



# CITY OF LAKE FOREST PARK CITY COUNCIL COMMITTEE OF THE WHOLE MEETING

**Monday, May 22, 2023 at 6:00 PM**

**Meeting Location: In Person and Virtual / Zoom  
17425 Ballinger Way NE Lake Forest Park, WA 98155**

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## **INSTRUCTIONS FOR PARTICIPATING IN THIS MEETING VIRTUALLY:**

**Join Zoom Webinar: <https://us06web.zoom.us/j/84308122892>  
Call into Webinar: 253-215-8782 | Webinar ID: 843 0812 2892**

The Committee of the Whole is providing opportunities for public comment by submitting a written comment or by joining the meeting webinar (via computer or phone) or in person to provide oral public comment.

### **HOW TO PARTICIPATE WITH ORAL COMMENTS:**

Sign up here <https://app.waitwhile.com/welcome/comment-sign-up> between 9:00 a.m. and 5:00 p.m. on the day of the meeting to provide Oral Comments during the meeting.

If you are attending the meeting in person, there is a sign in sheet located near the entrance to the Council Chambers. Simply fill the form out and the Deputy Mayor will call your name at the appropriate time. Oral comments are limited to 3:00 minutes per speaker.

If you are attending the meeting via Zoom, in order to address the Committee during the Public Comment section of the agenda, please use the “raise hand” feature at the bottom of the screen. Oral comments are limited to 3:00 minutes per speaker. Individuals wishing to speak to agenda items will be called to speak first in the order they have signed up. The City Clerk will call your name and allow you to speak. Please state your name and whether you are a resident of Lake Forest Park. The meeting is being recorded.

### **HOW TO SUBMIT WRITTEN COMMENTS:**

<https://www.cityoflfp.gov/615/Hybrid-City-Council-Meetings> (use CTRL+CLICK to open this link)

Written comments for public hearings will be submitted to the Committee if received by 5:00 p.m. on the date of the meeting; otherwise, they will be provided to the Committee the next day. Because the City has implemented oral comments, written comments are no longer being read under Citizen Comments.

Meetings are shown on the city’s website and on Comcast channel 21 for subscribers within the Lake Forest Park city limits.

# **AGENDA**

## **1. CALL TO ORDER**

## **2. CITIZEN COMMENTS**

*This portion of the agenda is set aside for the public to address the Council on agenda items or any other topic. The Council may direct staff to follow up on items brought up by the public. **Comments are limited to a three (3) minute time limit.***

## **3. DISCUSSION ITEMS**

**A.** Amendments to the Tree Code related to Tree Permits in Right-of-Ways.

**B.** Continued discussion on Governance Manual

## **4. ADJOURN**

## **FUTURE SCHEDULE**

--Thursday, May 25, 2023 City Council Regular Meeting 7 pm – *hybrid meeting (Zoom and City Hall)*

--Monday, May 29, 2023 City Offices Closed in Observance of Memorial Day

--Thursday, June 8, 2023 City Council Work Session Meeting 6 pm – *hybrid meeting (Zoom and City Hall)*

--Thursday, June 8, 2023 City Council Regular Meeting 7 pm – *hybrid meeting (Zoom and City Hall)*

--Thursday, June 15, 2023 City Council Budget and Finance Committee Meeting 6 pm – *hybrid meeting (Zoom and City Hall)*

--Monday, June 19, 2023 City Offices Closed in Observance of Juneteenth

--Thursday, June 22, 2023 City Council Regular Meeting 7 pm – *hybrid meeting (Zoom and City Hall)*

*Any person requiring a disability accommodation should contact city hall at 206-368-5440 by 4:00 p.m. on the day of the meeting for more information.*

**ORDINANCE NO. XXXX****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, AMENDING CHAPTER 16.14 OF THE LAKE FOREST PARK MUNICIPAL CODE, TREE CANOPY PRESERVATION AND ENHANCEMENT; PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, and;

**WHEREAS**, and;

**WHEREAS**, and;

**WHEREAS**, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act, Chapter 43.21C RCW, pursuant to Chapter 197-11 WAC, and a Determination of Non-Significance ("DNS") was issued on \_\_\_\_\_, 2023; and

**WHEREAS**, in accordance with the requirements set forth in RCW 36.70A.106, the City provided the Washington State Department of Commerce notice of the City's intent to adopt the proposed amendments on \_\_\_\_\_, 2023, and received notice that the Department had granted expedited review on \_\_\_\_\_; and

**WHEREAS**, the City Council held public meetings to amendments to of Chapter 16.14 LFPMC during meetings on April 13, 2023 \_\_\_\_\_, and

**WHEREAS**, the City Council held a public hearing on \_\_\_\_\_, 2023, regarding the proposed ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. AMEND. The City Council of the City of Lake Forest Park hereby amends LFPMC 16.14.030, Definitions, as follows:

**16.14.030 Definitions.**

For the purposes of this chapter, the following terms are defined as follows:

"Administrator" means the planning director or the planning director's designee.

“At-risk tree” means a tree that is exposed to potential damage but can be preserved during the construction process of major or minor development, through strict adherence to recommendations from the city’s qualified arborist.

“Best management practices (BMPs)” means adherence to tree health care standards detailed in the current edition of the American National Standards Institute (ANSI) A300 and the current edition of the International Society of Arboriculture (ISA) BMPs including the special companion publication to the ANSI A300, Best Management Practices for Utility Pruning of Trees.

“Caliper” means the industry standard for measurement of nursery stock size. Caliper is measured six inches above the root collar for nursery stock four inches in diameter and smaller.

“Canopy” means the part of the tree crown composed of leaves and small twigs or the collective branches and foliage of a group of trees’ crowns.

“Canopy coverage” means the area covered by the canopy of trees on the lot. When a tree trunk straddles a property line, 50 percent of the canopy shall be counted towards each property’s canopy coverage. The canopy coverage of the immature trees and newly planted trees is determined using the projected canopy areas in the Lake Forest Park general tree list.

“Critical root zone (CRZ)” means the International Society of Arboriculture (ISA) definition of CRZ as an area equal to one-foot radius from the base of the tree’s trunk for each one inch of the tree’s diameter at 4.5 feet above grade (referred to as diameter at breast height). Example: A 24-inch diameter tree would have a critical root zone radius (CRZ) of 24 feet. The total protection zone, including trunk, would be 50 feet in diameter.

“Crown” means that portion of the tree’s stem that is occupied by branches with live foliage.

“DBH” or “DSH” is an acronym for tree diameter at breast height (or standard height) which means the diameter of existing trees measured 4.5 feet above the ground line on the high side of the tree. For the purposes of code enforcement, if a tree has been removed and only the stump remains, the size of the tree shall be the diameter of the top of the stump adjusted to DBH using published tables or regression curves.

“Dead tree” means a tree with no live crown and no functioning vascular tissue.

“Demolition” means the complete tearing down, razing, or removal of a building or structure. A building is considered demolished even if the foundation remains.

“Dripline” for a tree is delineated by a vertical line extended from the outermost branch tips to the ground, or six-foot radius from the stem of the tree, whichever is greater.

“Environmentally critical areas” or “critical areas” and their buffers are defined in Chapter 16.16 LFPMP.

“Exceptional tree” means a viable tree, which because of its unique combination of size and species, age, location, and health is worthy of long-term retention, as determined by the city’s qualified arborist. To be considered exceptional, a tree must meet the following criteria:

1. The tree must be included in and have a diameter at breast height (DBH) that is equal to or greater than the threshold diameters listed in Table 1;

2. The tree shall exhibit healthful vigor for its age and species;

3. The tree shall not be considered a significant risk in regard to existing utilities and structures as evaluated per the tree risk assessment defined in LFPMP 16.14.080(A)(1);

4. The tree shall have no visual structural defects that cannot be mitigated by one or more measures outlined in the International Society of Arboriculture Best Management Practices; and

5. If retained under current tree growth conditions, the tree can be expected to remain viable with reasonable and prudent management and care.

Table 1: Exceptional Tree Species and Their Threshold Diameters

Species	Threshold Diameter (DBH)
Bigleaf MAPLE – <i>Acer macrophyllum</i>	42 inches
Douglas FIR – <i>Pseudotsuga menziesii</i>	42 inches
Grand FIR – <i>Abies grandis</i>	33 inches
MADRONA – <i>Arbutus menziesii</i>	12 inches
Western HEMLOCK – <i>Tsuga heterophylla</i>	36 inches
Western Red CEDAR – <i>Thuja plicata</i>	42 inches
Western White PINE – <i>Pinus monticola</i>	36 inches

“Forest health emergency” means the introduction of, or an outbreak of, an exotic forest insect or disease that poses an imminent danger of damage to the environment by threatening the survivability of native tree species, as defined in Chapter 76.06 RCW.

“General tree list” means a list of tree species that is maintained by the city and approved by the city’s qualified arborist for planting as replacement trees, as well as tree species that are prohibited from being planted as replacement trees.

“Grove” means a contiguous grouping of trees with overlapping canopies that are 12 inches DBH or greater and that occupy no less than 7,000 square feet or more in size.

“Interior critical root zone (ICRZ)” means an area encircling the base of a tree equal to one-half the diameter of the critical root zone. Disturbance of this area beneath a tree would cause significant impact to the tree, potentially life threatening, and would require maximum post-care treatment to retain the tree.

“Invasive tree” means a tree listed as a weed of concern in Chapter 16-750 WAC, Chapter 17.10 RCW, or by King County in its noxious weed list.

“Landmark tree” means a significant tree that is at least 24 inches in diameter (DBH).

“Limits of disturbance” means the boundary between the area of minimum protection around a tree and the allowable site disturbance as determined by the city’s qualified arborist.

“Major development activity” means subdivision or short subdivision; construction or demolition of single-family, multifamily, or commercial buildings; and alterations, repairs, enlargements or additions that add 1,000 square feet or more of impervious surface coverage.

“Minor development activity” means any activity that requires federal, state, or local approval for the use or modification of land or its resource, except those defined as “major development activity.” These activities include, but are not limited to, additions, enlargements, or alterations to existing structures, construction of retaining walls, fences, driveways, and garages, clearing and grading activity, and activity in the right-of-way that is not exempt from permit requirements.

“Multi-stemmed tree” means a tree that has one stem at ground level but that splits into two or more stems above ground level. Trees whose stems diverge below ground level are considered separate trees. Where a tree splits into several trunks below typical DBH, the DBH for the tree is the square root of the sum of the DBH for each individual stem squared (example with three stems:  $DBH = \text{square root of } [(stem\ 1)^2 + (stem\ 2)^2 + (stem\ 3)^2]$ ).

“Native” means trees and plants native to western Washington. . . .

~~“Off-site replanting” means any one or combination of the following:~~

~~1. The planting of replacement trees pursuant to a permit on a lot different from the lot the tree was removed from, given that all other permit requirements and conditions are met.~~

~~2. The payment of a mitigation fee to the city tree account in an amount equal to replacement cost, as defined by the current edition of the Council of Tree and Landscape Appraisers Guide for Plant Appraisal, for trees not planted on-site. For the purpose of calculation, each 450 square feet of canopy coverage being replaced off-site shall be considered one tree.~~

~~3. For utility forest management plans, a utility-funded, city-approved, tree replacement program that provides monies or vouchers to adjacent property owners or the city to effectuate tree replacement, which may or may not be within the utility corridor or right-of-way.~~

“Off-site replanting” means the planting of replacement trees pursuant to permit requirements and conditions on a lot or right-of-way different from the lot or right-of-way corridor the tree was removed from.

“Off-site replanting, fee-in-lieu” means the payment of a mitigation fee to the city tree account in an amount equal to replacement cost, as defined by the current edition of the Council of Tree and Landscape Appraisers Guide for Plant Appraisal, for off-site replanting. For the purpose of calculation, each 450 square feet of canopy coverage being replaced off-site shall be considered one tree.

“Off-site replanting program” for utility forest management plans means, a utility-funded, city-approved, tree replacement program that provides monies or vouchers to adjacent property owners or the city to effectuate tree replacement, which may or may not be within the utility corridor or right-of-way.

“Person” means an individual, corporation, municipal corporation, association, LLC (limited liability corporation), or any legal entity.

“Proactive forest management plan” means a plan for maintenance, management, preservation and enhancement of trees on a lot or lots that includes a qualified arborist’s approach for maintenance and pruning, tree removal, tree planting and forest enhancement over the course of five or more years.

“Protected tree” means a tree and associated understory vegetation identified for retention and protection on an approved tree protection and replacement plan and/or permanently protected by easement, tract, or covenant restriction. Property owners are responsible for protected trees remaining viable and achieving their 30-year maturity goals, including normal care, maintenance, and pruning. Should a protected tree become diseased to the point that it must be removed or die, the property owner is also responsible for replacing the tree with a tree or trees that will achieve the original canopy coverage for which the protected tree was planted to achieve.

“Risk” in the context of trees is the cross-referencing of the likelihood of a tree failure occurring and the severity of the associated consequences to a target.

“Qualified arborist” is an individual who is a certified professional with academic and field experience that makes them a recognized expert in urban forestry and tree protection during development. A qualified arborist shall be a certified arborist member of-with the International Society of Arboriculture (ISA) and/or thea member of the Association of Consulting Arborists and shall have specific experience with urban tree management in the state of Washington. Additionally the city’s qualified arborist shall be a certified arborist or board certified master arborist, as certified by the International Society of Arboriculture, and be ISA Tree Risk Assessment Qualified and have the necessary training and experience to use and apply the appraisal methodology prescribed in the current edition of the ISA Plant Appraisal Guide.

“Right-of-way corridor (ROW corridor)” means the area within 1000 linear feet on either side of the right-of-way boundary lines where trees in the right-of-way are removed. Where the 1000 feet includes portions of Lake Washington, that waterward portion shall be added to the other side of the ROW corridor so that a corridor width of 2000 linear feet plus the ROW width is established for the length of the project and it only includes upland areas.

“Right-of-way corridor canopy replacement plan” means a plan submitted by the applicant’s qualified arborist including identification of trees for removal and retention, replanting, maintenance, and monitoring.

“Right-of-way corridor project” means a project that is undertaken by a state agency, municipal corporation, quasi-municipal corporation, regional transit authority or other government entity (together “agency”) which will modify transportation or utility infrastructure in a segment of right-of-way that extends beyond the frontage of more than one parcel and will require tree removal within the right-of-way and/or on adjacent private property.

“Significant tree” means a tree six inches or greater in diameter (DBH) or a required replacement tree of any size. Dead trees shall not be considered significant trees.

“Street tree” means any planted tree on public rights-of-way.

“Target” or “risk target” means people, property, or activities that could be injured, damaged, or disrupted by a tree.

“Topping” means the removal of the primary leader or the whole top of a tree.

“Tree” means a self-supporting woody plant characterized by one main trunk or, for certain species, multiple trunks, typically reaching at least 20 feet in height at maturity that is recognized as a tree in the nursery and arboricultural industries.



“Tree removal” means the direct or indirect removal of a tree(s) through actions including, but not limited to: clearing, cutting, girdling, topping, or causing irreversible damage to roots or stems; destroying the structural integrity of trees through improper pruning; poisoning; filling, excavating, grading, or trenching within the dripline that results in the loss of more than 20 percent of the tree’s root system; or the removal through any of these processes of greater than 50 percent of the live crown of the significant tree.

“Tree risk assessment” means the systematic process to identify, analyze, and evaluate tree risk. Tree risk assessment shall be conducted in accordance with the latest version of the ISA Best Management Practices Guide.

“Tree risk assessor” means a qualified arborist who identifies subject tree(s) and site conditions, evaluates and classifies the likelihood of failure, estimates the consequences of tree(s) hitting a target, and determines options for treatment or mitigation. The city of Lake Forest Park requires that tree risk assessors be ISA Tree Risk Assessment Qualified.

“Understory vegetation” means small trees, shrubs, and groundcover plants, growing within the dripline or critical root zone (CRZ) of a significant tree.

“Utility forest management plan” means a proactive plan that is concurrent with a utility’s franchise agreement and right-of-way permit(s) for maintenance and management of trees in a utility corridor, right-of-way, or private property that includes the utility’s qualified arborist’s approach for maintenance and pruning, tree removal and off-site replanting, and a commitment to inventorying emergency tree removals.

“Viable (tree)” means a significant tree that a qualified arborist has determined to be in good health with a low risk of failure, is relatively windfirm if isolated or exposed, is a species that is suitable for its location, and is therefore worthy of long-term retention.

“Wildlife habitat tree” means the remaining trunk of a dead, dying, diseased, or hazard tree that is reduced in height and stripped of all live branches. To be considered as a wildlife habitat tree, the tree must be at least 12 inches DBH and 20 feet tall. The actual wildlife habitat tree height must consider the surrounding targets.

“Windfirm” means a tree that is healthy and well-rooted and the city’s qualified arborist has evaluated and determined that it can withstand normal winter storms in Lake Forest Park.

Section 2. AMEND. The City Council of the City of Lake Forest Park hereby amends LFPMP 16.14.040, Tree removal – Application for permits and post required, as follows:

**16.14.040 Tree removal – Application for permits and posting required.**

A. Permits Required. No person or their representative, directly or indirectly, shall remove or destroy any significant tree located within the city without first obtaining a tree permit in accordance with this chapter, unless exempted by LFPMC 16.14.050.

#### B. Permit Categories.

1. Minor Tree Permit. Unless a major tree permit is required ~~below~~, a minor tree permit application removal may be submitted permitted without arborist review in the following circumstances: ~~The administrator may require review by the city's qualified arborist if the administrator determines that the removal could result in a threat to persons or damage of property.~~

a. When two or fewer significant trees are proposed for removal within any 36-month period, unless the trees are protected trees or are located in an environmentally critical area or buffer; or

b. When any number of invasive trees are proposed for removal, except when those trees are located in an environmentally critical area or buffer; or

c. When any tree(s) explicitly covered by an approved proactive forest management permit is proposed for removal.

This application does not require review by the City's qualified arborist. The administrator may, however, require review by the City's qualified arborist if the administrator determines that the removal could result in a threat to persons or damage of property.

2. Major Tree Permit. ~~A major tree permit is required for tree removal with review by the city's qualified arborist under in~~ the following circumstances:

a. When one or more landmark tree is proposed for removal;

b. When three or more significant trees are proposed for removal within any 36-month period;

c. When any tree proposed for removal is a protected tree or is located in an environmentally critical area or buffer;

d. When any major development activity is proposed;

e. When any minor development activity is proposed within the critical root zone (CRZ) of significant trees; or

f. When trees are proposed for removal on a property on which major development activity has occurred within the last five years.

This application requires review and approval by the City's qualified arborist.

3. Proactive Forest Management Permit. A proactive forest management permit application may be submitted when an applicant proposes permitted after review and approval by the city's qualified arborist when the applicant(s) commit(s) to forest enhancement on their lot(s) over the course of five or more years. This application requires review and approval by the City's qualified arborist.

4. Utility Forest Management Permit. A utility forest management permit application may be submitted permitted after review and approval by the city's qualified arborist when a utility provider and their qualified arborist proposes commits to collaborate give efforts toward improved viability of the city's urban forest in tandem with necessary tree maintenance and management. This application requires review and approval by the City's qualified arborist.

5. Right-of-way Tree Permit. A right-of-way tree permit application may be submitted if the applicant proposes removal of tree(s) in the right-of-way, but does not meet the definition of a right-of-way corridor project permit. This application requires review and approval by the City's qualified arborist.

6. Right-of-way Corridor Project Permit. A right-of-way corridor project permit may be submitted for a project undertaken by an agency that will modify transportation or utility infrastructure in a segment of right-of-way that extends beyond the frontage of more than one parcel and will require tree removal within the right-of-way and/or on adjacent private property. This application requires review and approval by the City's qualified arborist.

### C. Application Requirements.

1. All tree removal permit applications, except utility forest management permits, shall include the completed permit application supplemented by a general site plan showing:

- a. The name, address, email, and phone number of the applicant and owner of the property;
- b. The locations of tree(s) to be removed;
- c. Nearby structures and streets;
- d. Locations of other significant trees surrounding the tree(s) to be removed;
- e. Locations of critical areas or buffers;
- f. A tree replacement plan if required by LFPMC 16.14.090; and

g. Authorization for the city's qualified arborist to access the site for the purpose of evaluating [permit compliance and](#) the viability of replacement trees.

2. Major tree permits and proactive forest management permit applications shall include the following:

a. A site map (to scale) with a north arrow depicting accurate location of site features including buildings, driveways, environmentally critical areas and buffers, forest groves or open-grown single or clusters of significant trees; the CRZ [and ICRZ](#) of the grove, cluster, or individual tree, along with any off-site trees that may be impacted by tree removal, excavation, grading, or other development activity proposed; and

b. A tree inventory and assessment report prepared by a qualified arborist that includes at a minimum: trees to be removed and protected (including CRZ [and ICRZ](#)), trees in the vicinity of construction or that could be impacted by the proposed development activity, tree protection fence location, timeline for tree protection activities, list of protection measures and conditions to be taken during all development activities to ensure code compliance during development activities; and

c. A report including, at a minimum, information on tree species, diameter at breast height, condition (health), risk level, existing and proposed canopy coverage, and when applicable, design of a land use proposal that prioritizes healthy trees in accord with LFPMP 16.14.070(D)(3).

3. Proactive forest management permit applications shall also include the following:

a. A proactive forest management plan proposal that meets the definition in LFPMP 16.14.030; and

b. A timeline for tree-related activity, including tree removal, replacement, and maintenance.

4. Utility forest management permit applications shall include the following:

a. A utility forest management plan proposal that meets the definition in LFPMP 16.14.030; and

b. A timeline for tree-related activity, including notification periods that enable city participation in tree removal choices through comment by the city's qualified arborist; and

c. Map(s) indicating the utility corridor(s), right(s)-of-way, or private property where proposed tree maintenance and management activity will occur; and

d. Maintenance and removal practices that reflect the need for continuity of utility service, and public health and safety concerns based on the specific utility facilities.

5. Right-of-way tree permit applications shall include the following:

a. A site plan shall including the surveyed location of tree(s) proposed for removal in relationship to property lines adjacent to the right-of-way;

b. Authorization from all lot owners where a tree, or portion thereof, is proposed for removal;

c. A Canopy coverage study describing the projected canopy lost from the project; and

d. A replacement plan that provides for at least one tree replacing each tree removed, to provide canopy coverage equal to or greater than the tree(s) being removed.

6. Right-of-way corridor project permit applications shall include the following:

a. An explanations of the purposes and goals of the project including a discussion of how the design prioritized healthy trees in accord with LFPMC 16.14.070(D)(3) and discussion of why lower impact design approaches to accomplish the project purposes and goals are not feasible.

b. A timeline for tree-related activity including tree removal, replacement, maintenance, and monitoring.

c. A Canopy coverage study of the projected canopy lost from the project.

d. A maintenance, monitoring, and watering plan for At-risk trees including replacement if an At-risk tree fails.

e. A -Right-of-way corridor canopy replacement plan to mitigate all the tree canopy lost from the project. The plan must identify all trees in the ROW corridor to be removed and to be retained that are considered At-risk or within the limits of disturbance. The plan must include a 3-year maintenance and monitoring plan for replanted trees that includes replacement of trees that fail within the monitoring period. The plan shall demonstrate that all reasonable efforts have been made to replace lost canopy by using the following prioritization of replanting locations:

(i) Replanting in the ROW corridor where feasible. "Feasible" as used LFPMC 16.14.040 means the applicant has or will obtain the private property owner's permission, or in the case of ROW, the City's permission, to replant in a location with conditions conducive to growth of a viable tree.

(ii) Replanting, where feasible, in preferred off-site replanting areas identified in the ROW corridor permit Off-site Replanting Guide dated \_\_\_\_\_, 2023.

(iii) Replanting, where feasible in other locations within the City limits.

(iv) When it can be demonstrated that some portion of the canopy replacement is not feasible by implementing priorities (i), (ii), or (iii), the applicant shall pay a fee-in-lieu of off-site replanting for the remaining lost canopy coverage associated with the ROW corridor project.

f. Map(s) depicting the right(s)-of-way and private properties affected by the project and all significant trees (including CRZ and ICRZ) within the limits of disturbance associated with the project. Maps shall also depict significant trees (including CRZ and ICRZ) within the limits of the disturbance. Maps shall also clearly indicate whether trees are proposed for removal or retention.

g. Plan for trenching, construction, or an alteration of grades between the critical root zone (CRZ) and the interior critical root zone (ICRZ) of a protected tree; provided, that the tree protection plan approved by the city's qualified arborist demonstrates that the proposed activity will not adversely affect the long-term viability of the tree.

7. For all tree removal permit applications, ~~T~~the applicant shall pay the fee established in the city fee schedule. An applicant shall be responsible for all costs associated with the employment of qualified arborists and any review conducted by city employees or city-retained consultants. The administrator may require a deposit to pay for city expenses related to review of the application or inspection after permit approval.

Section 3. AMEND. The City Council of the City of Lake Forest Park hereby amends LFPMC 16.14.070, Tree permit approval criteria and conditions, as follows:

### **16.14.070 Tree permit approval criteria and conditions.**

The following are criteria by which ~~minor~~ tree permits in LFPMC 16.14.040, ~~major tree permits, proactive forest management permits, and utility forest management permits~~ are approved, conditioned, or denied.

1 . . .

2 D. Major Tree Permits. A major tree permit shall be granted if the application satisfies or  
3 approval is conditioned to satisfy the following:

4 1. When the proposed tree removal is not associated with major development  
5 activity, trees may be removed if a tree replacement plan is approved that, at a  
6 minimum, does the lesser of the following:

7 a. Maintains the canopy coverage at or above the applicable canopy  
8 coverage goal; or

9 b. Maintains canopy coverage at or above the percentage existing prior to  
10 tree removal.

11 2. When the proposed tree removal is associated with major development  
12 activity, the trees may be removed if a tree replacement plan is approved that, at  
13 a minimum, brings canopy coverage to the applicable canopy coverage goal.

14 3. Development proposals associated with a tree permit shall:

15 a. Incorporate trees as a site amenity and reflect a strong emphasis on  
16 tree protection.

17 b. Demonstrate the following prioritized factors for retention:

18 i. Existing viable trees in groups or groves;

19 ii. Exceptional trees or other high quality open-grown, windfirm  
20 trees;

21 iii. Landmark trees;

22 iv. Trees in critical area buffers, or adjacent to critical area buffers;

23 v. Trees that are interdependent with and therefore critical to the  
24 integrity of groves of other protected trees;

25 vi. Other individual trees that will be windfirm, high quality trees if  
26 retained;

27 vii. Other trees that provide wildlife or riparian habitat, screening,  
28 buffering or other amenities;

29 viii. Trees that help to protect neighbors' trees from windthrow, or  
30 other trees within required yard setbacks or on the perimeter; and



ix. Trees next to parks or other open space areas.

c. Retain a forested look, value, and function after development or modification. Trees should be protected within vegetated islands and groves rather than as individual, isolated trees scattered throughout the site.

d. Consider tree protection opportunities in the design and location of building footprints, parking areas, roadways, utility corridors and other structures.

e. Provide grading plans that accommodate existing trees and avoid alteration to grades around existing significant trees.

4. Conditions necessary to safeguard trees identified for protection.

5. A notice on title, in the form required by LFPMC 16.16.190, shall be recorded by the applicant disclosing the permit and associated tree retention conditions as required by this chapter. A notice on title is required for all major permits associated with major development activity, and for major permits which would cause the property's canopy coverage to fall below the canopy coverage goal.

6. Conditions required by the city's qualified arborist to safeguard at-risk trees throughout the development process.

7. Conditions that require sidewalks, structures, utilities, and roadways to be set back at least five feet from the CRZ, except where such structure is cantilevered or otherwise raised above the ground's surface so as not to disrupt the tree's roots, and the proposed construction is not likely to result in conflicts between the tree and the sidewalk, driveway, structure, or utility that would necessitate the tree's removal during its normal lifespan.

8. Conditions to allow trenching, construction, or an alteration of grades between ~~the five-foot setback from~~ the critical root zone (CRZ) and the interior critical root zone (ICRZ) of a protected tree; provided, that the tree protection plan approved by the city's qualified arborist demonstrates that the proposed activity will not adversely affect the long-term viability of the tree.

...

G. Right-of-way Tree Permits. A right-of-way tree permit shall be granted if the application proposes, or is conditioned such that at least one tree is replanted for each tree removed to provide canopy coverage equal to or greater than the tree(s) being removed, and one of the follow circumstances apply:-

1. The tree(s) is causing obvious physical damage to structures, utilities or other infrastructure, such as building foundations, public sidewalks, roadways, or



1 utilities, and the city's qualified arborist has determined that mitigation action,  
 2 such as pruning would be not be feasible to minimize further damage; or

3 2. The tree(s) is in such a condition of poor health or poor vigor that removal is  
 4 justified; or

5 3. The tree(s) is an invasive species, as verified by the city's qualified arborists;  
 6 or

7 4. The tree(s) cannot be successfully retained, due to unavoidable conflict with  
 8 public or private construction or development conflict.

9 H. Right-of-way Corridor Project Permits. A right-of-way corridor project permit shall be  
 10 granted if the application proposes, or is conditioned, to satisfies the following:

11 1. The right-of-way corridor design proposal adequately addresses why the  
 12 project is designed as proposed rather than an alternative with less impact on  
 13 tree preservation; and

14 2. All application requirements in LFPMC 16.14.040.C.5 are adequately  
 15 addressed; and

16 3. The approved ROW corridor replacement plan will result in the replacement of  
 17 the canopy coverage lost due to the tree removal associated with the project, and  
 18 includes all items as required for a ROW corridor replacement plan in LFPMC  
 19 16.14.040(C)(6)(d); and

20 4. The application addresses trenching, construction, or an alteration of grades  
 21 between the critical root zone (CRZ) and the interior critical root zone (ICRZ) of a  
 22 protected tree; provided, that the tree protection plan approved by the city's  
 23 qualified arborist demonstrates that the proposed activity will not adversely affect  
 24 the long-term viability of the tree.

25 5. A maintenance, monitoring, and watering plan for At-risk trees, including  
 26 replacement if an At-risk tree fails, is included.

27 IG. Notice of Decision. The approved tree permit must be posted on the subject site in  
 28 the same manner described in LFPMC 16.14.040(D)(1) and on the same day the permit  
 29 is issued. For major tree permits, removal may commence 15 days after the issuance of  
 30 the approved tree permit. For minor tree permits, removal may commence immediately  
 31 upon posting of the approved tree permit. The tree permit shall remain posted at least  
 32 one week (seven calendar days) after the approved activity has been completed.

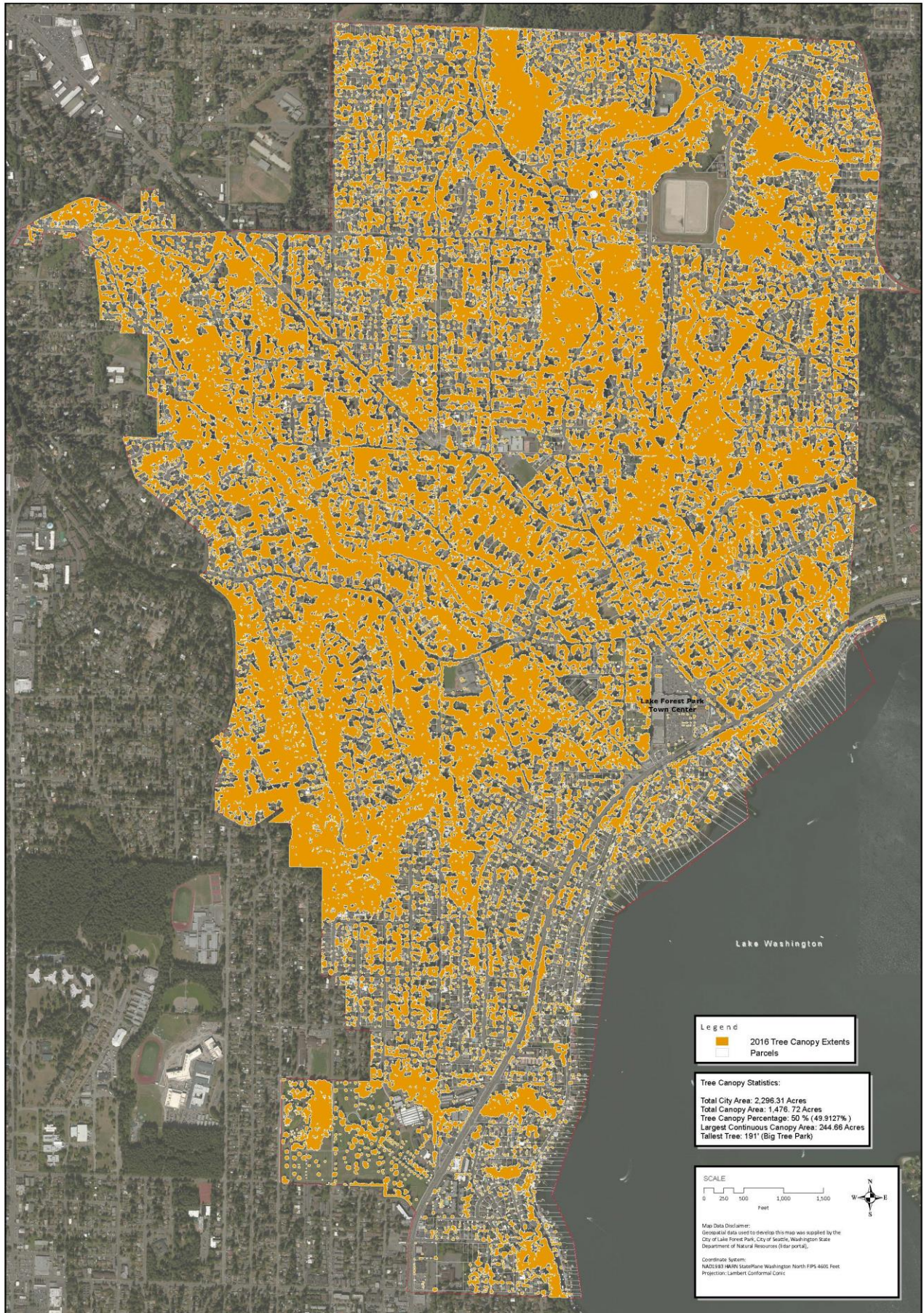
33 JH. Appeals. Appeals of tree permit decisions shall be processed under  
 34 Chapter 16.26 LFPMC as appeals of ministerial administrative decisions. Appeals must  
 35 be filed within 14 days following the notice of decision pursuant to LFPMC 16.26.055.

1 K. Minor amendments to an approved tree removal permit may be made with written  
2 approval of the administrator and the city's qualified arborist. Major amendments that  
3 substantively amend the number of trees to be removed, increase impacts on retained  
4 trees, or change conditions imposed within the permit must be noticed pursuant to this  
5 section prior to written approval of the major amendment.

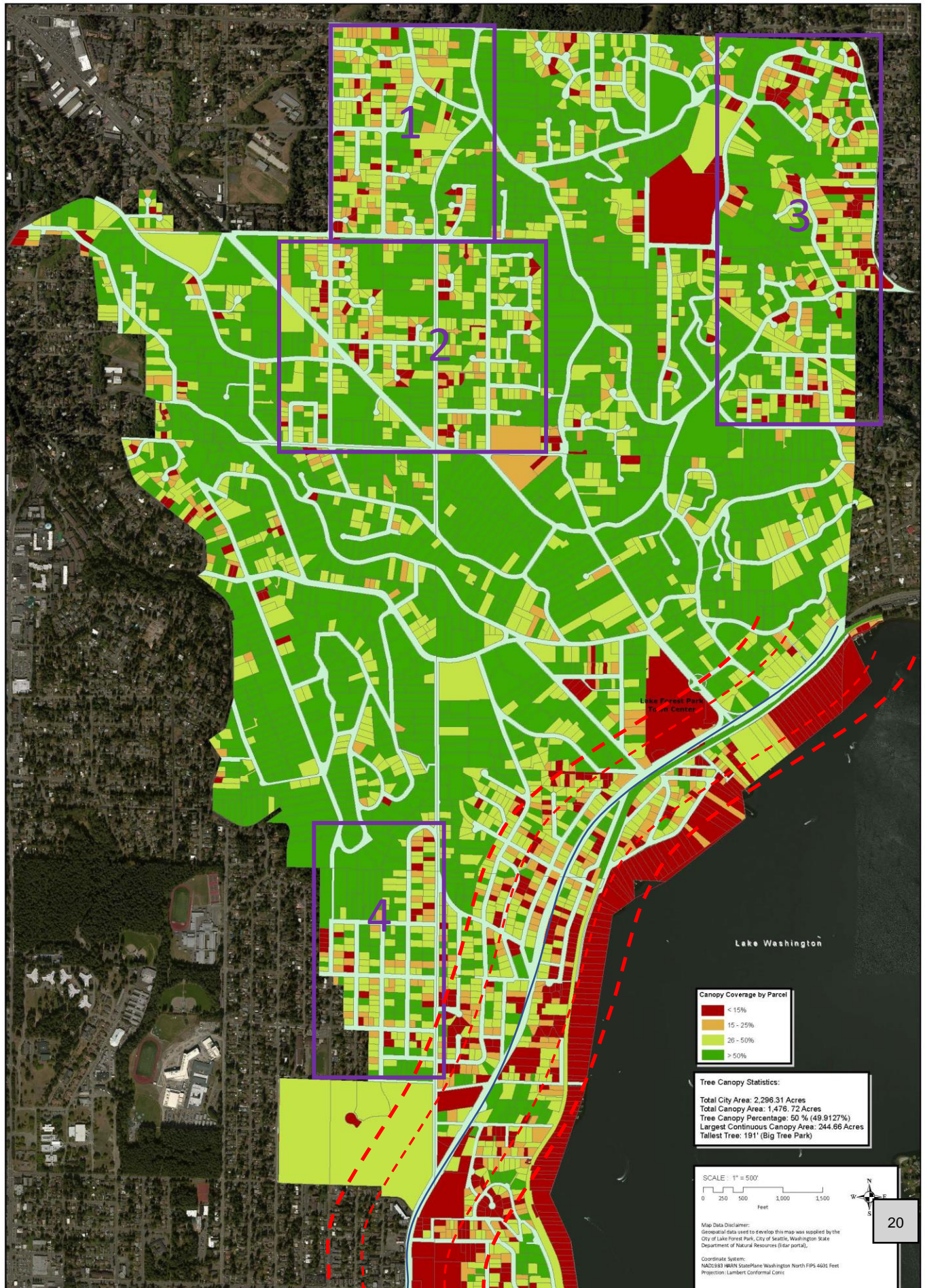
6 L. Tree removal permits expire six months (180 days) after the date the permit is  
7 issued, unless the city's qualified arborist has approved a proactive forest management  
8 permit, utilities forest management permit or the administrator grants one extension of  
9 up to six months when the applicant provides a written request prior to expiration that  
10 includes a reasonable justification for the extension, such as a financial hardship,  
11 hardship in obtaining replacement trees, or weather-related factors that prevent the  
12 applicant from completing the requirements of the permit.

13













# City of Lake Forest Park

## Governance Manual

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**Introduction:**

The purpose of this Governance Manual is to provide structure and guidance to the city council and administration and transparency to the citizens. The manual identifies the duties and roles played by elected council members, senior administrators, and citizen volunteers. The manual sets the expectations for civil conduct and clarifies the rules for council meetings.

The Governance Manual should be reviewed regularly and updated to adapt to changing circumstances.

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**Article 1: PRINCIPLES OF GOVERNMENT**

**1.1 Form of Government**

The City of Lake Forest Park was incorporated in 1961 and operates as a non-charter code city with a Mayor-Council form of government. The Mayor and seven City Councilmembers are non-partisan elected officials who serve four-year terms. Municipal elections are held in November of odd-numbered years and terms are staggered so that ~~no more than~~ four positions are up for election every two years.

Commented [LG1]: ignoring cases where a position becomes vacant, exactly 4 mayor/council positions are elected every 2 years

**1.2 Legislative Branch**

The City Council is the legislative body of the City. It enacts laws and regulations, establishes policy direction for the City, establishes tax and fee rates, adopts an Annual Budget, and approves payments of all City moneys.

**1.3 Executive Branch**

The Mayor is the chief executive and administrative officer and ceremonial head of the City. The Mayor is in charge of all departments and employees and has authority to designate assistants and department heads.

**1.4 Judicial Branch**

Lake Forest Park has its own Municipal Court, which is organized under ~~Revised Code of Washington (RCW) 3.50~~ Revised Code of Washington (RCW) 3.50 as a limited jurisdiction court to hear misdemeanor crimes and civil infractions committed within its geographical boundaries. The Presiding Judge is appointed by the Mayor and confirmed by the City Council for a four-year term.

**1.5 Guiding Principles-**

Guiding principles establish the values that Lake Forest Park elected officials, employees, and volunteers embody.

**A. Collaboration-**

We achieve greater results through collaborative engagement of each other and the communities around us.

**B. Equity**

Our actions provide all people with access to a good quality of life.

**C. Accountability-**

We are committed to addressing the concerns and priorities of Lake Forest Park through transparent community engagement, decisions and actions.

**D. Stewardship-**

We are effective, efficient, financially prudent and innovative stewards of the public's resources, and strive to achieve sustainable results through continuous improvement.

**E. Integrity\_**

We uphold the high standards, skills, competencies, and integrity of our professions in doing the work of City government.





## **Article 2: LEGISLATIVE BRANCH**

### **2.1 Organization of City Council**

The Council shall, biennially in even years, elect a Chair and Vice Chair of the Council at its first regular Council meeting of the year.

### **2.2 Duties of the Council Chair**

The Council Chair shall coordinate the business of the Council and is the primary liaison for the Council with the Mayor and City Administrator. -The Chair's duties include, but are not limited to:

- A. Meet regularly with the Mayor and the City Administrator to review and approve Council agendas;
- B. Represent the Council at the Quarterly Commission Chairs meetings;
- C. Coordinate reporting on achievement of the Council's work plan;-
- D. Serve as the Deputy Mayor and preside over meetings of the Council at which the Mayor is not present (~~RCW 35A.12.110~~RCW 35A.12.110~~RCW 35A.12.110~~); and
- E. Act as City's ceremonial head in the Mayor's absence.

### **2.3 The Council Chair May Embody Other Leadership Roles**

By consensus of its members, the City Council may assign other roles and duties to the Council Chair pursuant to the authority granted to the Council in ~~RCW 35A.12.120~~ RCW 35A.12.120 for the conduct of Council business. In doing so, the City Council is providing for its own efficiency and is not delegating or ceding its corporate legislative authority to the Chair of the Council.

### **2.4 Duties of the Vice Chair-**

The Vice Chair shall exercise the duties, powers and prerogatives of the Council Chair in the event of the Chair's absence.-

### **2.5 Service on Regional Bodies-**

The Council designates by motion the individual(s) to serve in liaison roles based on the desire, qualifications and skills of those interested. ~~Council leadership will endeavor to reach out to Councilmembers to gauge interest in serving on regional bodies. Councilmembers and the Mayor may make interest in being a representative known prior to the time the representative is considered, and are eligible to be selected. Council leadership will endeavor to reach out to Councilmembers to gauge interest in serving on regional bodies. Encouraged~~Councilmembers and the Mayor are encouraged to reach out to Council leadership to express interest in serving on regional bodies. ~~See~~

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[xxx] for a list of selected regional bodies.

**Commented [PMK2]:** We should decide if the council takes a more active role in recommending members for regional committees

**Commented [LG3]:** Making it more clear that serving on regional bodies / commissions is by mutual agreement rather than top down. Where might be a good place to link a list of potential regional bodies such as NUHSA, PSRC, SCA, Seashore, etc?

**Commented [LG4]:** Making it more clear that serving on regional bodies / commissions is by mutual agreement rather than top down. Where might be a good place to link a list of potential regional bodies such as NUHSA, PSRC, SCA, Seashore, etc?

## **2.6 Council Commissions Liaisons**

The Council designates, by motion, members to serve as liaisons to each of the Commissions.

**Functioning of City Council**

**Article 3: FUNCTIONING OF CITY COUNCIL**

**3.1 Importance of Open Public Meetings**

Open and transparent governance is critical. ~~The City and the citizen-commissions~~ shall comply with the Open Public Meetings Act under Washington law ~~(RCW 42.30).~~(RCW 42.30).~~(RCW 42.30).~~

**Commented [LG5]:** It seems to me that a section that starts with "importance" should be more than 1 sentence. I suggest adding an intro sentence about the importance of public meetings.

**3.2 Representatives of the City Act in Accordance with City Policies**

It is a duty of City Councilmembers, the Mayor and City staff who represent the City to advocate positions that are consistent with the City Council's adopted or approved policies, projects, and plans. Should the circumstance occur in which a staff member is in a position of leadership in a professional association, the staff member shall make it clear as to which entity (the City or the professional association) is being represented. ~~As well, in the rare occasion the~~On occasions that an elected official is expressing the official's personal interest or that of another organization, the identity of the interest ~~being expressed~~ shall be made clear.

**Commented [LG6]:** It doesn't seem all that rare that 1 of us comments as an individual rather than as a whole council, for example letters to Sound Transit.

**3.3 Council is Mindful of Limited Resources**

Council expense reimbursement is limited by policy to budget and requires receipts. An annual Council Budget is determined each year during the Budget process.

**3.4 Council Authorizes Certain Grant Applications Before Submittal**

The Administration is authorized to submit grant applications that align with the goals and priorities of the City and adopted policy. ~~If a grant would require material matching dollars affecting current budget, impact policy, or require conditions inconsistent with current operations, the Administration will seek Council approval prior to applying.~~The Council may also initiate the process of pursuing a grant.

**3.5 Citizen-Volunteers Play an Important Role**

~~For citizen~~The Mayor will propose appointments to advisory committees, boards, and commissions.  
~~the Mayor is the appointing authority and the~~The Council is the confirming authority  
~~may~~The Mayor will propose appointments to advisory committees, boards, and commissions. The Council may then interview and choose to confirm those appointees.

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- Commented [LG7]:** Making the language a bit more clear
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- Commented [LG8]:** writing it down that we shouldn't be texting during a council meeting.
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**3.6 Cell phones**

Cell phones are allowed in the Council Chambers when they are on silent or meeting mode. ~~Cell phone calls will be answered outside the Council Chambers during~~meetings. ~~In order to avoid the appearance of private discussions, City staff and elected officials~~shall refrain from using cell phones during public meetings.

**3.7 Council E-mail Policy.**

E-mail viewed by four or more Councilmembers is not an appropriate venue for

discussions of policy. -Any e-mails, whether from a member of the Council or from City staff, that are to be viewed by at least four Councilmembers shall include a copy to the City Clerk so that they may be included as part of the City's official record. ~~—~~

Councilmembers shall not reply to all other Councilmembers or a quorum of the Council by e-mail to discuss policy; and, in no case, shall Councilmembers make decisions by-  
~~e-mail.~~  
e-mail.

**Council Meetings**



## **Article 4: COUNCIL MEETINGS**

The Council is required to act as a corporate body in a very transparent manner. -All Council and Committee meetings are open to the public and have established rules for notification and process.

### **4.1 The “Three-Touch” Rule**

Decision makers and ~~citizens~~residents of the City should have adequate time to thoughtfully consider the issues prior to final decisions. -It is the intent of the Council that the Council and Administration should abide by the “Three-Touch Rule” whenever possible (unless an exception applies). -The following procedural guidelines are designed to avoid “surprises” to the Council, Administration and ~~citizens~~the public.

Any pending request or proposal for adopting or changing public policy, ordinances, resolutions or directives which will require a decision of the City Council or Administration should normally “touch” (oral, written or any combination thereof) the decision makers at least three separate times. -Quasijudicial matters and any subject discussed in Executive Sessions are excluded from application of the “Three-Touch Rule.” Touches may generally include city council meetings, work sessions, and committees of the whole.

**Commented [LG9]:** clarifying what generally counts as a “touch”

It is recognized that the hands of decision makers should not be tied unnecessarily. -Unexpected circumstances may arise wherein observance of the “Three-Touch Rule” is impractical- or unnecessary, for example for noncontroversial or time sensitive matters. However, when unusual circumstances arise which justify a “first discussion” decision, the persons requesting the expedited decision should also explain the timing need. -The “Three-Touch Rule” excludes staff reports and other general communications not requiring a future Council decision.-

**Commented [LG10]:** specifying the most common cases where we waive the 3 touch rule

### **4.2 City Staff – Attendance at Meetings**

Attendance at meetings by City staff shall be at the discretion of the Mayor. -It is the intent of the Council that the Mayor schedule adequate administrative support for the business at hand, while protecting the productive capability of department heads. -When sound system or other monitoring capabilities exist, the City Administrator may allow personnel to utilize time in their offices or other areas while waiting for the item of business for which appearance before the Council is required. It is expected that business items at council meetings will be presented by a relevant staff member who will present the topic and take questions from the Council. Staff is encouraged to use visual tools when appropriate to present material in a clear fashion.

**Commented [LG11]:** clarifying the expectation that staff will present to the council at meetings. Merging section 4.3 in (other sections will need to be renumbered)

### **Administrative Presentations and Briefings**

In order to enhance public understanding of complex issues being presented, City Administration is encouraged to include the use of visual communication tools whenever possible.

**Commented [PMK12]:** Add regular briefings from Department heads?

### **4.3 — Administrative Presentations and Briefings**

Lake Forest Park City Council Governance Manual  
Updated April 28, 2016

~~In order to enhance public understanding of complex issues being presented, City Administration is encouraged to include the use of visual communication tools whenever possible.~~

#### **4.44.3 Special Council Meetings**

Special meetings shall be called as provided in the Open Public Meetings Act and as otherwise required by RCW. -Special meetings will be strictly limited to time-sensitive matters that cannot be accommodated within regular business meetings or work/study.

sessions. The notice of a special meeting shall identify the agenda item(s).- The notice of meeting shall suffice as the meeting's agenda.

4.54.4 Public Notice

Notice of all meetings and hearings shall be provided as required by the Open Public Meetings Act and as otherwise required by the RCW and Lake Forest Park Municipal Code (LFPMC). -Notice of regular, special and study session meetings, along with draft agendas, shall be posted on City bulletin boards designated for public notice, any public library located in the City, Third Place Commons and the City website.-

4.6 — 4.5 Use of Recycled Products

~~Material provided to the Council shall meet the City requirements for recycled content. The Council will be provided a container for recycling waste in the Council Chambers.~~

Remote Attendance at Council Meetings.

4.7 Remote Participation

~~Meetings will generally be hybrid electronic / in-person meetings for the benefit of the Council, city staff, and the public. A Councilmember may participate and vote telephonically or via other electronic means in all or part of a regular or special council meeting if the following conditions are met:~~

From time to time, a Councilmember may not be able to be physically present at a Council meeting but will want to be involved in the discussion and/or decision of all items on the agenda or only on particular agenda items. The procedure and guidelines for permitting a Councilmember to attend a Council meeting by speakerphone or audio/video equipment are as follows.

Absent extraordinary circumstances such as an emergency remote attendance should be the rare exception, not the rule.

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

- a. An emergency exists which prevents Councilmembers from attending in person and immediate action is needed.
- b. An agenda item is time sensitive and remote attendance is needed for a quorum.
- c. An agenda item is of very high importance to a Councilmember who cannot be physically present.

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Commented [LG13]: clarifying that councilmembers can participate via Zoom for meetings in general

Commented [PMK14]: Rewrite to include Zoom meetings in emergencies?

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d. It is important for all Councilmembers to be involved in a decision, but one or more Councilmembers are unable to be physically present.

## 2. Procedure and Guidelines Related to Remote Attendance of In Person Council Meetings.

- a. If a Councilmember wishes to participate in Council meeting agenda items remotely, the Councilmember should notify Council of the Councilmember's intent at the Council meeting prior to the meeting which they wish to attend remotely. If that is not possible, the Councilmember should notify the Deputy Mayor or City Clerk not later than the business day prior to the Council meeting which the Councilmember wishes to attend remotely. If the Mayor attends remotely, he or she may participate in discussions, but the Deputy Mayor, if physically present at the Council meeting, shall be the presiding officer.
- b. A Council member may participate in some or all of the Council meeting remotely. When the portion of the Council meeting involving remote attendance is before the Council, the presiding officer shall inform all present of the intent to initiate a remote communication.
- c. The presiding officer shall confirm and announce that all present at the meeting and in the remote location can clearly hear all other parties and (as appropriate) access visual content that may be presented.
- d. With such confirmation, Councilmembers – whether they are physically at the meeting or at a remote location - constituting a majority may approve the use of remote communication for all or any specified portion of the meeting.
- e. Unless the Councilmember is participating remotely for the entire meeting, when the portion of the Council meeting for which remote attendance has been approved has concluded, the presiding officer shall announce the same and the attendance of the Councilmember communicating remotely shall end. The City Clerk shall record the beginning and ending times of the remote attendance.
- f. In the event that a remote communication link is broken or significantly degraded such that it no longer meets the full requirements of this section, the presiding officer shall confirm the loss of service and announce the close of the remote attendance. The attendance of the Councilmember communicating remotely shall end. The City Clerk shall record the time of the closure.

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

4. For purposes of voting, remote attendance at a Council meeting shall be considered equal to being physically present at the meeting. All votes conducted with a Councilmember attending remotely shall be conducted by roll call; provided, however, that when the Council is not meeting in person, for example during an emergency, roll call votes are required only in those instances where necessary to clarify voting in the event of a divided vote and in those instances where a roll call vote would have been required, e.g. ordinances, had the meeting been conducted in person.

~~A. The majority of the Council membership consents and such consent shall not be unreasonably withheld; and~~  
~~The majority of the Council membership consents and such consent shall not be unreasonably withheld; and~~

**4.84.5 Council Meetings Open to the Public**

Council differentiates among five types of public meetings: (1) committee meetings; (2) work/study sessions (and single-issue workshops); (3) business meetings; (4) goal-setting retreats; and (5) public meetings, forums and town halls. -All meetings of the Council and of any Committees thereof shall be open to the public, except as provided for in ~~RCW 42.30.140~~ RCW 42.30.110 or ~~RCW 42.30.140~~ RCW 42.30.140RCW 42.30.140.

**4.94.6 Council Committees**

Council Committees are a part of the governance structure that extends the reach of the Council and makes it effective between meetings. Council Committees are established to inform and educate the Council on existing City programs and issues, to provide an opportunity to explore the implications of policy alternatives as part of the policy development process, and to serve in an advisory capacity to the Council in reviewing policy matters referred to them by the Council, and such other matters as the Council,-

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Commented [PMK15]: Rewrite to add zoom capability

by simple majority vote, may direct. The Committees shall have no power or authority to commit the City or to take any binding action on their part without the express authorization of the Council. The Committees shall be concerned primarily with policy matters and matters vested in the legislative body of the City and shall not become involved in the administration of the City government.-

- A. All Council Committee meetings shall be open to the public and posted at City Hall per the Open Public Meetings Act. -Participation by Councilmembers not named to the Committee, the Mayor, other public officials and the public shall be at the discretion of the Chair of the Committee.
- B. It is the responsibility of the Chair of the Committee to notify the City Clerk of the date, time and place of any Council Committee meeting, and to provide a committee agenda at least seven calendar days prior to committee meeting. The City Clerk will arrange for notice to be conveyed to the public, the Mayor and all Councilmembers.
- C. The Mayor will work with the Chair of each committee to assign staff to support Committee deliberations. -The Chair of each Committee will report on their deliberations and recommendations to the Council after each Committee meeting.
- D. Council may change membership of Committees by majority consent.
- E. The following Council Committees and Committee responsibilities are ~~hereby currently currently hereby~~ established. ~~Others may be established in the future.;~~

Commented [PMK16]: Add recording/website info to all committees?

1. **Council Committee of the Whole:- (COW):** All seven Councilmembers serve on the Committee of the Whole.- The Council Chair shall chair the Committee. The Committee considers policy issues of concern to the entire Council, with the exception of issues of specific concern to other Council Committees that are charged with specific responsibilities, such as the Budget and Finance Committee.\_

~~4. The COW is generally the first touch for new policies that are proposed by councilmembers. If a Councilmember is interested in introducing a policy matter, they should first ensure a second Councilmember supports the policy, then reach out to Council leadership to request time to present the matter at a future COW meeting.~~

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The Committee of the Whole may send legislation and policy issues for final action by the Council during a Council business meeting.

Commented [LG17]: Clarifying what sort of business is at the committee of the whole, as opposed to work sessions. Also clarifying the process from Tom's flow chart.

The Committee is responsible for the Council's annual work program, rules procedures and organization for council operations and city governance, the City's state and federal legislative agenda, complex interdisciplinary issues that are beyond the scope of other policy committees and may host public meetings.-

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- 2. **Budget and Finance Committee:** -Three Councilmembers serve on the Committee.- The Committee is responsible for the review and

recommendations associated with current and projected financial conditions, supplemental budget considerations, finance, reserve and financial operational policies, audits, financial reports, the review and tracking of capital improvement projects, and salary schedules. [The Chair is elected on a bi-annual basis at the Council Organizational meeting.](#)–



The Chair of the committee or his/her designee on the committee will review and recommend approval of checks or warrants drawn on behalf of the City on a bi-weekly basis, or as needed.—except for payroll.

The remaining councilmembers are welcome to attend the Committee, and their input will be solicited and welcomed.—however, they will not be permitted to vote on Budget and Finance Committee related matters, with the exception of consideration of the Mayor's bi-annual budget.

**Commented [LG18]:** Clarifying that the other 4 councilmembers are welcome to attend and contribute to budget committee meetings, just not vote.

The Committee is responsible for reviewing the Mayor's proposed biennial and interim budget and recommending a biennial and interim budget to the Council for consideration.

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For purposes of considering the Mayor's proposed biennial and interim budget and recommending a biennial and interim budget, all seven Councilmembers shall be members of the Committee. The Chair is responsible for notifying the City Clerk of any Committee agenda that will contain consideration of the Mayor's proposed biennial budget or recommendations related to a biennial budget.

- ~~3. **Communications Committee:** Three Councilmembers serve on the Committee. The objective of the Committee is to build a strong dialogue with the public using available and budgeted communication tools and methods. The Committee is responsible for reviewing current communication strategies and recommending revisions or improvements to the Council. This includes, but is not limited to, collaborating with the administration on a city-wide communications plan, writing Council press releases, recommending website improvements, and planning town hall meetings.~~

**Commented [PMK19]:** Delete this?

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### 3. **Legislative Steering Committee**

The Committee is responsible for interfacing with the City's State and Federal legislative delegation as well as the associated lobbyist(s). They will provide timely updates on meetings and interactions with the above.

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**Commented [LG20]:** I wasn't sure if this was an official committee, or just a duty of the chair and vice chair. But I think it should either be here or section 2.2 that there will be a group of councilmembers and staff who create the city's (state/federal) legislative agenda for lobbying. I wasn't sure how to phrase it though.

## 4.7 **Council Work Sessions**

### 4.10

Council work sessions are meetings of the Council at which legislative proposals and proposals relating to city administration, inter-governmental relations, or other city business are studied, discussed and evaluated by the Councilmembers. Work sessions will normally be held in an informal, collegial setting conducive to discussion. Council work sessions are the primary venue for briefings and presentations. —Public comment will not be taken at the work session.

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The key difference between Work Sessions and the Committee of the Whole is that Work Sessions are for policy proposals brought to the council by staff, while the Committee of the Whole is for policy proposals brought to the

council by fellow councilmembers.

Commented [LG21]: This distinction confused me greatly when I first joined.

4.7.1 Schedule of Work Sessions

4.10.1  
Work sessions of the Council of the City of Lake Forest Park shall be held on the second Thursday of each month. ~~January through December of each year immediately before the regular council meeting., January through December of each year.~~ Council work sessions shall be held at 6:00 p.m. at Lake Forest Park City Hall, located at 17425 Ballinger Way NE, Lake Forest Park, Washington, 98155.

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4.10.24.7.2 Work Session Agendas

- A. Work session agendas will include:-
1. Call to Order
  2. Pledge of Allegiance
  3. Adoption of Agenda
  4. Confirmation Review Calendar

- 5. Council Discussion Topics
- 6. Adjourn

**B. Agendas will list the following elements for each Council Discussion Topic:**

- 1. Subject: -The project designation or descriptive name for the item. -The person requesting the item should use the same title in any subsequent business.-
- 2. Identify the Discussion Leader:- The person who will introduce the subject and give the background information; identify the discussion goal; and act as facilitator to keep the discussion focused toward the goal.-
- 3. Activity: -A brief description ~~and time estimate~~ time estimate of the discussion necessary for the Council to speak to the question posed in the "Goal" column.-
- 4. Goal:- The reasonable outcome contemplated, whether a final action, advancement to a future agenda, just a "touch" according to the "Three-Touch Rule," or for general information.-

~~5. Time: Estimated time for presentation and discussion of the item.~~

**C. Board, Commission and Youth Council Engagement**

Boards, Commissions and the Youth Council may request a place on the agenda in advance of the meeting. -The specific date shall be within three work session meetings and coordinated through the agenda preparation and review meeting.

**4.114.8 Regular Business Meetings**

A regular business meeting is a meeting convened on a regular series of dates (and at a time) stated in City ordinance. A regular or special meeting of the Council is primarily for the purpose of voting on the City's business, generally in the form of motions, resolutions or ordinances.-

**4.11.14.8.1 Schedule of Regular Business Meetings**

Regular business meetings of the Council of the City of Lake Forest Park shall be held on the second and fourth Thursdays of each month, January through the second week of December each year. Regular business meetings shall be held at 7:00 p.m. at the City Hall Council Chambers, located at 17425 Ballinger Way N E, Lake Forest Park, Washington, 98155.

**4.11.24.8.2 Public Comment**

A business meeting typically includes public comment for a limited period of time stated in advance on the agenda, during which a member of the public may address the Council on any matter of public concern (whether or not on the agenda) for up to three minutes. -The actual time allowed for individual public comment shall be determined by the presiding officer and stated publicly at the beginning of the public comment period.

- ~~A.~~ Any member of the public wishing to address the Council will fill in the sign-in sheet provided for that purpose. Speakers must be recognized by the chair, come forward to the microphone and identify themselves by name, ~~address, and~~

Commented [LG22]: I don't think it's necessary to try and estimate how many minutes to allot to each topic.

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Commented [LG23]: This is the only place in the document a "youth council" is mentioned. Also, is there a way to replace committees/boards/commissions with a single catch-all term? I recognize that there might be legal differences between a planning "commission" vs a tree "board"

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A. ~~organization, if any,~~ and state the agenda item or topic they are addressing before proceeding. ~~The speaker shall abide by the time limits established for the particular hearing or comment period. The Mayor shall announce this rule at the beginning of any meeting or hearing.~~

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B. ~~Lengthy~~ ~~Written comments should may also be submitted in written form and presented in summary within by emailing the allotted time. The Council encourages written city clerk. These comments will be submitted for consideration on all issues. The distributed~~ ~~Written comments may also be submitted by emailing the city clerk. These comments will be distributed to the whole Council. The~~ City Administration will provide a written summary of all questions asked by citizens. ~~The Mayor is responsible for providing a City response to the questions and will inform the Council of his/her follow-up actions.~~

Commented [LG24]: Clarifying the written comment process. Members of the public are unlikely to read this, so not really necessary to describe what is better as a written comment.

Commented [PMK25]: This is not happening.

#### 4.11.34.8.3 Public Hearings

Public hearings required by State law shall be held before the Council, but legislative action shall not be taken during such a hearing. Public hearings may be scheduled during a regular meeting or a special meeting.

- A. The Chair shall open the hearing and state its subject, explain the rule governing public participation, limit the period for individual comments (3 to 5 minutes, depending on the subject), confirm the duration of the hearing, and, if necessary, arrange for continuation of the hearing. ~~If appropriate, a City representative will provide background information, and then speakers will be recognized by the Chair in order according to the sign-in sheet. The public hearing typically occurs during a publicly noticed portion of a regular or special meeting of Council, where the time of the hearing has been stated in the prior public notice.~~
- B. The Council may request the Administration to respond to any question raised and not answered during the hearing.

Commented [PMK26]: This is not happening either.

#### 4.11.44.8.4 Business Meeting Agendas

Proposed agendas shall state the date, time, and location of the Council meeting. Proposed agendas shall be delivered in electronic format to members of the Council no later than two days before the meeting date. ~~The agenda will be posted at city hall, the Council Chambers and the library by 5:00 p.m. on the Friday preceding the meeting.~~ Updated agendas will be posted by 12:00 noon on the day of the meeting.

- A. Regular Meeting Agendas shall include:
  1. Call to Order: 7:00 p.m.
  2. Pledge of Allegiance
  3. Proclamations
  4. Adoption of Agenda
  5. Public Hearings
  6. ~~Citizen~~PresentationsPresentations
  - 5-7. ~~Citizen~~Public Comment
  - 6-8. Consent Calendar
  - 7-9. Final Confirmation

Commented [LG27]: It's not clear to me whether presentations should generally come before or after public comment. Speaking for myself, I'm not a fan when public comment is pushed to 8pm or later because we have a bunch of presentations and/or confirmation hearings.

Commented [LG28]: Throughout, I have changed the word "citizen" to "resident" or "public". To me, the word "citizen" makes me think of US citizen. But we are interested in what all LFP community members have to say, regardless of their immigration status. I'd like to propose changing "citizen comment" to "public comment"

- ~~8-10.~~ Ordinances and Resolutions for Introduction/Referral
- ~~9-11.~~ Ordinances and Resolutions for Council Discussion
- ~~10-12.~~ Ordinances and Resolutions for Action

- ~~41-13.~~ Council Discussion and Action
- ~~42-14.~~ Council Committee Reports
- ~~43-15.~~ Council/Mayor/City Administrator Reports
- ~~44-16.~~ Other Business
- ~~45-17.~~ Executive Session
- ~~46-18.~~ Adjourn
- ~~47-19.~~ Future Schedule

- B. The Consent Calendar is used for Council action items that do not need further discussion at the Regular Business meeting either because they are routine, such as contract renewal, or have been thoroughly vetted as a function of the Work Session. Councilmembers may request that any item on the Consent Calendar be removed to Council Discussion and Action.
- C. Business items on the agenda shall be annotated with the expected work and action of the Council for that item at that meeting. ~~There shall be a bold notice at the bottom of all agenda pages indicating that the council may take action on items not on the agenda or may take other actions on agenda items that are not annotated, as allowed by Washington State law and in the best interest of the City.~~
- D. ~~Citizen~~Public-Public Comments shall be held at or as close to the beginning of the meeting as possible.~~-11~~
- E. Each agenda item should be annotated with the ~~allotted time and~~ requested Council action.
- F. Executive Sessions will be convened only for purposes allowed by the Open Public Meetings Act. ~~The Mayor may convene Executive Sessions at any time during a Council meeting.~~ The Mayor shall announce the general purpose of the session and the associated RCW reference, its anticipated duration, and if the Council may take action after returning to the regular meeting. The Mayor shall interrupt an Executive Session exceeding its announced duration and notify the public of an extension and its estimated duration. At the conclusion of the Executive Session, the Mayor shall reconvene the Council meeting and resume Council business. ~~No action shall be taken in an Executive Session.~~ Only those staff members whose presence is required for the topic currently under discussion should remain in the Council Chambers during an Executive Session.
- G. Confirmation Review may be placed at any time during the meeting.~~-~~
- H. No less than five copies of proposed ordinances on the agenda shall be available to the public on the public information table before consideration of such ordinances by the Council during the meeting. ~~Every effort shall be made to provide sufficient public copies in anticipation of the interest in specific issues at the meeting.~~ A packet containing all ordinances will also be available electronically through the city's website.

#### 4.11.54.8.5 Councilmember Requested Agenda Items

Members should notify the ~~the Deputy Mayor~~City Clerk by noon on the preceding ~~Friday~~Tuesday of requested agenda items, particularly those requiring final action at the same meeting. The deadline for the updated agenda is ~~9:00 a.m. on the day of the meeting.~~(check with legal team on this.)

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Council's Business Meetings Will Be Efficient and Businesslike

**4.11.64.8.6** The information exchange, review, deliberation, and vetting of issues during the prior Work Session enables Council business meetings to be expeditious. The Presiding Officer's role, especially at the business meeting, is to keep Council business focused and expeditious.

#### **4.11.74.8.7 Inauguration**

Prior to the end of November of odd numbered years, the Council shall set a day and time for the official City inauguration of newly elected officials, which shall occur prior to and apart from the first regular meeting. -The inauguration purpose is a public celebration of community unity and pride in Lake Forest Park with the beginning of a new biennial period in the City's history.

#### **4.11.84.8.8 Organizational Meeting**

At the first regular meeting in January following an election, the Council shall begin the meeting with an organizational agenda as follows:

- A. Adoption of Governance Manual
- B. Election of Council Chair and Vice Chair
- B.
- C. Appointment of Committee Chairs ~~and Vice Chairs~~

Commented [LG29]: Are we expected to adopt the governance manual every 2 years?

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#### **4.124.9 Goal Setting Retreats**

A retreat is generally a Special Meeting called for the purpose of very informal discussion dealing with goals, objectives and guidelines for future activity of the organization. -At a retreat, the Council may, for example, develop goals and objectives for its own organization for the year, consider priorities for the Council work plan, consider priorities and goals for the ~~citizen~~ ~~volunteer~~ ~~volunteer~~ commissions, or set goals for the City.-

These goals should be elements of annual performance evaluations. Although a detailed listing of the City's activity plan for a coming year may result from informal consensus, formal adoption should be made in a regular Council meeting by motion or resolution. -Retreats are open to the public, but participation is limited to Councilmembers and others that are designated by the Council, such as a facilitator.

#### **4.134.10 Public Meetings**

The Council may organize other meetings with the public in various settings outside of City Hall, such as public forums, presentations to community organizations, town halls, and so on. -In such settings, the meeting shall ideally include one or more Councilmembers and one or more members of the Administration.-

#### **4.13.14.10.1 Public Forums-**

When major public policy development warrants, and after adequate preparation of

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issues and alternatives, public forums can be used to help develop a public consensus.

on the issues.- The general procedure would be to provide basic information, to explore alternatives and options and to receive verbal and written public comments.-

4.13.2 Community Forums

**Community Forums**

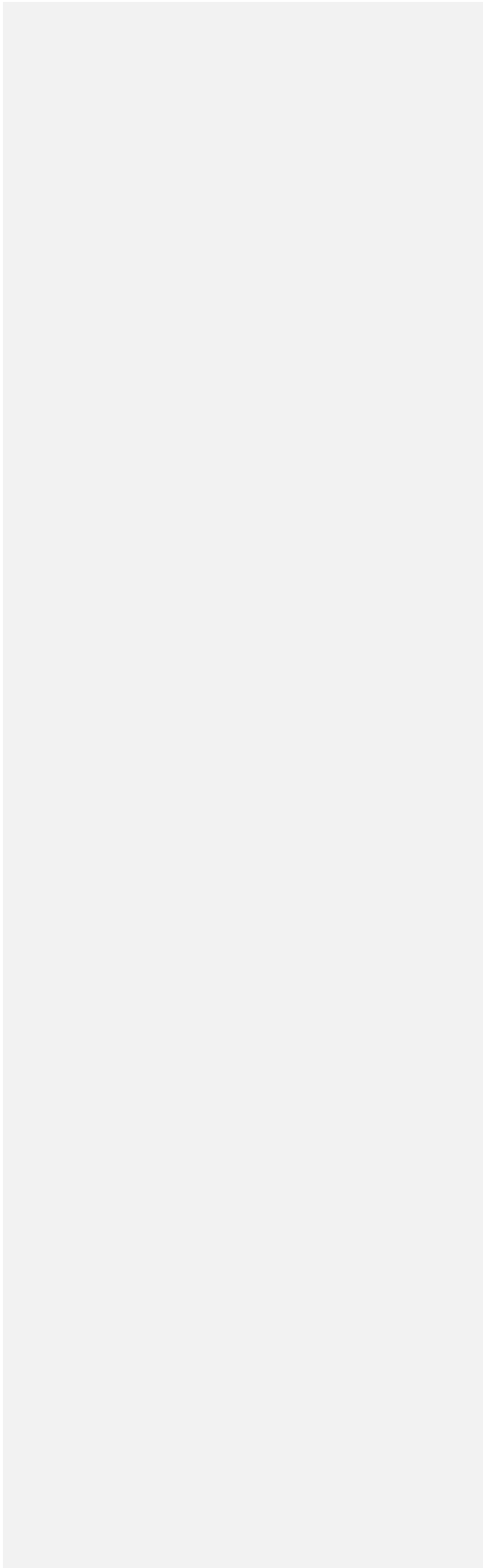
Community Forums are informal public meetings, functions, or events convened to engage residents and stakeholders. -Such meetings are convened as special Council or Committee meetings, where Council attendance is recorded and Council decisions are not typically made. -These meetings typically involve significant collaboration and work effort with the City Administration and as such are jointly planned by the Administration and designated Councilmember(s).

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Commented [LG30]: I don't see a difference between a public forum and a community forum. Seems like these sections can be merged.

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| Council Deliberations



## **Article 5: COUNCIL DELIBERATIONS**

### **5.1 Effective Decision-Making Requires Finality**

Effective decision making results in finality and “moving on,” ~~and as a result, shall limit the prerogative to reconsider a Council decision.~~ ~~The on The~~ The process for reconsideration is such that immediately following a vote, if a Councilmember feels she/he voted incorrectly, she/he may immediately request a revote, stating the reason. - A revote will be taken upon a majority vote to approve by the Council, and such consent shall not be unreasonably withheld. The Council will generally not take another vote on a matter for the sake of prolonging the debate, unless significant events have transpired since the original vote.

**Commented [LG31]:** Clarifying that the council won't keep reopening debate unless there is a compelling reason to reverse a policy

### **5.2 Council Meeting Agendas Are Set by a Team**

Agendas for Council Business Meetings and Work Sessions are routinely developed and refined by the Council Chair (Deputy Mayor), the Mayor, and City Administrator or designee. The agenda-setting team shall review the next three months' meeting topics and coordinate other meetings to ensure staff work and public notices support the Council's work schedule.-

The Administration shall establish a 12-month prospective calendar of agenda items for Council Business Meetings and Work Sessions, which shall be reviewed in the Committee of the Whole quarterly. -Councilmembers should inform the Council Chair with regard to topic requests for upcoming agendas.- The agenda setting team shall make every effort to reasonably accommodate requests in a timely manner.

### **5.3 Council Actions**

Council actions take the form of motions, resolutions and ordinances. -All actions require a motion and a second for discussion and then a majority vote of a quorum of the Council for adoption.

#### **5.3.1 Motion**

Only Councilmembers may discuss a motion pending before the Council. -Others may address the Council only at the request of a Councilmember with the consent of the Council.

An adopted motion is a form of action taken by the Council to direct that a specific course of action be taken or executed on behalf of the municipality. -A motion is similar to a resolution, but is generally oral, much shorter and worded in a more informal manner than a resolution. An adopted motion is the administrative equivalent of a resolution.-

#### **5.3.2 Resolution**

An adopted resolution is a statement of legislative policy or direction concerning matters of special or temporary character. -Council action shall be taken by resolution when

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required by law or in those instances where a written expression of legislative policy that

is lengthier or more meticulously worded than a motion is desired. While resolutions are often just a statement of policy, a resolution may also have the force of law (e.g., a resolution setting permit fees, or a resolution declaring certain City property to be surplus).

5.3.3 Ordinance

An enacted Ordinance is a local law (legislative act) prescribing general rules of conduct. -Council action shall be taken by ordinance when required by law, or where prescribed conduct may be enforced by penalty. An ordinance is a legislative act within the City Council's law-making sphere, similar to the way in which a statute is a legislative act of the State Legislature. -The general guiding principle is that actions relating to subjects of a permanent and general character are usually regarded as legislative and should be addressed through an ordinance, and those providing for subjects of a temporary and special character are regarded as administrative and should be addressed through a resolution.

5.3.4 Motion to “Lay on the Table”

The motion to “lay on the table” shall require that the main motion be brought back to the Council at that meeting immediately after the final action item or immediately after the City Administrator’s report, whichever comes first. -This motion shall not be used to end discussion on an item. -The proper motion to end discussion is to either move the previous question or to move to postpone indefinitely or to a definite time. -In the latter case, the item remains on the agenda for the next meeting.

5.3.5 Reconsideration-Revote

~~Any action of the Council (including without limitation a final action on applications for legislative changes in land use status), shall be subject to a motion to reconsider, except for:~~  
~~A. Any action previously reconsidered;~~  
~~B. Motions to adjourn or motions to suspend the rules; or~~  
~~A. A vote electing to office one that is present and does not decline.~~  
~~C. Immediately following a vote a Councilmember, if he/she feels that he/she has incorrectly voted or that a fellow Councilmember has voted incorrectly, he/she can request a revote if approved by a majority of the Council. Approval is not to be unreasonably withheld.~~

5.3.65.3.5 Reconsideration-Mayor’s Veto

The motion for reconsideration of an ordinance--Ordinance Veto Override--may be placed as the first item on the final action calendar at the next regular meeting or as an action item at a special meeting, following the filing of the Mayor’s veto message. The motion may not be tabled or postponed. The Deputy Mayor will chair the meeting during this agenda item. The Mayor, if present, may have up to three minutes to address the Council. Council discussion on the motion will follow.

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Commented [LG33]: This was already covered in section 5.1



At the conclusion of discussion, if any, the Deputy Mayor shall put the motion to a vote. Councilmembers present shall cast an “aye” or “nay” vote unless they are recused. The vetoed ordinance must receive five affirmative votes to be adopted. Fewer than five votes for the ordinance shall mean that the veto is sustained.

Commented [LG34]: I'm not sure how to reword this, but "the veto is sustained" was not immediately clear to me

### **5.3.75.3.6 Dissents and Protests**

Any Councilmember shall have the right to express dissent from, or protest, orally or in writing, any motion, resolution or ordinance of the Council and have the reason therefore entered or retained in the minutes.-

### **5.3.85.3.7 Comprehensive Plan Amendment**

Such an amendment is a legislative act in which the Council amends all or part of the Comprehensive Plan after the Planning Commission has deliberated, held public hearings and made recommendation(s) to the Council. -The Council likewise holds a public hearing before passage.

### **5.3.95.3.8 Budget Adoption**

The Council adopts or amends the budget document for the City on an annual or biennial basis. -Although the budget is a maximum spending plan, it must be managed by the Mayor and City Administrator to operate within actual revenue received for each fund.-

### **5.3.105.3.9 Capital Facilities Plan (CFP) Adoption or Amendment**

The CFP is a 6-year capital facility and infrastructure development and financing plan that is required by the Growth Management Act, ~~RCW 36.70A.070(3)-RCW 36.70A.070(3)~~. It is required to be kept up to date on an annual basis, and may by law be amended outside the regular Comprehensive Plan update process if the amendment occurs concurrently with the adoption of the City's budget, ~~RCW 36.70A.130(2)(a)(iv)-RCW 36.70A.130(2)(a)(iv)~~. It is done in Lake Forest Park as a companion to the budgeting process and establishes priorities for construction or replacement of capital facilities of the City. A full update is on a two-year cycle that coincides with the mid-biennial budget review. -The biennial budget also includes any project additions or updates as needed, such as new projects for which grants have been received.-

### **5.3.145.3.10 Quasijudicial Ruling**

A quasijudicial ruling is an administrative ruling made by the Council, Hearing Examiner, or Planning Commission wherein the process and facts to be heard and judged are prescribed by regulatory laws or ordinances and, as such, are appealable to a higher authority or court of law. The role of the deciding authority is carried out as a legal duty in the manner prescribed by the facts and applicable laws or regulations. -The deciding authority's role in this regard is separate from the more usual role of legislative preference, and Council and the Planning Commission should be mindful of this role on the limited occasions during which a quasijudicial decision is before it.



### **5.3.125.3.11 Confirmation of City Officials**

The following procedure shall apply to all confirmation proceedings:

- A. The Mayor will make nominations to the Council indicating the name and address of the nominee, commission or position of appointment, term expiration, and position number on the agenda for confirmation review. ~~–~~
- B. At the time of nomination, the Mayor will provide to each Councilmember a copy of the nominee's application and resume, and a letter from the nominee (if any).
- C. The confirmation agenda item at a regular meeting will be divided into two items:
  1. Confirmation Review; and ~~–~~
  2. Final Confirmation Calendar
- D. All nominees shall appear on the agenda for the first time for confirmation review preferably during study sessions. ~~–~~After completion of the review process, final confirmation of the nominee shall be placed on the Consent Calendar for final confirmation during the regular meeting. Upon consent of the Council, the nominee may be confirmed at the same meeting as the confirmation review.
- E. Confirmation review process shall include:
  1. Introduction of nominee by the Mayor.
  2. Three-minute statement by the nominee that should address the following issues:
    - a. Why does the nominee seek to serve the City as a commissioner or official? ~~–~~
    - b. What qualifications, skills, or abilities does the nominee bring to the commission or position?
  3. Questions from Councilmembers for the nominee. ~~–~~
- F. Final Confirmation Calendar: The list of nominees for final confirmation may be a separate addendum sheet to the regular agenda, provided it is posted with the agenda for the public. ~~–~~The entire list may be confirmed as part of the Consent Calendar, except any one Councilmember may remove any name from such a motion and that nominee shall thereafter be voted upon by separate motion.
- G. All nominees shall appear before the Council during confirmation review unless the nominee requests to be excused and such request is approved by the Council. ~~–~~An approved motion to suspend this rule and excuse the nominee from appearing shall allow the nominee to be scheduled for the final confirmation calendar. ~~–~~The confirmation review may be delayed no more than three consecutive meetings at the request of the Mayor, nominee or by majority consent of the Council.
- H. Final confirmation may be delayed for one regular meeting at the request of the nominee, the Mayor or by majority consent of the Council. ~~–~~The majority of the Council may approve a second delay. ~~–~~The nomination may be withdrawn prior to the call for the question for final confirmation. ~~–~~This action must be by the nominee in writing or verbally at a Council meeting or by the Mayor verbally at a Council meeting. ~~–~~Once a nomination is withdrawn, a subsequent nomination of the same individual must begin at the start of the process.
- I. Only Councilmembers and the Mayor may speak to a motion regarding final confirmation.

#### 5.4 Voting

The votes during all meetings of the Council shall be transacted as follows:

- A. Unless otherwise provided by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Councilmember, a roll call vote shall be taken and recorded by the City Clerk. ~~The Presiding Officer shall determine the order of the roll call vote.~~
- B. In case of a tie vote on any proposal, the motion shall be considered lost. The Mayor shall have a vote only in the case of a tie in the votes of the Councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.
- C. ~~Every Councilmember who was in the Council Chambers, or as authorized for remote participation, present for the meeting in person or remotely is eligible to vote. when the question was put shall give his/her vote unless the Council, for special reasons, shall excuse the Councilmember by motion. If any Councilmember refuses to vote "aye" or "nay" present for the meeting in person or remotely is eligible to vote. If any Councilmember abstains abstains refuses to vote "aye" or "nay" (for example, due to a conflict of interest), the result shall be determined in accordance with Robert's Rules, which generally means that it shall be as if the individual who abstained from voting was not present for the vote.~~
- A. ~~Incorrect Vote. Immediately following a vote a Councilmember, if he/she feels that he/she has incorrectly voted or that a fellow Councilmember has voted incorrectly, he/she can request a revote if approved by a majority of the Council. Approval is not to be unreasonably withheld.~~
- D. In the event that absences or abstentions reduce the number of voting councilmembers to five or fewer, it will be made clear whether a motion/ordinance requires a majority approval of those voting, or a majority approval of the total number of councilmembers.
- C. ~~Incorrect Vote. Immediately following a vote a Councilmember, if he/she feels that he/she has incorrectly voted or that a fellow Councilmember has voted incorrectly, he/she can request a revote if approved by a majority of the Council. Approval is not to be unreasonably withheld.~~

Commented [LG35]: Cleaning up the language, since we haven't really distinguished absent vs excused councilmembers

Commented [LG36]: If 5 councilmembers are present, I seem to recall that for certain matters, 3 yes votes would be sufficient, while for other matters 4 yes votes would still be required. Since this is nuanced, I think it's important that it be clear what the threshold for passage is.

Commented [LG37]: Already covered in section 5.1

Commented [LG38]: Already covered in section 5.1

#### 5.5 Ordinance and Resolution Drafting Standard

A resolution shall be drafted using the same rules as an ordinance and shall be drafted as follows for consideration by the Council:

- A. The ordinance number shall be at the top, centered and in bold. ~~On all pages the ordinance number shall be placed in the footer, on the same line as the page number, right justified.~~
- B. The title shall be centered below the number in bold, capitalized letters.
- C. A straight line shall be placed below the title.
- D. The body of the document shall use 0.6-inch margins on the top, right and bottom and 1-inch on the left. ~~Indentation shall always be 5 spaces when used. Block justification should be used with continuous line numbering in the left-hand~~

column. -A line space should be used between paragraphs. -Twelve-point font should be used.

- E. "Whereas" clauses shall be stated with only the first sentence indented and "Whereas" capitalized and in bold.
- F. The required ordaining clause is placed following the "Whereas" clause(s). -The first sentence will be indented. -The clause is in capitalized bold lettering.
- G. The section number and short title shall be bold lettering using sentence capitalization. -The remaining section-amending or adding clause is to use normal lettering and capitalization. -The words "new section," when used, shall be stated in bold capital letters following the section number.

- H. The content section shall be at one indentation with hanging indentation after the section amending clauses.
- I. The words being deleted from law shall be struck through with a line. -Words being added shall be underlined.- Words being added in a “new section” shall be in regular type.
- J. Legislative history shall appear at the end of the ordinance, as follows:
  - 1. Introduced by: (must be a Councilmember or by Executive Request)
  - 2. Date Introduced:
  - 3. Date Work Session (first and last dates only):
  - 4. Date Redrafted (with Council-adopted amendments):
  - 5. Date Final Action:
  - 6. Date Posted:
  - 7. Date Published:
- K. All ordinances, except those adopting quasijudicial decisions, shall have an “Ordinance Information Summary.” This summary shall be formatted as the ordinance with the ordinance number and title immediately below the page heading of Ordinance Information Summary. -The headings for the summary information will be: (1) Purpose; (2) Effect; (3) Estimated Financial Impact. -The date and version shall be indicated at the end of the text of the summary.- The summary should be updated upon adoption of major amendments to an ordinance.

5.6 **Amendments to Ordinances and Resolutions**

- A. Once an ordinance or resolution is introduced it may only be changed by action of the Council.
- B. A referral to the Ordinances and Resolutions calendar constitutes a main motion to adopt the ordinance. -Amendments to an ordinance are in order during Ordinances and Resolutions.- Adoption of the main motion (ordinance as amended) is in order only on the Council Action calendar.
- C. Amending the ordinance or resolution may be done in two ways: 1) line-by-line, etc., or 2) by striking the entire ordinance/resolution after the title and replacing it with another entire version (this is known as a striking amendment). -Line-by-line method is normally in order prior to a striking amendment unless by consent of Council. -If a striking amendment is approved, the ordinance/resolution is considered automatically engrossed upon approval of the striking motion.
- D. The format for line-by-line (can be section-by-section) amendments is the following:

**Amendment to Ordinance XXX by Councilmember XXX**

On page \_\_\_\_\_, line \_\_\_\_\_ after the word “\_\_\_\_\_”  
Strike “\_\_\_\_\_” and Insert “\_\_\_\_\_”

- E. Line numbering will be used on amendment pages.
- F. Words that will be struck will be typed exactly as presented in the ordinance. -It is also proper to state: “Strike all language in this section and insert\_\_\_\_\_” if-

Commented [LG39]: How formal do we want this process? Many amendments have been done orally by councilmembers. Though the challenge is that can get confusing if not everyone is clear what is being amended. Do we want a requirement that amendments must be in writing? So if a councilmember has an amendment they want to propose at the meeting, they would need to quickly write it down so staff can type it up? That would avoid the issue of us not knowing exactly what we are voting on.

appropriate. -Insertions will be typed exactly as required in ordinance standards.-  
Striking language is always stated before insertion.

F.G. In order to simplify amendments, only one strike and one insert may be put together in one amendment paragraph. -The above example is one amendment paragraph.- More than one amendment paragraph may be listed on a page.

G.H. Drafting and copying of amendments, resolutions or ordinances for the Council by City staff shall be provided only upon the request of a Councilmember, the Mayor or by formal commission or board action.

### 5.7 **Appointment to Fill Council Vacancy**

- A. ~~A.~~ The City Council, pursuant to RCW 35A.12.050 and RCW 42.12.070, is authorized to fill a vacancy on the City Council by appointing a qualified person to fill the vacant position. A Council position shall be considered vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010. -A Councilmember who is vacating his or her position may not participate in the appointment process. The position should be filled at the earliest opportunity, but no later than ninety (90) days from the vacancy occurring.
- B. ~~B.~~ The City Council shall ask the Mayor to direct City staff to begin the administrative processes needed to fill the vacancy as provided below:-
  1. The City Clerk or designee ("City Clerk") shall advertise for the vacant Council position in the City's Official newspaper once each week for two consecutive weeks. Courtesy copies of the advertisement shall be provided to other local media outlets and current members of City commissions and task forces.-
  2. The advertisement shall include the qualifications needed for appointment to the vacant Council position consistent with the requirements to hold public office in the City: be a registered voter of the City; and have at least one year of residency in the City. -The advertisement shall include the time period to be served in the vacant position, a summary of Councilmember duties, salary information, the deadline for submitting an application, projected interview and appointment schedules as determined by the City Council, and such other information as the City Council deems appropriate.-
  3. The City Clerk shall solicit input from all Councilmembers and prepare an application form.- Applications shall be available at City Hall, the King County library located in the City, and other locations the City Council deems appropriate.-
  4. Completed applications and supporting materials received from applicants by the deadline shall be electronically distributed by the City Clerk to the City Council within two business days of close of the application period.
  5. The City Clerk shall publish the required public notice for meetings at which Council will be interviewing applicants, deliberating, and voting to fill the vacancy. -Interviews may take place at either a regularly scheduled business meeting of the Council or a special meeting of the Council Committee of the Whole.-
  6. The City Clerk shall notify all applicants that the Council has decided to interview of the location, date and time of the interviews.-





C. The City Council shall use the following interview process for filling vacant Council positions:-

1. ~~1.~~ If the number of applications received by the deadlines is more than six (6), the Council may choose to interview less than all of the applicants. The decision regarding which applicants to interview shall be made by a vote of the Council.-
2. ~~2.~~ Prior to the interviews, the Council Chair shall accept one interview question from each Councilmember.-
3. ~~3.~~ The applicants' order of appearance for the interviews shall be determined by random drawing by the City Clerk prior to the meeting.-
4. ~~4.~~ Each interview shall last no longer than thirty (30) minutes, unless Council decides to reduce the allowed amount of time based on the number of applicants to be interviewed.-
  - a. The applicant shall have up to five minutes to present his or her credentials to the Council. (5 minutes)
  - b. The Council shall ask a predetermined set of questions to the applicants. Each applicant will be asked the same questions and will have up to two minutes to answer each question. (14-21 minutes)
  - c. After the predetermined questions, Councilmembers may ask and receive answer to miscellaneous questions from an applicant. (4-11 minutes)

D. ~~D.~~ The following shall govern the Council's process for voting on applicants to fill a vacant Council position:-

1. Upon completion of the interviews, Council may convene an executive session to discuss the qualifications of the applicants interviewed pursuant to RCW 42.30.110(1)(h). -All interviews, deliberations, and votes taken by the Council shall be in open public session.-
2. In open public session, the Council Chair shall call for motions from Councilmembers for the purpose of voting on an appointment to a fill a vacant Council position.-
3. At any time during the appointment process, the City Council may postpone voting on the appointment if an affirmative majority vote has not been received for an applicant.-
4. Nothing in this policy shall prevent the Council from reconvening into executive session to further discuss applicant qualifications.-
5. The Council Chair shall declare the applicant receiving the affirmative majority vote as the new Councilmember who shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled Council meeting.

~~The Executive Branch~~

## **Article 6: THE EXECUTIVE BRANCH**

### **6.1 Mayor-**

The Mayor shall be the chief executive and administrative officer of the City, in charge of all departments and employees, with authority to designate assistants and department heads. The Mayor may appoint and remove a chief administrative officer or assistant administrative officer, if so provided by ordinance or charter. He or she shall see that all laws and ordinances are faithfully enforced and that law and order is maintained in the city, and shall have general supervision of the administration of City government and all City interests (see ~~RCW 35A.12.100~~~~RCW 35A.12.100~~~~RCW 35A.12.100~~). -Other duties include:-

- Faithful performance of contracts; bonds approved/disapproved; may file lawsuits (with Council confirmation);-
- Make recommendations for Council consideration and action;-
- Prepare and propose a budget; may veto ordinances passed by the Council; and
- Serve as the official and ceremonial head of the City and shall represent the City on ceremonial occasions.

### **6.2 City Administrator**

The City Administrator is the chief operating officer for the City with administrative, executive and liaison functions under the direction and authority of the Mayor as chief executive officer. Duties, powers and responsibilities- are: supervise, administer and coordinate the activities and functions of the various City offices and departments in carrying out the policies of the City Council, and administer and supervise the carrying out of the decisions, regulations and policies of the various City departments and commissions; regularly report to the Mayor and City Council concerning the status of all assignments, duties, projects and functions of the various City offices and departments; serve as personnel officer for the City, including, without necessary limitation:

- The hiring and discharging (subject to the approval of the Mayor) of all City employees except those employees and officers required by state law or City ordinance to be appointed by the Mayor or elected by the voters of the City, and subject to any applicable civil service laws, ordinances or regulations;-
- Supervise all purchasing by the various City offices, departments and commissions;-
- Supervise all expenditures by the various City offices, departments and commissions for the purpose of keeping the same within the limitations of the annual budget of the City;-
- Assist the Mayor and City Council generally in conducting the City's business in all matters; and
- Perform such other duties and assume such other responsibilities as the Mayor or City Council may direct, and as by ordinances and resolutions of the City Council may be required. (See LFPMC 2.04).-

### **6.2.1 Role of the City Administrator**

The City Administrator shall attend all meetings of the City Council, unless excused by the Mayor. -Under the direction of the Mayor, the City Administrator may recommend for adoption by the Council such measures as he/she may deem necessary or expedient, prepare and submit to the Council such reports or proposals as may be required by the body or as the City Administrator deems advisable to submit; keep the Council fully advised as to the business and finances of the City; and, when appropriate, shall take part in the Council's discussion on all matters concerning the welfare of the City. -In the event that the City Administrator is unable to attend a Council meeting, the City Administrator, with the consent of the Mayor, shall appoint a key staff member to attend the meeting as the representative of City Administration.

During Council meetings, the Presiding Officer should rely on the City Administrator to introduce the administrative participation on agenda items and should offer opportunity for comment or recommendation of the City Administrator before final vote on important matters.-

### **6.3 Communications to the Public are Essential**

The Mayor and City Administrator shall be responsible for the City communications function, but important and/or controversial communications shall be promptly copied to Council and other responses sent to Council pursuant to Council rules of procedure.

The Mayor is responsible for accurately communicating Council legislative policies. - Prior to a final policy decision by the Council, the Mayor may also express the Administration's view as regarding a specific legislative policy but must clearly identify the Administration's view as separate from Council's proposed policy. -When a final policy decision has been made, the policy of the City shall be clearly communicated.-

### **6.4 Professional Standards are Respected**

Through its personnel handbook, the City of Lake Forest Park encourages its key employees to participate in professional and trade organizations. -City leaders support professional government and respect the professional association standards and model documents.-

### **6.5 Regular and Understandable Financial Reporting**

The City's regular financial reports enable the Council and community to understand the City's financial condition, and are in harmony with accounting standards for governmental organizations, applicable law and municipal best practices, taking into account brevity, cogency, and clarity.

### **6.6 Mayor and Administration are Mindful of Risk Management**

Mayor and Administration assure the Washington Cities Insurance Authority (WCIA) member compact is followed. There is an annual review of risk management with WCIA. The interlocal agreement for WCIA membership provides for WCIA settlement of claims and lawsuits in consultation with the member. The Council empowers the Mayor and-

City Administrator to represent the City in claims administration, and the Council should be consulted on major claims and lawsuits or settlements involving direct payment of City resources. -The Council will not interfere with the claims adjudication process. -The Council will conduct its business equally mindful of risk management.-

6.7 **Public Information is Enhanced by Audio, Video, and Website & NoteAccess**

The City will strive to make its proceedings as accessible to the public as possible within the budget and technology available. Video, audio and/or approved minutes of meetings are concise and are approved and posted online in as timely a manner as possible.-

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6.8 **Correspondence**

The Mayor and Council recognize the value of the City speaking with one voice and have agreed that, unless specifically otherwise determined, the Administration will prepare written responses to ~~citizens.~~ the public.

Commented [PMK40]: Needs review and discussion, as this has not been the practice.

The Administration will make every reasonable effort to respond to all written correspondence addressed to the Mayor and Council and copy the Council within 14 days of receipt. -Response to verbal testimony by the Administration will be at the specific request of the Council.-

The City Administrator will report on correspondence from the Administration between Council meetings in his/her report. -Copies of such responses should be provided to the Council in their next meeting packet.

~~This shall not preclude in addition to an official response by the administration, individual Councilmember are also welcome to respond to the public responses, so long as it is clear that these responses or informal responses may not represent the official position of the City coordinated with individual members and appropriate staff.~~ may not represent the official position of the City

Commented [LG41]: Making it a bit more clear that individual councilmembers can always respond to the public, rather than it simply not being forbidden.

6.9 **City Clerk -- Minutes -- Public Information Access**

The City Clerk shall adhere to the requirements of State law ~~(RCW 35.23.121)~~ (RCW 35.23.121), and shall be the ex-officio Clerk-of-the-Council. The City Clerk shall keep minutes as required by law, and shall perform such other duties in the meeting as may be required by the Council, Presiding Officer or City Administrator. -In the absence of the City Clerk, the City Clerk shall appoint a replacement to act as Clerk-of-the-Council. -The Clerk-of- the-Council shall keep minutes, which identify the general discussion of the issue and complete detail of the official action or consensus reached, if any. -The City Clerk shall make an audio recording of the proceedings of all public hearings, regular business meetings, study sessions and workshops, and quasijudicial proceedings. -The Clerk shall keep, and make available, an agenda and date for each audio recording, which will facilitate location of the recorded proceedings. -The audio recordings shall be posted publicly on the City website, ideally within 48 hours after the Lake Forest Park City Council Governance Manual  
Updated April 28, 2016

meeting.-



**Article 7: PUBLIC PARTICIPATION IN CITY GOVERNMENT**

**7.1 Public Comment Period at Business Meetings**

The agenda for Council Business Meetings shall generally include a period of time known as the Public Comment Period. Within that time period, any member of the public may be recognized by the Presiding Officer and may address the full Council on any public issue – whether or not on the agenda. Unless Council determines otherwise, the Public Comment Period at a Business Meeting is reserved for comments by the public, rather than responses from the Council or the Administration.-

**7.2 Other Meetings with the Public Outside of City Hall**

Work sessions, committee meetings and retreat meetings may provide opportunities for public comment. -Opportunities for public comment will be noted on individual agendas.

**7.3 Additional Avenues for Public Participation**

Public process activities may also incorporate a range of tools such as press releases, newspaper columns, fact sheets, Q&As, etc., as described in the City's documents and guidelines pertaining to public participation in various projects and processes.-

**7.4 Commissions, Committees, and Boards**

Lake Forest Park has adopted a volunteer commission system (detailed in LFPMC 2.22) that provides for appointed individuals to make policy, program, and budget recommendations in specific issue areas. -The following Commissions ~~have been,~~ Committees, and Boards have are -currentlycurrentlybeen established for public engagement and participation:

- A. Planning Commission~~on~~;
- ~~A.;~~
- ~~B. Community Services Commission;~~
- ~~C. Environmental Quality Commission;~~
- ~~D. Transportation Commission;~~
- ~~E. Economic Development Commission; and~~
- ~~B. Civil Service Commission-~~
- ~~C. Tree Board~~
- ~~D. Parks and Recreation Board~~

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### ~~Relationship between Council, Mayor and City Administrator, Staff and the Public~~

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#### 7.4.1 Alternates for Commissions, Committees, and Boards

Recognizing the importance of the contributions of volunteers in our community, the Mayor shall interview and recommend to the City Council two alternates per commission, committee, or board, subject to the following conditions:

- a. In the absence, resignation or expiration of term by a member of a commission, committee, or board member, an alternate, if able to be present, will become a voting member of the body.
- b. The seniority of the alternates is based upon their date of confirmation.

**Article 8: RELATIONSHIP BETWEEN COUNCIL, MAYOR AND CITY ADMINISTRATOR,  
STAFF AND THE PUBLIC**

Council sets public policy to be carried out by the Administration and establishes budgetary authority for departments and positions, and may determine the duties and compensation of each, but does not interfere with the Mayor’s and the City Administrator’s management of City employees or the setting of internal operating policy.

**Council and Administration Roles and Responsibilities Differentiated**

**8.1** Leaders adhere to the separate and distinct public policy and management roles of the Council and Administration. Administrative policy and complaints are handled by the Mayor, City Administrator and Department Heads (~~RCW 35A.12.100~~~~RCW 35A.12.100~~~~RCW 35A.12.100~~); legislative policy is established by Council for enactment by City Administration (~~RCW 35A.11.020~~~~RCW 35A.11.020~~~~RCW 35A.11.020~~).

**8.1.2 Performance-Driven Management**

The Mayor reviews the City Administrator’s performance annually. The City Administrator is responsible for performance reviews of subordinates.

**City Attorney Is Legal Counsel to the City and Its Officials Collectively**

**8.1.3** The City Attorney is appointed by the Mayor, subject to the confirmation by a majority of the City Council, and represents the City. In that capacity, she/he provides legal advice to the Mayor the Council, the City Administrator and staff to the extent their interests coincide with the City’s.

**8.1.4 Staff Communications Encouraged**

Members of the Council are encouraged to interact with City staff designated by the administration for the purpose of gathering information, obtaining progress reports on policies and programs or providing information to staff relevant to their Council office. Councilmembers should avoid giving direction or advice to members of City staff. – Councilmembers should be mindful of limited resources, and understand that larger requests for information may require additional time to fulfill. –City staff should provide their supervisor with the same information shared with the Councilmember. Should the information provided relate to an actionable item on an upcoming agenda, Councilmembers should share the information with the Council.

**8.1.5 City Administrator – Interference by Councilmembers**

As provided by ~~RCW 35A.13.120~~~~RCW 35A.13.120~~~~RCW 35A.13.120~~, neither the Council, nor any of its committees or members, shall direct the appointment of any person to, or his or her removal from, office by the Mayor or any of his or her

subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the Mayor and neither the Council nor any committee or member thereof shall give orders to any subordinate of the Mayor, either publicly or privately. The provisions of this-

section do not prohibit the Council, while in open session, from fully and freely discussing with the Mayor or the City Administrator anything pertaining to appointments and removals of City officers and employees and City affairs.-

#### **8.58.6 Complaints to Councilmembers**

When performance complaints or complaints of non-action are made by ~~citizens~~~~members~~ ~~members of the public~~ about staff directly to an individual Councilmember or in a Council or committee meeting, the Council member or Council should then refer the matter directly to the Mayor for review and/or action. -The individual Councilmember or the Council may request to be informed by the Administration of the action or response made to the complainant.-

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#### **8.68.7 Administrative Complaints --- "Best Practice"**

Although ~~citizens~~~~public~~~~public citizens~~ direct access to elected officials is to be encouraged to help develop public policy, City Councilmembers should not develop a "personal intervention" pattern in minor calls for service or administrative appeals which may actually delay a timely customer service response. -The best policy is to get the ~~citizen~~~~member~~ ~~member of the public~~ into direct contact with the appropriate department or the City Administrator, unless an unsatisfactory result has occurred. -In that case, refer to Section 8.7667 above.-

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#### **8.78.8 Staff Provides Adequate Information for Council Legislative Policy-Setting**

Good information facilitates good decisions. Given the size of the City, the Council does not have its own separate research staff. -Therefore, the Administration should assure that staff time is made available to the Council so that information provided to the Council is timely and sufficient for effective decision making.-

- A. Information is adequate or sufficient when it provides a balanced background of the subject and gives the Council reasonable policy options and costs.-
- B. Factual information requested by one member should be given to all members (within reason).-
- C. Council will be notified in writing of delays in provision of information beyond one business meeting. -This notification shall include a time line with regard to when and how a request will be handled.-
- D. Subject to the foregoing, the Mayor, City Administrator and staff will work in good faith to respond to requests for information as thoroughly and as promptly as possible or refer the request to the Council for guidance.
- E. In the event that an information request is overly broad, the Mayor may request a narrowing of the scope of the request, and/or a reprioritization of current Council goals, which requires a majority vote of the Council.

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#### **8.88.9 Public Documents Ensure Open And Transparent Government**

The Council and Administration will adhere to laws on public access to documents.

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