

CITY OF BUCKLEY, WASHINGTON

RESOLUTION NO. 20-05

**A RESOLUTION OF THE CITY OF BUCKLEY, PIERCE COUNTY,
WASHINGTON REPLACING THE POLICIES AND PROCEDURES FOR
FILLING A COUNCIL POSITION THAT HAS BEEN DECLARED VACANT**

WHEREAS, on March 24, 2009, the City Council adopted Resolution 09-06 that established policies and procedures for filling a City Council position that has been declared vacant; and

WHEREAS, on June 10, 2014, the City Council adopted Resolution 14-07 that established new policies and procedures for filling a City Council position that has been declared vacant; and

WHEREAS, at a City Council meeting on February 11, 2020, the City Council voted to suspend the current rules; and

WHEREAS, the City Council establishes these policies and procedures subject to statute under RCW 35A.12.050 and 42.12.070; and

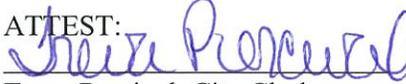
WHEREAS, the City Council has filled a number of vacant seats utilizing the process outlined in Resolution 14-07 since adoption and have identified needed changes to the procedures to make the process more efficient; and

WHEREAS, the City Council has expressed a desire to modify the policies and procedures to reflect these changes.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Buckley hereby adopts the Policy entitled "City Policy on Filling Declared Vacant Council Positions: as amended and attached hereto as Exhibit A.

Introduced, passed and approved this 25th day of February 2020.


Pat Johnson, Mayor

ATTEST:

Treva Percival, City Clerk

APPROVED AS TO FORM:


Phil Olbrechts, City Attorney

Posted: February 26, 2020

Exhibit A

City Policy on Filling Declared Vacant Council Positions

1.0 Purpose

The purpose of this policy is to provide guidance to the City Council when a Buckley Council member position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only to serve the remainder of the unexpired term until the next regular municipal election.

2.0 References

RCW 42.30.110(h) – Executive Session allowed to consider qualifications of a Candidate for Appointment to Elective Office.

RCW 42.30.060 – Prohibition on Secret Ballots.

RCW 42.12 – Vacant Position

RCW 35A.12.030 – Eligibility Hold Elective Office

RCW 35A.12.050 - Vacancies

3.0 Appointment Process

A City Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010. Under authority of RCW 42.12.070, the remaining members of the City Council are vested with the responsibility for appointing a qualified person to fill the vacant position.

The City Council should direct the City Clerk to begin the Council member appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity. After the schedule is established, staff will notify applicants of the location, date, and time of the interviews.

Applications received by the deadline date and time will be copied and circulated to Council members.

4.0 Notifications and Scheduling

The notice of vacancy shall be posted on the City's website and published at least two times in the Courier Herald.

The City Council shall determine a regular meeting or set a special meeting for interviewing candidates and possibly appointing someone to the vacant position.

Interviews and the appointment process may be continued to another day if any Council member is not able to attend or if the selection process is not concluded.

5.0 Interviews

Each applicant shall be given ten minutes to introduce themselves and present their credentials and reasons for seeking appointment to the City Council. They shall also address the answers to these questions during their allotted time:

1. Why do you want to serve on the City Council?
2. What experiences, talents or skills do you bring to the City Council community that you would like to highlight.
3. Are there any regional issues or forums in which you have a particular interest or expertise? (e.g. transportation, water supply, human services, water quality, fiscal management, solid waste, parks & open space, etc.)
4. Do you want to serve on the City Council because of a particular local issue on which you want to work or are your interests more broadly distributed?

The City Council reserves the right to ask additional questions of candidates during the interview.

At the close of City Council questions, applicants will be afforded an opportunity to comment on any additional issues relevant to their candidacy.

The applicants' order of appearance will be determined by a random lot drawing.

6.0 Deliberations and Voting

Upon completion of the interviews, and as provided in the Open Public Meetings Act at RCW 42.30.110(1)(h), Council members may convene into Executive Session to evaluate the qualifications of the applicants. However, all interviews and final action appointing a person to fill the vacancy shall be in a meeting open to the public.

In open session, the Mayor shall ask for nominations from the Council members. No second to the motion is needed. Nominations are closed by a motion, a second and a majority vote of the City Council.

The Mayor may poll the City Council to ascertain that Council members are prepared to vote. The City Clerk shall proceed with a roll-call vote.

Nominations and voting will continue until a nominee receives a majority vote of the remaining Council members.

At any time during the election process, the City Council may postpone elections until another open meeting if a majority vote has not been received, or if one of the remaining Council members is not able to participate in a particular meeting.

The Mayor shall declare the nominee receiving the majority vote of all of the remaining Council members as the new Council member who shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled City Council meeting.

Under RCW 42.12.070(4), if the City Council fails to appoint a qualified person to fill the vacancy within 90 days of the occurrence of the vacancy, the authority of the City Council to fill the vacancy ends and the Pierce County Council is given the authority to fill the vacancy.