

RESOLUTION 2025 - 94

**A RESOLUTION OF THE CITY OF SUNNYSIDE, WASHINGTON,  
AMENDING THE SUNNYSIDE CITY COUNCIL RULES OF PROCEDURE**

**WHEREAS**, the City Council of the City of Sunnyside has previously adopted rules of procedure as set forth in the Sunnyside City Council Rules of Procedure, originally adopted pursuant to Resolution 2001-39 and subsequently amended pursuant to Resolution Nos. 2002-69, 2004-11, 2004-12, 2004-39, 2006-21, 2006-32, 2008-57, 2010-47, 2012-45, 2018-07, and 2025-04; and 160; and

**WHEREAS**, the City Council of the City of Sunnyside recognizes the need for revising Rule 8.3, Personal and Slanderous Remarks, to ensure that the City's rules of decorum are not facially invalid under principles of free speech and are not susceptible of being applied in a manner contrary to said principles including as stated in the First Amendment of the United States Constitution and interpreted by the courts; and

**WHEREAS**, the City Council finds and determines that approval of an amendment to the Rules of Procedure is in the best interests of residents of the City of Sunnyside and will promote efficient operations of the City Council.

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

**SECTION 1.** That the Sunnyside City Council Rules of Procedure shall be amended to replace existing Rule 8.3 in its entirety with the following:

"Any person disrupting the business of the Council, either while addressing the Council or attending the proceedings, shall be asked to leave, or be removed from the meeting. Continued disruptions may result in a point of order pursuant to the Council's parliamentary rules, or a recess, forced removal, or adjournment. Disruptive behavior includes, but is not limited to, the following:

1. Speaking without being recognized by the Chair.
2. Continuing to speak after the allotted time has expired.

3. Throwing objects.
4. Obscene or indecent remarks.
5. Booing, hissing, or otherwise disrupting the comments of another speaker.
6. Any other behavior that intentionally disrupts, disturbs, or otherwise impedes the orderly conduct of any Council meeting."

**SECTION 2.** That the Sunnyside City Council Rules of Procedure as amended pursuant to the foregoing, which document is attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby approved.

**SECTION 3.** This resolution and the rules of procedure adopted herein replace and supersede previous editions of the rules of procedure and all previous enacting resolutions as referenced in the preamble above.

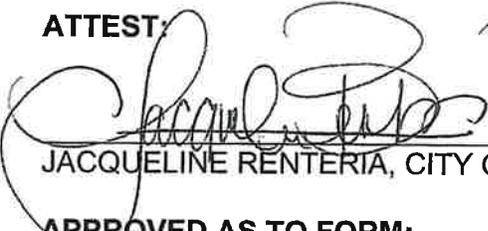
**SECTION 4.** This resolution shall be effective upon passage, approval, and signatures hereon as required by law.

**PASSED** this 1<sup>st</sup> day of December, 2025.



DEAN BROERSMA, MAYOR

**ATTEST:**



JACQUELINE RENTERIA, CITY CLERK

**APPROVED AS TO FORM:**



Julie Norton, CITY ATTORNEY



## **Sunnyside City Council Rules of Procedure**

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*Mayor Dean Broersma, Deputy Mayor Jorge Galvan, Councilor Julia Hart, Councilor Vicky Frausto,  
Councilor Vicki Ripley, Councilor Keren Vazquez, Councilor Martin Beeler.*

## **1. AUTHORITY:**

**1.1 Sunnyside Municipal Code.** The Sunnyside Municipal Code (SMC 2.08.060) provides that the Council may determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided by these rules.

## **2. GENERAL RULES:**

**2.1 Meetings to be Public.** All official meetings of the Council shall be open to the public with the exception of the executive sessions for certain limited topics, as defined in Section 3.5. The minutes of proceedings (minute book) shall be open to public inspection.

**2.2 Quorum.** Four Council members 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, workshop meetings, and special meetings. If a quorum is not present, those in attendance will be named, and the meeting promptly adjourned.

**2.3 Attendance, Excused Absences.** RCW 35A.12.060 provides that a Councilmember shall forfeit his/her office by failing to attend three (3) consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be so excused by complying with this section. The member shall contact the Chair prior to the meeting and state the reason for his/her inability to attend the meeting. If the member is unable to contact the Chair, the member shall contact the City Clerk, who shall convey the message to the Chair. Upon request of the member, the Chair shall inform the Council 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 Councilmember fails to attend three (3) consecutive regular meetings without being excused by the Council, the Council, in accordance with RCW 35A.12.060 shall declare the seat forfeited and vacant at the next regular meeting.

**2.4 Minutes.** An account of all proceedings of the Council, except for proceedings in executive session or matters exempt from the Open Public Meetings Act, shall be kept and maintained by the City Clerk (RCW 35A.39.010).

**2.5 Ordinances - Confined to one Subject; Exceptions.** No ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, which shall be clearly stated in its title.

**2.6 The 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.

**2.7 City Manager.** The City Manager shall attend all meetings of the Council unless advance notice has been provided to the Chair. They shall keep the Council fully advised as to the financial condition and needs of the City. They may make recommendations to the Council and may take part in a discussion on all matters concerning the welfare of the City. They shall have a seat, but no vote, in the meetings of the City Council.

**2.8 City Attorney.** The City Attorney may be requested to attend any meeting of the City Council. The Manager based on direction from the Council will decide whether or not the city attorney is required for a meeting. Any member of the Council may, at any time during a regular or special meeting of the Council, call upon the City Attorney for an oral or written opinion to decide any questions of law.

**2.9 City Clerk.** The City Clerk, or such other person as the City Manager may designate, shall keep minutes of the meeting and perform such other duties in the meeting as may be directed.

**2.10 Code of Conduct** – The current adopted Council Code of Conduct referenced herein by name is incorporated into these rules and will govern the actions of all council members during meetings. Violations of the Code may be addressed through a point of order or may be referred to the Council Subcommittee on Rules for review.

**2.11 Rules of Order.** On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in the current edition of “Robert's Rules of Order – the Modern Edition” shall serve as a guide. In the event of a conflict, these Council policies and procedures shall prevail. The Mayor shall have the authority to interpret these rules and make rulings. except as they may be in conflict with the following specific rules:

Motion to be Stated by Chair - Withdrawal. When a motion is made and seconded, it shall be stated by the chair before the debate. Any member may demand that it be put in writing. A motion may not be withdrawn by the mover without the consent of member seconding it, and the approval of the council;

Motion to Adjourn. When not in order, not debatable, a motion to adjourn shall be in order at any time, except as follows:

- (a) When repeated without intervening business or discussion,
- (b) When made as an interruption of a member while speaking,
- (c) When the previous question has been ordered,
- (d) While a vote is being taken. A motion to adjourn is debatable only as to the time to which the meeting is adjourned;

Notwithstanding the above, the Chair may adjourn any meeting by a declaration in the event of an emergency.

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.

Reconsideration. After the decision on any question any member who voted with the prevailing side may move a reconsideration of any action at the next succeeding meeting; provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

## **2.12 Budget Policies:**

- The City will offer quality service programs that are effective. If expenditure reductions become necessary as a result of changing economic conditions or revenue shortfalls, options will be presented to the Council to either make cuts to services or across the board reductions and cuts.
- Unpredictable revenues (either sources of revenue that are unpredictable, or levels of known revenue sources above which there is the potential to fluctuate unpredictably) should be used for one-time capital needs, not operating needs.
- Funding for programs should be limited to the extent that they can reasonably be funded over the near- to long-term using the current revenue stream.
- Resources (fund balances) greater than budget estimates in any fund shall be considered "one-time" resources and shall not be used to fund ongoing services.
- City Council identified goals will be established annually, based on the available one-time resources of the City. The annual operating budget should allocate resources to accomplish these goals.
- **Balanced Budget:** Current revenues will be sufficient to support current expenditures. Revenue estimates will be realistic and one-time revenues or debt financing will not be used for current operating expenses.
- Fiscal reserves will be maintained according to the reserve policy established by Council to protect against the need to reduce service levels, raise taxes, or fees

due to temporary revenue shortfalls or unprecedented one-time expenditures. See Addendum A.

- The City's water, sewer, storm water, and transportation infrastructure constitute the City's largest physical asset. These assets will be managed in a manner that provides an effective level of service, in a manner that seeks to provide the lowest possible long-term cost for doing so.
- Investments that delay future cost increases: When practical, resources should be allocated for preventative investments that avoid larger future capital and/or operating costs.
- Investments that forestall adding permanent staff: Recognizing that personnel costs continue to increase faster than revenues, methods to increase efficiency and effectiveness of services through technology improvements should receive priority for funding if they forestall the need to add permanent staff.
- The City will seek to provide services that benefit the general public using general revenues (local taxes, ongoing intergovernmental revenue). Services that provide greater benefit to individuals or groups, but not as much to the general public, will be identified for cost recovery through user fees on a sliding percentage scale based on the level of public benefit.
- Enterprise funds (water, sewer, storm water, garbage, ambulance funds) will be funded entirely using a user fee rate structure that covers the true cost of operation, including operation, maintenance, periodic capital replacement, debt service requirements and other costs deemed necessary.
- Overhead and Full Cost Allocation: Department budgets should be prepared in a manner that reflects the true and full cost of providing services.
- Opportunities to diversify revenue sources will be sought to decrease the dependence upon any single revenue source as a general revenue source.
- Debt will be used sparingly within the limits and capacity authorized by law and voter approval.
- Cash will be managed in a manner that balances the City's need for liquidity and return, based on the investment vehicles adopted by Council policy. No City cash will be invested in derivative or speculative risks.
- Operating Accountability: The City shall review expenditures and revenues periodically, and decide on actions to bring the budget into balance, if necessary.

- **Capital Asset Replacement and Inventory:** The City shall assess the condition and anticipated replacement needs of all major capital assets, and include them in capital improvement budgets as needed. See Addendum B.
- **Long-term projections:** The City shall include in the budget a forward-looking examination of revenues and expenditures based on historical trends and anticipated major events to allow the greatest amount of time to adjust revenues and/or expenditures to accomplish balance.

### **3. TYPES OF MEETINGS:**

**3.1 Regular Council Meeting.** The Council shall meet on the second and fourth Mondays of each month at 6:00 p.m. When a Council meeting falls on a holiday, the regular meeting shall be held on the following Tuesday at the same hour unless otherwise provided by motion. Regular Council meetings shall not exceed three (3) hours in length unless a majority of the Council, 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 Council meeting, or any special meeting called for such purpose. The City Council may cancel or reschedule regular meetings at a different date or time by a motion. The place of the meeting shall be the Council chambers in the Sunnyside Law & Justice Center or at such other location designated by Council, and all regular and special meetings shall be public.

**3.2 Study Sessions.** The Council will meet informally in study sessions (open to the public) to review forthcoming programs of the City, review budget information, receive progress reports on current programs or projects, or receive other similar information from the City Manager, provided that all discussions and conclusions thereon shall be informal on the first and third Monday at 6:00 p.m.

**3.3 Special Meetings.** Special meetings may be called by the Mayor or any three members of the Council (RCW 42.30.080). The City Clerk shall prepare a notice of the special meeting, stating the time, place, and object, and personally serve notice upon each of the city council at least 24 hours before the time of the meeting. The City Clerk shall attempt to notify each member of the council in person, either by telephone or otherwise, of the special meeting. The City Clerk shall give notice of the special meeting to the City's official newspaper and other media of record. The city council may not take final disposition of any matter not mentioned in the notice. Written notice may be waived in writing by any councilmember and is waived by his presence at the meeting, pursuant to SMC 2.08.030.

Special meetings may be called by the Mayor in less than 24 hours, and without the notice required in this section, to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage.

**3.4 Adjourned Sessions.** Any session of the Council may be continued or adjourned from day-to-day, or for more than one day, but no adjournment shall be for a longer period than the next regular meeting thereafter, pursuant to RCW 42.30.090.

**3.5 Executive Sessions.** Executive sessions or closed meetings may be held in accordance with the provisions of the Washington State Open Public Meetings Act. There shall be no action taken on any item after the executive session unless such has been previously indicated on the agenda, pursuant RCW 42.30.110.

**3.6 Attendance of Media at Council Meetings.** All official meetings of the City Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings pursuant RCW 42.30.050.

#### **4. DUTIES OF THE CHAIR:**

**4.1 Chair.** The Mayor, if present, shall preside as Chair at all meetings of the Council. In the absence of the Mayor, the Deputy Mayor shall preside. In the absence of both the Mayor and the Deputy Mayor, the Council shall elect a Councilmember Pro temp to preside as Chair of the meeting. Should the Mayor become impaired the Chair may pass the Chair duties to the next in line pursuant to section 4.2.

**4.2 Call to Order.** The meetings of the Council shall be called to order by the Mayor or, in his absence, by the Deputy Mayor. In the absence of both the Mayor and the Deputy Mayor, the meeting shall be called to order by the City Clerk for the election of a Temporary Chair. The roll shall then be called by the City Clerk, who shall enter in the minutes of the meeting the names of the members present.

**4.3 Preservation of Order.** The Chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives, and confine members debate to the question under discussion.

**4.4 Points of Order.** The Parliamentarian shall determine all points of order, subject to the right of any member to appeal to the Council.

**4.5 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.

**4.6 Chair – Responsibilities.** The Chair may move, second, and debate from the chair, subject only to 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 Council member by reason of his/her acting as the Chair.

## **5. ORDER OF BUSINESS AND AGENDA:**

**5.1 Order of Business.** The business of all regular meetings of the Council shall be transacted in the following order, unless the Council suspends the rules and changes the order.

- (1) Call to Order - Roll Call
- (2) Agenda Approval
- (3) Invocation (Moment of Silence)
- (4) Pledge of Allegiance
- (5) Public Comment (Time limit three minutes per person per Rule 8.)
- (6) Consent Agenda
- (7) Active Agenda (Old/New)
- (8) Council Members Reports
- (9) City Manager Report
- (10) Executive Session
- (11) Adjournment

**5.2 Invocation (Moment of Silence).** Each regular meeting of the City Council shall be opened with an invocation, if no one is available for invocation we will provide a moment of silence.

**5.3 Consent Agenda.** The Consent Agenda may contain items which are of a routine and non- controversial nature which may include, but are not limited to, the following: communications, memos and reports for information of Council, resolutions, agreements, petitions, minutes of commissions and boards, applications, approval of accounts, which may be accepted by consent of the Council by a single vote without reading, unless the Council, by motion, duly approved, requests such reading, or pertinent portion thereof. Minutes of the preceding meeting and bills tendered for payments shall not be read in detail at each meeting prior to approval, unless the Council, by motion, duly approved, should request such reading, or pertinent portion thereof. In such instances, the request shall be granted. Any item on the consent agenda may be removed and considered separately as an agenda item at the request of any Councilmember.

**Agenda.** Except as otherwise authorized by the Mayor, all reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council shall be delivered to the City Manager whereupon he or she shall arrange a list of such matters according to the order of business. The City Clerk shall publish the agenda on the City's website prior to the meeting and under normal circumstances on the Thursday preceding regular meetings. The City Clerk shall also provide a summary of the agenda to the City's official newspaper and other media of record prior to each regular, workshop, and special Council meeting.

**5.4 Council Members Reports.** The agenda shall provide a time when the Mayor or any Councilmember may report on meetings, activities and/or special events

to Council.

**5.5 Election of Mayor.** The Mayor shall be elected by the Council by the following procedure: The Chair shall open by requesting nominations from Council members for the position of Mayor. All Council members are eligible for nomination. When nominations are closed, the Chair 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 Councilmember receives a majority of the votes cast by Council members present. Immediately after the election, the new Mayor shall take the chair, and announce that the next item of business is the election of the Deputy Mayor. The same procedure will be followed above for the election of the Deputy Mayor.

**5.6 Vacancy of Mayor.** In the event the seat of Mayor becomes vacant prior to the next biennial election, the Council may at any time in a meeting open to the public elect a new mayor from their numbers pursuant to Rule 5.5.

## **6. ORDINANCES, RESOLUTIONS, AND MOTIONS:**

**6.1 Form.** Ordinances and resolutions shall be presented to the Council only in printed or typewritten form. Motions may be made in any appropriate form, including spoken or written form. All ordinances shall either be prepared by or submitted to the City Attorney for review prior to presentation to the Council.

**6.2 Recording of Votes.** The votes for and against shall be taken as a roll call vote upon the passage of all ordinances and resolutions and entered upon the official record of the Council.

**6.3 Tie Vote.** In the event of a tie in votes on any motion, the motion shall be considered defeated.

**6.4 Numbering Ordinances and Resolutions.** A number shall be assigned to each ordinance or resolution by the City Clerk.

**6.5 Ordinance Passage Procedure.** When passed by the Council, an ordinance shall be signed by the Chair and be attested by the City Clerk; and it shall be immediately filed and thereafter preserved in the office of the City Clerk. If the Chair fails for ten (10) days to sign the ordinance, it shall become valid without his/her signature. (RCW 35A.39.010)

**6.6 Ordinances - When Effective.** No ordinance shall take effect until five days after the date of its publication unless otherwise provided by statute, except an ordinance passed by a majority plus one of the whole membership of the Council pursuant to [RCW 35A.33.100](#), designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace, may be made

effective upon adoption, but such ordinance may not levy taxes, grant, renew, or extend a franchise, or authorize the borrowing of money. The City Clerk will normally publish a summary of all ordinances unless otherwise directed by the City Council or Manager or unless publication of the entire ordinance or portion thereof is required by RCW 35A.39.010

**6.7 Requests for Ordinances or Legal Opinions.** The City Council may during a meeting open to the public request the City Manager to prepare proposed ordinances with such ordinances to be placed on the agenda of the next scheduled council meeting, provided the ordinance can be drafted and distributed to members of the Council. The City Council may request written legal opinions, relating to City business, from the City Attorney.

## **7. CREATION OF COMMITTEES, BOARDS, AND COMMISSIONS:**

**7.1 Citizen Committees, Boards and Commissions.** The Council may create committees, boards, and commissions to advise in the conduct of the operation of the city government with such duties as the Council may specify not inconsistent with the Sunnyside Municipal Code and laws of the State of Washington.

**7.2 Membership and Selections.** Membership and selection of members shall be as provided by the Council if not specified by the Sunnyside Municipal Code. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Manager except as otherwise specified by the Sunnyside Municipal Code and laws of the State of Washington.

**7.3 Removal of Members of Boards and Commissions.** The Council may remove any member of any board or commission which it has created by a vote of at least a majority of the Council upon compliance with any applicable laws of the State of Washington or SMC 2.50.040.

## **8. CITIZENS' RIGHTS:**

### **8.1 Addressing the Council:**

**8.1.1 Individual Agenda Items.** The Council does not normally take public comment on individual agenda items that are not set for a 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 council on any such item must make such a request by contact the City Clerk at [cityclerk@sunnyside-wa.gov](mailto:cityclerk@sunnyside-wa.gov) prior to the Council meeting. The Council will decide whether to allow input at the meeting and determine the time limit.

**8.1.2 Public Hearings.** Citizens may address the Council 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 minutes or other duration due to time constraints. Normally citizens will have only one opportunity to address the council during a public hearing.

**8.1.3 Public Comment.** Citizens may address the Council during the "Public Comment" item on any issues provided the questions/comments are limited to three minutes or other duration due to time constraints. Issues may either be referred to staff or the Council may schedule the item for a future Council agenda.

**8.2 Manner of Addressing the Council - Time Limit.** Each person addressing the Council 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 minutes. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked of the Council members, except through the Chair. The Council will then determine the disposition of the issue (placed on the present agenda, referred to City Manager, placed on other agendas, or no action taken).

**8.3 Disruptive Remarks.** Any person disrupting the business of the Council, either while addressing the Council or attending the proceedings, shall be asked to leave, or be removed from the meeting. Continued disruptions may result in a point of order pursuant to the Council's parliamentary rules, or a recess, forced removal, or adjournment. Disruptive behavior includes, but is not limited to, the following:

1. Speaking without being recognized by the Chair.
2. Continuing to speak after the allotted time has expired.
3. Throwing objects.
4. Obscene or indecent remarks.
5. Booing, hissing, or otherwise disrupting the comments of another speaker.
6. Any other behavior that intentionally disrupts, disturbs, or otherwise impedes the orderly conduct of any Council meeting.

**8.4 Reading of Protests.** Interested persons, or their authorized representatives, may address the Council for the reading of protest, petitions, or communications relating to any matter over which the Council has control when the item is under consideration by the Council if a majority of the Council present agrees to let them be heard.

**8.5 Council May Appoint Committee or Refer Citizens' Complaints.** The Council may appoint a committee of three members of the City Council to hear citizens' complaints, refer the matter for review by the City Manager, or may refer citizens' complaints to an executive session of the City Council, whenever the subject would be appropriate.

**8.6 Written Communications.** Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council had control at any time by direct mail or by addressing the City Clerk, and copies will be distributed to the Council members.

## **9. COUNCIL ACTIVITIES:**

**9.1 Running for Elected Office in Outside Organizations:** If a Council Member chooses to run for an elected position in a regional, state, national, or international organization, the City will not cover any related travel or expenses. However, out of courtesy, the Council Member must inform the City Council of their intention to run for such office before the election process begins.

**9.1.2 Council-Appointed Representation or Running for Positions Related to Council Duties:** When a Council Member is appointed by the Council to represent the City of Sunnyside in a regional, state, national, or international organization, or if a Council Member wishes to run for a position directly related to their role as a counselor, the Council Member must receive the approval of a majority of the Council. This approval is required prior to accepting the appointment or running for the position if any City expenses, including travel, are involved. Travel expenses and any associated costs will be subject to the City's budget, and availability of funds.

**9.2 Legislative Testimony:** When a Council Member provides legislative testimony at a meeting or event outside the City, they must clarify whether they are speaking as an individual or representing the official position of the City of Sunnyside. If the City Council has not formally acted on the issue in question, the Council Member should state clearly that they are offering personal testimony. On the other hand, if the Council has previously taken an official stance on the matter, the Council Member must accurately communicate that position and make it known that they are representing the City's official view.

**9.3 Use of City Letterhead and Logo:** All official letters and written communications concerning City business must be issued on City letterhead that includes the Sunnyside logo. These communications must be signed by the Mayor or, in the Mayor's absence, by the Deputy Mayor. Any letters or written correspondence that require Council approval or direction must be signed on behalf of the Council by the Mayor, or, in the Mayor's absence, by the Deputy Mayor. Council Members are prohibited from using City letterhead or the City logo for personal correspondence or any matters not directly

related to City business.

**9.4 Council-City Manager Communication:** Sunnyside operates under a Council-Manager form of government, where the City Manager is responsible for the administration of the City and the supervision of City employees. The City Council recognizes the importance of open and effective communication with the City Manager to ensure the smooth and transparent operation of the City. Council Members may communicate directly with staff for inquiries but must handle all administrative functions through the City Manager in accordance with RCW 35A.13.120.

The City Manager will provide regular updates to the Council, and both parties will work collaboratively to ensure that City business is conducted efficiently and openly.

**9.5 Use of Public Facilities in Election Campaigns:** In accordance with (RCW 42.17A.555), Washington State law prohibits the use of public facilities, including any city resources, for the purpose of supporting or opposing any ballot measure or election campaign for public office. Council Members, employees, and any other city officials must ensure that no city resources, including staff time, equipment, or materials, are used in connection with any election campaign activities.

## **9.6 Council Disciplinary Procedures:**

**9.6.1. Initiation of Disciplinary Action:** Any Council Member or the Mayor may submit a formal complaint if they believe a Council Member, including the Mayor, has violated Council rules, protocols, or ethics. The complaint must be submitted in writing to the Mayor or Deputy Mayor. If the complaint involves the Mayor, it must be submitted to the Deputy Mayor.

**9.6.2. Preliminary Review:** The Mayor (or Deputy Mayor) along with City Attorney conducts a preliminary review to determine if further investigation is warranted. If the complaint is against the Mayor, the Deputy Mayor along with City Attorney will oversee the review.

**9.6.3. Investigation:** If further review is necessary, the Council may vote to initiate an investigation. The process may be carried out by the City Attorney or an outside independent third party.

**9.6.4. Removal of Mayor from Chair Position:** If the disciplinary action concerns the removal of the Mayor from the chair position due to misconduct, failure to effectively perform duties, or other activities and actions deemed to be inconsistent with the requirements, responsibilities or overall duties of the position of Mayor or Deputy Mayor:

- (A) A motion to remove the Mayor from the chair may be introduced by any Council Member.
- (B) The Council will deliberate in an executive session, if necessary, with the final vote conducted in an open session pursuant to RCW

42.30.110(1)(f).

(C) A majority vote of the Council is required to remove the Mayor from the chair position. The Mayor will retain their Council Member seat but will be relieved of all mayoral duties.

**9.6.5. Hearing and Discussion:** Findings are presented to the Council in executive session, and the accused Council member in question will have the opportunity to respond pursuant to RCW 42.30.110(1)(f).

**9.6.6 Voting on Sanctions:** After discussion, the Council will vote on the appropriate disciplinary action. If Council Members are found to have violated the Council Rules of Procedure or Code of Conduct, a majority vote of the Council is required to confirm the violation.

**Possible sanctions include:**

- (A) Verbal admonition
- (B) Written reprimand
- (C) Censure
- (D) Receive leadership development and coaching
- (E) Advisory opinion to remove from Council committee assignments
- (F) Removal from the Mayor's chair position

**9.6.7 Removal from Chair Position:** If the violation relates to the Mayor's duties as chair of the Council, the Council may remove the Mayor from the chair position, following the procedure outlined in 9.6.

**9.6.8 Appeal:** The Council Member, including the Mayor, may request a formal reconsideration in writing of the Council's decision within 30 days. The Council will vote on whether to amend or uphold the decision.

**9.6.9 State Law Violations:** Any suspected violations of State law or criminal activities must be referred to the Yakima County Prosecuting Attorney's Office for legal action, pursuant to RCW 26.44.030 and §42USC13031

**9.6.10 Confidentiality:** All disciplinary matters and investigations will be handled with the utmost confidentiality, particularly during the preliminary review and investigation phases.

## **10. SUSPENSION AND AMENDMENT OF THESE RULES:**

**10.1 Suspension of Rules.** Any provision of these rules not governed by the Sunnyside Municipal Code or state law may be temporarily suspended by a vote of a

majority plus one (supermajority) of the Council members then in attendance. The vote on any such suspension shall be taken by ayes and noes and entered upon the record. Suspension of these rules does not release the Council and/or members of the audience present from their duty to adhere to the Council Code of Conduct.

**10.2 Amendment of Rules.** These rules may be amended, or new rules adopted, by a majority vote of all members of the City Council, provided that the proposed amendments or new rules shall be introduced by the Council Subcommittee on Rules, and that any action on the amendments may not take place until the next regularly scheduled meeting of the City Council.