



TO: Elizabeth Pauli, City Manager
FROM: William C. Fosbre, City Attorney, City Attorney's Office *William Fosbre*
COPY: City Council and City Clerk
SUBJECT: Resolution – Amending the *Rules of Procedure of the Council of the City of Tacoma* to establish a process for filling City Council vacancies – February 5, 2019
DATE: January 16, 2019

SUMMARY:

Amending the *Rules of Procedure of the Council of the City of Tacoma* (“*Rules of Procedure*”) by adding a new Rule 16, “Filling Council Vacancies and Approved Extended Leave of Absence,” to establish a standard process for filling open Council positions when formally vacated or when an extended leave of absence has been approved.

STRATEGIC POLICY PRIORITY:

- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

BACKGROUND:

Both Washington State law and the Tacoma City Charter provide legal authority for the City Council to fill open Council positions; however, these laws do not mandate a specific process to be used. A number of cities have adopted formal process rules for filling open positions which are efficient, transparent, and provide consistency. The City Attorney’s Office (“CAO”) presented background information on filling vacant Council positions to the Government Performance and Finance Committee on November 6, 2018, and at the Committee’s direction, presented a proposed Council rule to the Committee on December 11, 2018. The proposed rule change was also presented to the City Council at its January 15, 2019, Study Session.

ISSUE:

The City Council does not have a standard process for filling open Council positions; consequently, over the past decade, an ad hoc process has been used each time the Council has had an open position (formally vacated or when an extended leave of absence has been approved), which has caused confusion among potential applicants, the public, the City Council, and the media.

ALTERNATIVES:

The Council can continue to use an ad hoc approach; however, this approach does not provide certainty or transparency to the process.

RECOMMENDATION:

The *Rules of Procedure* should be amended to include a standard process for filling open City Council positions. The process should include procedures for filling positions formally vacated, and in those circumstances when the City Council desires to fill a position where an extended leave of absence of 90 days or greater has been approved by the City Council.

FISCAL IMPACT:

There is no fiscal impact.