



ORIGINAL

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, ADOPTING SUNNYSIDE
ARTS COMMISSION RULES OF PROCEDURE**

WHEREAS, the City Council of the City of Sunnyside has considered adoption of the Arts Commission Rules of Procedure governing proceedings of and before such Commission; and

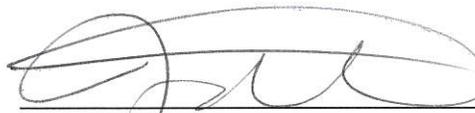
WHEREAS, the City Council finds and determines that approval and adoption of such Rules of Procedure is in the best interests of residents of the City of Sunnyside, and will promote efficient operations of the Arts Commission, and will promote the general health, safety and welfare.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

SECTION 1. That the "Sunnyside Arts Commission Rules of Procedure," a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby approved.

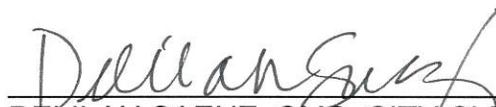
SECTION 2. This Resolution shall be effective upon passage, approval and signatures hereon as required by law.

PASSED this 9th day of March, 2015.



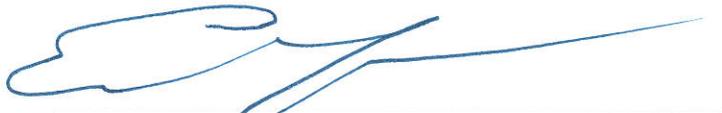
JAMES A. RESTUCCI, MAYOR

ATTEST:



DELILAH SAENZ, CMC, CITY CLERK

APPROVED AS TO FORM:



KERR LAW GROUP, PLLC
Attorneys for the City of Sunnyside

**Sunnyside Arts Commission
Rules of Procedure**

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1. AUTHORITY AND TERMS:

- a. **Authority:** The Sunnyside City Council being the duly elected governing body of the City of Sunnyside and the approving authority for all actions taken by the Commission has authorized the Commission to adopt Rules of Procedure pursuant to law and subject to Council approval. Upon adoption by the Commission and subsequent approval of the Council the following set of rules shall be in effect until such time as they are amended or new rules adopted in the manner provided for in these rules.

- b. **Terms:** As used in these rules unless the context indicates otherwise:
 - i. **Council/City Council:** Refers to the Sunnyside City Council, the duly elected governing body of the City of Sunnyside, Washington.
 - ii. **Commission:** Refers to the Sunnyside Arts Commission, a duly appointed commission of the Sunnyside City Council pursuant to SMC 2.50.150.
 - iii. **Council Liaison:** Refers to the Sunnyside City Councilmember appointed by the Mayor and approved by Council to act as a liaison between the Council and the Commission.
 - iv. **Staff Liaison:** Refers to the Sunnyside City Staff Member appointed by the City Manager to act as liaison between the City and the Commission.
 - v. **Revised Code of Washington (RCW):** Refers to a compilation of all permanent laws now in force in the State of Washington. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted through the initiative process).
 - vi. **Sunnyside Municipal Code (SMC):** Refers to a compilation of all permanent ordinances in force in the City of Sunnyside. It is a collection of ordinances (adopted by resolution of the City Council, and signed by the Mayor, or enacted through the initiative process).

2. GENERAL RULES:

- a. Meetings to be Public.** All official meetings of the Commission shall be open to the public with the exception of the executive sessions for certain limited topics, as defined in RCW 42.30.
- b. Quorum.** A majority of the Commission then serving and qualified shall be in attendance to constitute a quorum and be necessary for the transaction of business, including participation in, and conducting of, scheduled regular meetings and special meetings. If a quorum is not present, those in attendance will be named, and the meeting promptly adjourned.
- c. Attendance, Excused Absences.** A failure to attend three (3) consecutive regular meetings of the Commission without being excused by the Commission shall constitute a forfeiture of appointment. Members of the Commission may be so excused by complying with this section. The member shall contact the Chairperson or the Staff Liaison (The Staff Liaison will immediately notify the Chairperson) prior to the meeting and state the reason for his or her inability to attend the meeting. Upon request of the member, the Chairperson shall inform the Commission of the member's absence, state the reason for such absence and inquire if there is a motion to excuse the member. In the event a Commissioner fails to attend three (3) consecutive regular meetings without being excused by the Commission, the Chairperson shall at their earliest convenience contact the Mayor or Deputy Mayor in the absence of the Mayor and request a replacement appointment be made in accordance with SMC 2.50
- d. Journal of Proceedings.** An account of all proceedings, except those which are exempted by RCW 42.30.110 (Executive Session) shall be kept and maintained by the Staff Liaison and published on the City's website.
- e. Right of Floor.** Any Member desiring to speak shall be recognized by the Chair, and shall confine his or her remarks to one subject under consideration or to be considered.

- f. Council Liaison.** The Council Liaison shall provide a report as necessary to the City Council or any other duties that the City Council may direct.
- g. Staff Liaison.** The City Manager or the Staff Liaison or such other person as the City Manager may designate, shall:

 - i. Keep minutes of the meeting and perform such other duties in the meeting as may be directed.
 - ii. Provide administrative support for the Commission and provide supporting documentation for all items under consideration.
 - iii. May make recommendations to the Commission on behalf of the City Manager and may take part in discussion on all matters concerning the welfare of the City. He or she shall have a seat, but no vote, in all meetings of the Commission.
- h. City Attorney.** The City Attorney may attend meeting of the Commission in which the Commission requests legal advice; provided such request is made prior to the meeting and is approved by the City Manager.
- i. Rules of Order.** "Roberts Rules of Order – the Modern Edition" shall govern the deliberations of the Commission, except as they may be in conflict with the following rules:

 - i. Motion to be stated by Chair – Withdrawal. When a motion is made and seconded, it shall be stated by the Chair before debate. Any member may demand that it be put in writing. A motion may not be withdrawn by the mover without the consent of the member and seconding it, and approval of the Commission.
 - ii. Motion Out of Order. The presiding officer may at any time by concurrence of the members present permit a member to introduce a motion out of the regular order.

EXHIBIT "A"

- iii. Motion to Adjourn. When not in order, a motion to adjourn is debatable only as the time to which the meeting is adjourned, a motion to adjourn shall be in order at all time, except as follows:
 - 1. When repeated without intervening business or discussion,
 - 2. When made as an interruption of a member while speaking,
 - 3. When the previous question has been ordered,
 - 4. While a vote is being taken,
 - 5. Notwithstanding the above, the Chair may adjourn any meeting by declaration in the event of emergency.
- iv. Amend to Strike Out and Insert. On an amendment to "Strike out and Insert" the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out and those to be inserted shall be read, and finally the paragraph as it would stand if so amended shall be read.
- v. Reconsideration. After the decision on any question and member who voted with the prevailing side may move for reconsideration of any action at the same or the next succeeding meeting; provided, that after a motion of reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

3. TYPES OF MEETINGS:

a. Regular Meeting.

The commission shall meet on the fourth Wednesday of each month at 6:00 pm. When a Commission Meeting falls on a holiday, the regular meeting shall be held on the

following Thursday at the same hour unless otherwise provided by motion.

Regular Commission meetings shall not exceed 2 hours in length unless a majority of the Commission, by motion duly approved consents to exceed such limit. Any matter on the agenda not considered due to lack of time shall be placed on the agenda for the next regular Commission meeting, or any special meeting called for such purpose. The Commission may cancel or reschedule regular meetings at a different date or time by a motion. The place of the meeting shall be at one of the following locations City Council Chambers in Sunnyside Law & Justice Center, Sunnyside City Hall, or a place determined by the Commission by a majority vote.

- b. Special Meetings.** Special meetings may be called by the Chairperson, a majority of the Commission or by resolution of the City Council. The Staff Liaison shall prepare a notice of the special meeting, starting the time, place, and object and give notice of the special meeting to all Commissioners, The City Council and the City's official newspaper and other media of record. The Commission may not make any final determination of any matter not mentioned in notice.
- c. Workshops/Study Sessions.** The Commission may at the call of the Chairperson or a majority of the Commission meet informally to conduct workshops and/or study sessions; provided that the meeting be open to the public and in a manner consistent with these rules, and that all discussions and conclusions thereon shall be informal.
- d. Executive Sessions.** Executive Sessions may be held with prior approval of the City Council and in accordance with the requirements imposed by RCW 42.30.110 and 42.30.140.

- e. **Attendance of Media at Commission Meetings.** All official meetings of the Commission shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

4. CHAIRMAN & VICE CHAIRMAN; ELECTIONS AND DUTIES:

- a. **Election.** At the first regularly scheduled meeting of the New Year, the Commission shall select from their numbers a Chairman. The following procedure will be adhered to when selecting the Vice-chairman. The current Chairman shall open by requesting nominations from the Commissioners for the position of Chairman. All Commission members are eligible for nomination. When nominations are closed, the current Chairman shall call for the vote upon each nominee. If more than one vote is required, all names shall remain on the ballot. Voting shall continue until one Commissioner receives a majority of the votes cast by Commission members present. Immediately after the election, the new Chairman shall assume the Chair, and announce that the next item of business is the election of the Vice Chairman. The same procedure will be followed as for the election of the chairman.

- b. **Duties.** If present the Chairman shall preside at all meetings of the Commission. In the absence of the Chairman, the Vice Chairman shall preside. In the Absence of both the Chairman and Vice Chairman, the Commission shall select from their numbers a Chairman Pro Tem for the meeting. The Chairman shall be responsible for the coordination of the agenda with the Staff Liaison. He or she will communicate regularly with the commissioners and the Staff Liaison to insure that Commission member questions or concerns are addressed in a timely manner. The Chairman will communicate regularly with the Mayor to insure that all vacancies of the commission are filled as expeditiously as possible. The Commission by a majority vote may delegate other responsibilities to the Chairman as they deem necessary or appropriate.

- c. **Absence of the Chairman.** In the absence of the Chairman, the Vice Chairman shall have the same powers and duties as the Chairman.
- d. **Presiding Officer – Powers.** The presiding officer (Chairman, Vice Chairman or Chairman Pro Tem) may move, second and debate from the chair, subject only to the such limitations of debate as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges of a duly appointed Commissioner by reason of his / her acting as presiding officer.
- e. **Preservation of Order.** The Chair shall preserve order and decorum; prevent attacks on personalities of the impugning of members' motives and confine members in debate to the question under discussion.
- f. **Points of Order.** The chair shall determine all points of order, subject to the right of any Commission member to appeal to the Commission. Any member of the Commission may make a Point of Order.
- g. **Questions to be stated.** The Chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member.

5. ORDER OF BUSINESS AND AGENDA:

- a. **Order of Business.** The business of all regular meetings of the Commission shall be transacted in the following order, unless by majority vote the Commission decides to change the order.
 - I. (1) Call of Order
 - II. (2) Roll Call
 - III. (3) Approval of Minutes
 - IV. (4) Active Agenda

- V. (5) Public Comments
- VI. (6) Future Agenda Items (Next Regular Meeting)
- VII. (7) Items from Commission Members
- VIII. (8) City Council Liaison Report
- IX. (9) Items from Staff Members
- X. (10) Adjournment

b. Agenda. Except as otherwise authorized by the Chairman, all reports, communications or other matters to be submitted to the Commission shall be delivered to the City Manager whereupon he shall arrange a list of such matters according to the order of business. The Staff Liaison shall publish the agenda on the City's website prior to the meeting and also provide a summary of the Agenda to the City's official newspaper and other media of record prior to each regular and special meeting. To the extent that it does not violate public notice requirements, the printed agenda of the a regular meeting may be modified, supplemented or revised at the beginning of the meeting by a majority vote of the members present.

c. Items from Commission Members. The agenda shall provide a time when the Chairman or any other commission Member may bring before the Commission any business that he/she feels should be deliberated upon by the commission. These matters need not be specifically listed on the agenda.

6. RECOMMENDATIONS AND MOTIONS:

- a. Form.** Items brought before the Commission shall be presented only in printed or typewritten form. Motions may be made in any appropriated form, including spoken or written form.
- b. Recommendations.** The Commission acts in an advisory capacity to the City Council, no item brought before the Commission may be forwarded to the City Council without a majority vote of the members' present approving such action.
- c. Recording of Votes.** The votes for and against shall be taken upon the passage of all items before the Commission and entered upon the official record of the Commission.
- d. Tie Votes.** In the event of a tie in votes on any motion, the motion shall be considered defeated.
- e. Conflict of Interest and Appearance of Fairness.** Any member of the Commission who in his or her opinion has an interest in any matter before the Commission that would prejudice his or her actions shall so publicly indicate by recusing themselves from the proceedings.

7. CITIZEN'S RIGHTS:

- a. Individual Agenda Items.** The Commission does not normally take public comment on individual agenda items that are not set for public hearing. These items are related to decisions that must be made in public but do not require public input. Any citizen wishing to address the Commission on any such item must approach the podium and request to be heard. The Chair at his / her discretion or by a majority consensus of the members present may allow the individual to address the Commission.
- b. Public Hearings.** Citizens may address the Commission at the appropriate time during Public Hearings by approaching the podium

and being recognized by the Chair. Citizens must identify themselves and their city of residence. The Chair may limit the time allowed to speak to three (3) minutes or other duration due to time constraints. Normally, citizens will have only one opportunity to address the Commission during a public hearing.

- c. **Manner of Addressing the Commission – Time Limit.** Each person addressing the Commission shall step up to the microphone, give his / her name and city of residence in an audible tone of voice for the record and, unless a different time is granted by the Chair due to time constraints, shall limit their address to three (3) minutes. All remarks shall be addressed to the Commission as a body, and not to any member thereof. No person, other than members of the Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through the members of the Commission. No questions shall be asked of the Commission members, except through the presiding officer (Chair).
 - d. **Personal and Slanderous Remarks.** Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the Commission may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the Commission during the meeting in question.
 - e. **Reading of Protests.** Interested persons, or their authorized representatives, may address the Commission for the reading of protest, petitions, or communications relating to any matter over which the Commission has control, when the item is under consideration by the Commission, if a majority of the Commission present agrees to let them be heard.
- 8. SUSPENSION AND AMENDMENT OF THESE RULES:**
- a. **Suspension of the Rules.** Except as otherwise noted, these rules may not be suspended without prior approval of the City Council.

EXHIBIT "A"

- b. Amendment of the Rules.** These rules may be amended, or new rules adopted, by a majority vote of all members of the Commission, provided that the proposed amendments or new rules are approved by the City Council.