenda for what they want to address and accomplish

and will have final approval on the location of the retreat and if needed the selection of the company hired to facilitate the retreat.

Article XXIV. Suspension and Amendment of These Rules

Suspension of these rules.

Any provision of these rules not governed by state law or by the city code may be temporarily suspended by a vote of a majority of the council.

Amendment of council policies.

These rules and policies may be amended or new policies adopted by a majority vote of all members of the council. The council may review its policies and procedures yearly.

Severability.

If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter.