

RESOLUTION NO. 16-1110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON REGARDING ABSENCES BY COUNCILMEMBERS

WHEREAS, RCW 35A.12.060 states: "...a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council"; and

WHEREAS, the City Council's Rules of Procedure describe an excused Absence in Section 5.1.1; and

WHEREAS, according to RCW 35A.12.060 and the Council's Rules of Procedure, no party other than the Council has the authority to determine whether an absence by a Councilmember is excused; and

WHEREAS, the Mayor has improperly asserted her authority to determine whether a Councilmember's absence is excused.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Notwithstanding any comments to the contrary by the Mayor or any other party, any absence by a Councilmember that meets the requirements of Section 5.1.1 of the City Council's Rules of Procedure for an excused absence shall be considered "excused by the council" in regards the application of RCW 35A.12.060.

Section 2. The notices of absence that were submitted by City Councilmembers for the May 19, 2016 and May 25, 2016 City Council Meetings meet the requirements of Section 5.1.1 of the City Council's Rules of Procedure and are hereby deemed to have been excused.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THE 7th DAY OF JULY, 2016.

CITY OF BLACK DIAMOND

DENIED

Carol Benson, Mayor

Cannot reverse a Censure

Attest:

Brenda L. Martinez, City Clerk